

The Collector Chronicle

NORTH AMERICAN RECOVERY

JANUARY 2020

AMERICA'S COLLECTION AUTHORITY

LAST MONTH'S LUCKY WINNER

The lucky winner of our client prize for December is America First Credit Union. They have been using our agency since 2016! We will be sending Angel a gift card to Chili's Grill & Bar! Enjoy!

Chili's
Grill & Bar

THIS MONTH'S PRIZE

This month we will be giving away a gift card to Red Lobster! Each client who sends new accounts during the month of January will have their name entered into a drawing. At the end of the month, we will draw a name. If it's yours, you'll win the prize.

*Don't miss out on your chance to win.
Send new accounts in January!
Good Luck!!*

Red
Lobster

PERMISSION TO CALL SOMEONE ON THEIR CELLULAR TELEPHONE

BY: DAVID J. SAXTON
PRESIDENT, NORTH AMERICAN RECOVERY

This month I wanted to write about something most of our clients already do. It's the best practice of obtaining advance permission to call or text someone on their mobile phone.

Over the years there have been several court cases that have made it so any company calling a consumer on their mobile phone or sending a text, must receive express permission allowing the call or text. Since so many people have eliminated land lines, it's critical that all businesses have adopted this practice.

Using our automatic dialer is an important part of our collection strategy and allows us to collect your accounts much faster. Also, sending a text to a consumer is a highly effective way to engage. If we are prevented from making calls or sending texts on your accounts, it would have a negative impact on our results for you.

It's never too late to review your agreements and/or contracts and update them if needed. The solution is actually quite simple. But just for the record, I'm not an attorney and I'm not giving legal advice. Please consult with your attorney before making any decisions on this or any other legal matter.

I have, however, consulted my attorneys, and while they've advised me there is no way anyone can guarantee a fail-safe solution that will work in all situations 100% of the time (my attorney's never like it when I use absolutes), and the language we are recommending is a suggestion and not a guaranteed solution, they have advised me that if the following wording is added to the agreement you have people sign at the time of service or it's part of your terms and conditions and/or membership agree-

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ment, we should be able to use our dialer to call them—or send a text.

Permission to Contact via Cellular Telephone

In order for us, or for any other person or entity who provides goods or services to you in connection with this agreement, to contact you regarding servicing your account(s), including all past and current accounts, or to collect any amounts you may owe for any past or current account(s), you expressly authorize us to contact you by telephone at any telephone number, including any cellular, mobile, and other wireless telephone numbers that you have or may attain. You acknowledge that such calls could result in charges to you by your telephone carrier. You also expressly authorize us, and any other person or entity who provides goods or services to you in connection with this agreement, to contact you by sending text messages or e-mails to any of your telephone numbers or e-mail accounts. Methods of contact may include the use of pre-recorded/artificial voice messages and/or the use of an automatic telephone dialing system, as applicable.

You acknowledge and agree that this authorization shall extend to any billing or collection company or companies which may be assigned your account(s) for servicing or collection.

I/We have read this disclosure and agree that I/we may be contacted as described above.

If a consumer asks, “Why do I need to sign an agreement like this?” You can say, “Don’t worry, no one will call your cell phone trying to *sell* you anything. But we need this wording in place

so we can call or text you if we need to talk about your account.”

I’ve taken the liberty of creating an agreement you can start using today. It’s a simple one-page document you can add to the other forms people fill out and sign at the time of service. You can download a copy of the agreement from our website: [Sample Agreement](#).

If this works for you, simply start using this agreement and you will be set. It’s as easy as that. Feel free to print as many of these as you need. We are giving them away to all clients—free of charge. I hope this helps make the process painless and easy for everyone. If you start using this agreement let us know so we can flag your accounts as being “dialer and text/email friendly.”

Please let me know if there is anything more we can do to assist in this process. We realize some organizations may face challenges around making this change, so we are ready and willing to do whatever necessary to help make it happen for you. My staff will be more than happy to do any leg work or follow up as needed. Just let us know what we can do.

Please call our office at 801-364-0777 Ext 101 or send an email to ClientService@North-American-Recovery.com if you would like to discuss this in more detail or have questions. You can also read our FAQ’s regarding this subject here: [Calling a Cell Phone or sending a text FAQ](#).

Feel free to also contact me directly at DaveSaxton@North-American-Recovery.com. I’ll be happy to answer any questions or provide additional information as needed. Thanks as always for your continued business and trust in our agency. Have a great month!



The Collector Chronicle is published by NORTH AMERICAN RECOVERY for prospective and current clients. The owner, David Saxton, welcomes your questions or comments.

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