

How Fast Can You Contact 10,000 People – And Is It Still Legal?

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In the ever-changing world of marketing, I am constantly striving to find new and creative ways to reach customers. While technology has provided many new and exciting opportunities for communicating our services, there is still nothing that beats personal face-to-face contact. Unfortunately, with the vast number of customers and increasing market territories that we cover, it is not necessarily the most effective way of conducting business.



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Any personal marketing strategy that you design, must incorporate a variety of methods that consistently and effectively include all 3 customer groups: Past, Present and Future. While personal visits are preferred (yet impractical on a large scale), relationship marketing for superstar originators revolves around continued communication known as “personal touches”. As I develop personal marketing plans and coach top originators around the country, I rely upon not only the key face-to-face contacts, but a variety of other personal “touches” which must include a combination of e-mail, direct mail, “group” visits, and one of my favorites – voice broadcasting. While there are some significant changes to the rules that are set to take effect, they are minimal and should not deter you from utilizing this great technology – and can even create some new opportunities.

While I am vehemently opposed to spam (unsolicited bulk e-mail), and not a fan of telemarketing in general, there are ways of responsibly and effectively using these mediums to connect with customers. The first rule is to never “hide” behind technology. It is a tool that allows you to reach customers easily, but don’t let it replace “you”. People want to deal with people – not simply internet screens, AU systems or computers.

Hands down, nothing works better than the sound of your own voice, and voice broadcast systems allow me to contact 10,000 people (or more) in an hour if I choose. But is it still legal? With the huge customer revolt taking place against spam and telemarketing (for good reason), many states and the federal government have stepped up to try and better protect consumers against unwanted and unsolicited contacts.

The concept of voice broadcast message systems is simple – record a message, and have it played to hundreds or thousands of people simultaneously through “auto-dialer” phone computers. The message can be played to “live answers” (when customers answer the phone), or as I prefer - answering machines. If someone answers the phone, you can have a short recorded message played, and allow the customer to press a key and

be connected to a “live body”, such as you or a member of your sales team. I shy away from this method, as it still “feels” like a telemarketing call to the customer.

Instead, I will have the messages delivered to answering machines, with a short friendly personal message that invites them to contact me for further details. This approach can be used for past clients to update them as to interest rates, market conditions, product announcements, annual financial “physicals”, or a variety of other reasons. Current clients can be kept abreast of changing rates, company events, homebuyer fairs and more. Future customers can be provided with invitations to home expos, personal financial consultations, or to receive other free informational reports and services.

Based upon my experience, voice broadcast messages are most effective when they are kept short, simple, non-sales oriented, and delivered in a warm friendly tone that makes it sound as if you really did call and leave a personal message. If you would like some examples of sample scripts that I have successfully used, send an e-mail to me at messages@northwindfinancial.com.

With the FTC imposing changes and greater restrictions on telemarketers, you do need to take a couple of simple precautions to insure that you are in compliance with state and federal laws. First, I would suggest having a simple paragraph added to your Privacy Disclosure as part of your origination package that states that it is okay to contact the customer periodically for information on new products or services and/or lower rates. This will automatically allow you to contact them even if they are on the national “Do Not Call” registry. You would only have to remove them if they specifically request to be removed at some point in the future. Second, make sure you include your name and phone number in the message! You should be doing this anyway, but this puts you in compliance with one of the FTC’s major provisions. Lastly, I have found that it is actually cheaper to use a voice broadcast service provider. The phone call rates are cheaper, and they will provide the compliance features at no extra cost.

Although there are several voice broadcast service providers, the company I use is Market Touch Media (<http://www.markettouchmedia.com>). I am able to electronically upload my phone lists; check connection, completion and delivery reports; and schedule broadcasts right on-line. The costs are reasonable (5-8 cents per minute), and they provide a wide variety of delivery and configuration options. For answering machine deliveries only, I have found that the best time to broadcast is between 9:00 a.m. and 3:00 p.m. Statistically the answering machine message connection percentages have not dropped during the noon hour, the time in which you may have thought most people would return home. Live answers are typically higher between 5:00 p.m. and 7:00 p.m., but personally, I hate to run calls during the dinner hours.

While this is truly a dynamic and profitable method of marketing, it’s important to make sure you do it right – ethically and legally.

The Legal Side

Telemarketing, including the delivery of recorded telephone calls, is regulated at the federal level by the FCC through the Telephone Consumer Protection Act of 1991 (TCPA). In addition many states have enacted specific regulations regarding telemarketing, and 33 states have specific rules regarding “do-not-call” lists. To review the various state guidelines, check out the Direct Marketing Association’s compiled list at <http://www.the-dma.org/government/donotcalllists.shtml>. Don’t try to manage this system yourself. With all the various regulations, it’s important to leave these services to the experts to insure compliance – they will check your numbers against the registries at no additional cost!

The last thing you want is an earful from unhappy prospects, so always make the message simple, friendly, and include your name and phone number. I handle any customer concerns personally and apologetically, and have never had a customer file a complaint. But with an ever increasing number of consumer complaints, the Federal Trade Commission (FTC) recently adopted amendments to its Telemarketing Sales Rule (TSR), including the development of a national “do-not-call” registry intended to enable consumers to stop most of the unwanted telemarketing calls. The TSR however, does not apply to certain carriers such as telephone companies, insurance companies, banks, and airlines. Amendments to the TSR include provisions that will:

- crack down on unauthorized billing by telemarketers;
- impose new restrictions on the practice of “call abandonment” or “predictive dialing” – which often results in hang-ups or “dead air” calls; and
- require telemarketers to transmit “Caller-ID” information, so that consumers who subscribe to Caller-ID services will know who is calling.

Expected to be in place by later this summer, there will be no charge to consumers to register their phone numbers with the FTC’s national “do-not-call” registry. Telemarketers will, however, be required to pay for access to the names on the list, and will have to “scrub” their calling lists every three months to remove any consumer telephone numbers that are included in the new registry. More details and information about the TSR amendments and the national “do-not-call” registry is available at <http://www.ftc.gov/donotcall>.

Some of the basic rules to follow for placing calls to new prospects include:

- No calls can be placed before 8am or after 9pm local time
- You cannot “hang-up” on a live answer
- You must provide your name and a phone number during the message for return contact by the consumer
- You cannot call 800 or 900 numbers, or create any expense for the recipient
- You cannot call any emergency telephone lines, hospitals, health care or elderly care facilities (or similar), and
- No calls can be placed to pagers or cell phones

Again, some of these rules do not apply if you have an existing business relationship unless the consumer has specifically indicated that they do not wish to be contacted. So calling past customers is fine, unless they have *specifically* called you and requested to opt-out.

Despite the new rules, when properly implemented among your other marketing techniques - voice broadcasting remains one of my most productive, efficient and favorite methods of providing a “personal” contact to my customer groups. It is cost effective, easy to use, still legal – and very profitable. It has to be used responsibly and professionally, but with the right scripts, scheduling and personal style, you too can touch 10,000 people an hour – even on your day off!

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