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# TCPA Compliance Guide

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## 1. Introduction

Klozer.io is committed to helping customers operate compliant, responsible, and lawful communication campaigns. This TCPA Compliance Guide explains the requirements of the Telephone Consumer Protection Act and how they apply to businesses using Klozer.io. The TCPA regulates telemarketing calls, auto dialing systems, prerecorded messages, SMS communications, and the use of customer contact data within the United States. Failure to comply with TCPA requirements can result in significant financial penalties and legal exposure.

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## 2. What is the TCPA

The Telephone Consumer Protection Act is a United States federal law enacted in 1991 to protect consumers from unwanted telemarketing calls, robocalls, and text messages. The law is enforced by the Federal Communications Commission and allows individuals to bring private lawsuits for violations.

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## 3. Who Must Comply

TCPA applies to:

- Businesses making outbound calls or sending SMS messages to US recipients
- Call centres and telemarketing agencies
- Companies using auto dialers or predictive dialers
- Businesses using prerecorded or artificial voice messages

Any customer using Klozer.io to contact individuals in the United States must comply with TCPA.

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## 4. Key TCPA Definitions

### 4.1 Automatic Telephone Dialing System

An autodialer is equipment that can store or produce telephone numbers and dial them automatically.

### 4.2 Prerecorded or Artificial Voice

Messages delivered using recordings or AI generated voices.

### 4.3 Telemarketing

Calls or messages made for the purpose of promoting or selling products or services.

### 4.4 Prior Express Consent

Permission given by a consumer to receive communications.

### 4.5 Prior Express Written Consent

Explicit written agreement required for marketing calls or texts using autodialers or prerecorded messages.

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## 5. Consent Requirements

### 5.1 Informational Calls and Messages

For non marketing communications:

- Prior express consent is required
- Consent may be obtained when a user provides their phone number

### 5.2 Telemarketing Calls and SMS

For marketing communications:

- Prior express written consent is required
- Consent must be clear, unambiguous, and documented
- Pre checked boxes or implied consent are not valid

### 5.3 Consent Must Include

- Agreement to receive calls or texts
- Disclosure that automated technology may be used
- Clear identification of the business
- Statement that consent is not required to purchase

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## 6. Calling and Messaging Restrictions

### 6.1 Calling Hours

Telemarketing calls may only be made between:

- 8:00 AM and 9:00 PM local time of the recipient

### 6.2 Do Not Call Compliance

Businesses must comply with:

- The National Do Not Call Registry
- Internal do not call lists

### 6.3 Opt Out Requirements

Every call or message must include a clear and easy way to opt out:

- Voice calls must provide opt out instructions
- SMS must include STOP or equivalent mechanism

Opt out requests must be honoured promptly.

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## 7. Autodialer and Robocall Rules

Use of autodialers and prerecorded messages is strictly regulated:

- Marketing calls require prior express written consent
- Informational calls require prior express consent
- Emergency communications have limited exemptions

Klozer.io customers must configure dialer settings responsibly and ensure compliance with consent requirements.

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## 8. Caller Identification Requirements

All outbound calls must:

- Display a valid caller ID
- Accurately identify the business making the call
- Provide a callback number

Caller ID spoofing or misleading identification is prohibited.

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## 9. SMS Compliance Requirements

When sending SMS messages:

- Obtain proper consent before sending messages
- Identify the sender clearly
- Include opt out instructions in every message
- Respect opt out requests immediately

Example:

“Reply STOP to unsubscribe”

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## 10. Call Recording Compliance

Call recording is subject to federal and state laws in the United States:

- Some states require one party consent
- Some states require all party consent

Customers using Klozer.io must:

- Inform participants that calls may be recorded
- Obtain required consent before recording
- Follow applicable state laws

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## 11. Record Keeping and Documentation

Businesses must maintain records of:

- Consent obtained from customers
- Time and date of communications
- Opt in and opt out activity
- Call logs and campaign details

These records are essential in case of audits or disputes.

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## 12. Penalties for Non Compliance

Violations of TCPA can result in:

- \$500 per violation
- Up to \$1500 per willful violation

Class action lawsuits can significantly increase financial exposure.

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## 13. Klozer.io Platform Responsibilities

Klozer.io provides tools that support compliance, including:

- Dialing controls and configurations
- Call recording management
- Opt out handling capabilities
- Call logs and reporting

However, Klozer.io does not control how customers use the platform.

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## 14. Customer Responsibilities

Customers using Klozer.io must:

- Obtain proper consent before contacting individuals
- Maintain accurate records of consent
- Respect do not call requests
- Configure calling hours correctly
- Ensure lawful use of autodialers and messaging features
- Comply with federal and state regulations

Customers are solely responsible for their campaigns and data usage.

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## 15. Best Practices for TCPA Compliance

- Use double opt in for SMS campaigns
- Regularly scrub contact lists against do not call registries
- Train agents on compliance requirements
- Audit campaigns regularly
- Maintain clear and accessible records
- Use clear disclosures in all communications

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## 16. Enforcement Authority

The TCPA is enforced by the Federal Communications Commission and allows enforcement through private lawsuits.

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## 17. Updates to This Guide

Klozer.io may update this guide to reflect:

- Regulatory changes
- Platform updates
- Industry best practices

Updates will be published with a revised date.

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## 18. Contact Information

For compliance related questions:

**Email:** [support@klozer.io](mailto:support@klozer.io)

**Website:** <https://klozer.io>

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## 19. Disclaimer

This guide is provided for general informational purposes only and does not constitute legal advice. Customers should consult qualified legal counsel to ensure full compliance with TCPA and related regulations.