### AGENT MARKETING PLAN







### DEFINE YOUR GOALS

The first step is establishing your goals and vision – not just for the year ahead, but for the rest of your life. It's your "why" that will help you stay focused.

A powerful vision is one that considers all your goals, both personal and professional. What does living an exceptional life mean to you? Think about what you really want to accomplish in life – it might be expanding your business to include loved ones, earning enough to pay off your mortgage, or retiring at age 65 with a solid nest egg. Where would you like to be in 5, 10, 15 years and beyond?

This Agent Marketing Plan is intended to be a workbook – write on it, check action items off and use it to create a solid strategy that will promote your personal brand and listings. Having a plan in place helps to set you on the right path to reach your goals. What would you try to accomplish if success were guaranteed? Think big and go for it. We believe your best years are ahead of you!

### 2024 GOALS



### SWOT ANALYSIS

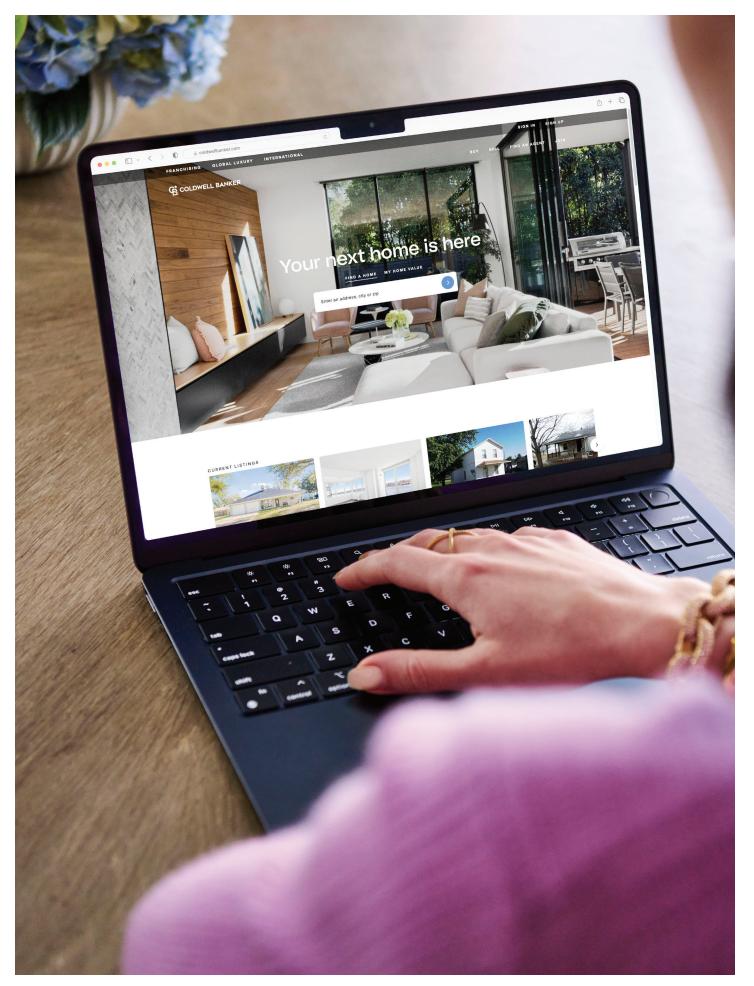
Start your marketing plan by analyzing the driving factors in your real estate business and meet with your broker, manager or marketing team to identify Strengths, Weaknesses, Opportunities and Threats (or challenges).

STRENGTHS	WEAKNESSES
	TUDEATS
OPPORTUNITIES	THREATS

### 2024 ACTION ITEMS

- □ If you already have a personal brand, make sure to update your marketing for 2024
- □ Update your email signature
- Update your personal website or order new MoxiWebsites<sup>®</sup> design through Design Concierge
- Include the Move Meter<sup>®</sup> and CB Estimate<sup>®</sup> widgets on your website
- Update your business card if anything has changed
- Additional ideas \_\_\_\_\_

Update your headshot, bio and contact info on social media, coldwellbanker.com and all industry sites



# STAY CONNECTED

According to NAR, 85% of people don't know how to get in touch with their agent<sup>1</sup>. Stay in front of your sphere with relevant email campaigns that add value and capture attention!

#### **EMAIL DRIP CAMPAIGNS**

Stay in front of your sphere with relevant email campaigns that add value and capture attention.

#### Annually

- Schedule a holiday email campaign for all contacts (MoxiEngage®)
- Set up topical email drip campaigns for your sphere, such as Home Improvement Tips, Home Security Tips, Coldwell Banker® Dream (MoxiEngage)
- Set up distribution of Quarterly Reports (**Prospect Square**)
- Schedule Neighborhood News Stats for your farming areas (MoxiEngage)
- □ Additional ideas \_

#### Monthly

- market (Prospect Square)
- □ Additional ideas

#### As the Opportunity Arises (MoxiEngage)

- Sellers Set drip campaign such as Selling Opportunity, RealVitalize® Services, Cold Seller
- Buyers Set drip campaign such as Renter, Buyer Lead, Active Buyer, Cold Buyer
- Recently Sold Set drip campaign such as Home Improvement Tips, Buyer Closed
- New Listings Send Listing Announcement to your contacts
- Additional ideas \_\_\_\_\_

1. NAR Buyer and Seller Profile Report 2022. 2. Based on average commission amount of active agents with affiliated companies (Coldwell Banker, CENTURY 21, Better Homes and Gardens Real Estate and ERA) with production that performed an action in MoxiEngage between April 1, 2022-Dec. 31, 2022. Results are not guaranteed.

NOTE: If you choose to make contact by phone or text (i) check phone numbers against the federal DNC registry, any state DNC list and your company DNC list (ii) do NOT use autodialers and (iii) do NOT use artificial voice or pre-recorded messages.

Affiliated agents who used MoxiEngage earned \$31.7K more and were **1.5X more productive**<sup>2</sup>

Set Market Reports up for prospects who are on the fence to keep them updated on what's happening in the

Opt-in to send monthly newsletters to clients, showcasing your or your office's listings (**Prospect Square**)



### STAY CONNECTED

#### **PRINT MARKETING**

While digital marketing is king in today's real estate market, sometimes having something to hold in your hand is important as well. You can order a variety of printed marketing pieces from Xpressdocs to add to your marketing mix, and even include a QR code on select materials to track their success. Many of the following also can be customized in Marketing Center and professionally printed locally.

Which of these do you want to include in your marketing?

- □ New business cards
- □ Banner signage
- □ International Buyer's Guide
- □ Listing Brochure (available in both English and Spanish)
- □ Buyer Brochure (available in both English and Spanish)
- □ Name badge
- □ CB Estimate<sup>®</sup> materials
- □ Move Meter<sup>®</sup> materials
- Dream campaign
- Destcards Just Listed/Just Sold, housiversary, seasonal, etc.
- □ RealVitalize<sup>®</sup> postcards, flyers, door hangers
- □ Prospecting postcards, door hangers
- □ Additional ideas:

Refer to the Prospecting Calendar on pp. 11-22 for additional ideas.

#### **Desk > Xpressdocs**



### STAY CONNECTED

### SOCIAL MEDIA

#### Annually

- Update headshot and bio on social media accounts
- tours, market updates and other real estate video content □ Additional ideas

#### Monthly

- ready to post (Marketing Center)
- Update Facebook header using images available on Marketing Center
- happening in the market
- □ Additional ideas

#### Weekly

- Check Coldwell Banker Blue Matter and Coldwell Banker Global Luxury<sup>®</sup> blogs and share posts
- Check your local company's social media and share posts that will interest your followers
- □ Additional ideas

#### As the Opportunity Arises (MoxiEngage)

- Post unique features of your newest listing, but be careful not to only post your listings
- 1,000 websites (**Desk > Boost**)
- □ Additional ideas

\*Based on average commission amount of active agents with affiliated companies (Coldwell Banker, Better Homes and Gardens Real Estate, and ERA) with production that performed an action in Boost between Jan. 1-Dec. 31 2022. Results are not guaranteed.

Launch/update your personal YouTube channel, the second largest search engine in the world, to post home

□ Customize social media assets for the month based on the Prospecting Calendar (see pp. 11-22) so you're

Dest links to your Quarterly Reports or Area Reports (Prospect Square) with comments about what's

□ Pull ready-made social media assets from Market Quest showcasing where Coldwell Banker<sup>®</sup> is #1 in your area

Use Boost to create an automated campaign that will run on Facebook, Instagram, the Nextdoor app and over

#### JANUARY

### STAY CONNECTED

#### **GETTING STARTED ON SOCIAL MEDIA**

If you aren't leveraging social media for your business, it's never too late!

Do you know which social platforms your contacts are spending the most time on? That's where you should start:

- Create a profile using the same headshot, bio and contact information that you use on websites
- Download your chosen social media platform app(s) and make sure you've turned on Notifications in the Settings on your phone, so you will be alerted whenever someone interacts with you
- □ Interact and respond when someone comments on your posts
- □ Review your feed and watch for life events that might create a need for your services (wedding, birth, moving, etc.) congratulate them first, then follow up by offering your support
- Once you're on social media, send friend requests (Facebook), connect requests (LinkedIn) or follow (Instagram) the people you know. This might include:
  - □ Current and past clients and prospects
  - People you refer to your clients appraisers, mortgage brokers, insurance agents, contractors, plumbers, landscapers, housekeeping services, lawyers
  - □ Parents of your children's friends
  - Personal connections from your neighborhood, community organizations, volunteer groups, book clubs
  - Friends from college, high school and places you've lived previously
  - □ Family
  - □ Acquaintances
  - □ Other agents
  - □ Coldwell Banker<sup>®</sup> employees
  - □ Additional ideas \_



Affiliated agents and teams who used Boost earned \$79K more and were 2.5X more productive\*

Boost automates digital advertising campaigns, so you can create ads that promote you or your listings in just minutes.

10 \*Based on average commission amount of active agents with affiliated companies (Coldwell Banker, Better Homes and Gardens Real Estate, and ERA) with production that performed an action in Boost between Jul 1st, 2022 and Jun 30th, 2023. Results are not guaranteed.

SUNDAY	MONDAY	TUESDAY
	1 <b>Social/Email:</b> Happy New Year <b>Email:</b> Neighborhood News	2
7	B ☐ Social/ Postcard: RealVitalize®1	9 □ Social: CB Dream Campaign
1 4 □ Social/Email: Organize Your Home Day	15 □ <b>Social/Email:</b> Martin Luther King Jr. Day	16
21	22	23
28	29 □ <b>Postcard:</b> Lunar New Year (Feb. 10)	30 who participate in CB Supports St

NOTE: If you choose to make contact by phone or text (i) check phone numbers against the federal DNC registry, any state DNC list and your company DNC list (ii) do NOT use autodialers and (iii) do NOT use artificial voice or pre-recorded messages. Emails must follow CAN-SPAM rules. You should also check to make sure you follow the Do Not Email/Unsubscribe Requests.

#### □ NOTE: Check-off as you accomplish your prospecting goals



t. Jude program.

# **PROSPECTING CALENDAR**

#### MARCH

□ **NOTE:** Check-off as you accomplish your prospecting goals



#### **FEBRUARY**



\*RealVitalize is available in select markets only.

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# **PROSPECTING CALENDAR**

□ NOTE: Check-off as you accomplish your prospecting goals



MAY



\*RealVitalize is available in select markets only.

**APRIL** 

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# PROSPECTING CALENDAR

TUESDAY

#### JUNE

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1 Social/Email: National Homeownership Month Social/Email: Pride Month Email: Neighborhood News
2	C Postcard: Father's Day (June 16)	4	5 <b>Postcard:</b> First Day of Summer (June 20) <b>Postcard:</b> Eid al-Adha (June 20)	6	7	8
9	1 O □ <b>Social/Email:</b> CB Dream	11	12	13	14 <u>Social/Email:</u> Army Birthday Social/Email: Flag Day	15
16 □ <b>Social/Email:</b> Father's Day	17	18	19 Social/Email: Juneteenth Postcard: 4th of July	2 O <b>Social/Email:</b> First Day of Summer <b>Social/Email:</b> Eid al-Adha	21	22
23	24	25	26	27	28 <b>Social/Email:</b> Pride Month	29
30				NOTE: Check-off as	: you accomplish you	ir prospecting goals



\*RealVitalize is available in select markets only.

JULY

SUNDAY

MONDAY

Neighborhood News

8

15

Email:

Move Meter®

Match Up

□ Email:

7

14

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TUESDAY

#### □ **NOTE:** Check-off as you accomplish your prospecting goals

# **PROSPECTING CALENDAR**

**SEPTEMBER** SUNDAY MONDAY TUESDAY 2 3 □ Email: □ Social/Email: Neighborhood News Labor Day □ Postcard: Basketball/Hockey Schedules 8 9 10 □ Social/Email: Grandparents' Day 15 17 16 □ Social/Email: Hispanic Heritage Month 22 23 24 □ Social/Email: □ Social/Email: First Day of Fall Yom Kippur 29 30 □ Social/Email/ Postcard: RealVitalize®

\*RealVitalize is available in select markets only.

NOTE: If you choose to make contact by phone or text (i) check phone numbers against the federal DNC registry, any state DNC list and your company DNC list (ii) do NOT use autodialers and (iii) do NOT use artificial voice or pre-recorded messages. Emails must follow CAN-SPAM rules. You should also check to make sure you follow the Do Not Email/Unsubscribe Requests.



WEDNESDAY

1. Only for agents who participate in CB Supports St. Jude program. 2. RealVitalize is available in select markets only.

NOTE: If you choose to make contact by phone or text (i) check phone numbers against the federal DNC registry, any state DNC list and your company DNC list (ii) do NOT use autodialers and (iii) do NOT use artificial voice or pre-recorded messages. Emails must follow CAN-SPAM rules. You should also check to make sure you follow the Do Not Email/Unsubscribe Requests.

### **AUGUST**

MONDAY



# **PROSPECTING CALENDAR**

□ **NOTE:** Check-off as you accomplish your prospecting goals

#### SATURDAY SUNDAY THURSDAY FRIDAY MONDAY TUESDAY WEDNESDAY 5 2 3 4 □ Social/Email: □ Social/Email: National Disability Rosh Hashanah Employment Awareness Month □ Email: Neighborhood News 12 7 8 Q 10 6 11 □ Social/Email: $\Box$ Social: Home Buying CB Dream and Selling Lead Generation 19 13 15 16 17 18 14 □ Social/Email: □ Social/Email: □ Postcard: Navy Birthday Boss's Day Daylight Savings □ Postcard: Halloween (Oct. 31) 20 21 22 23 24 25 26 □ Social: □ Social/Email/ CB Dream Postcard: **RealVitalize**® 27 28 29 30 31 □ Postcard: □ Social/Email: Veterans Day (Nov. 11) Halloween □ Social/Email: Diwali \*RealVitalize is available in select markets only.

### **NOVEMBER**



\*RealVitalize is available in select markets only.

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**OCTOBER** 

NOTE: If you choose to make contact by phone or text (i) check phone numbers against the federal DNC registry, any state DNC list and your company DNC list (ii) do NOT use autodialers and (iii) do NOT use artificial voice or pre-recorded messages. Emails must follow CAN-SPAM rules. You should also check to make sure you follow the Do Not Email/Unsubscribe Requests.

□ **NOTE:** Check-off as you accomplish your prospecting goals

#### DECEMBER



NOTE: If you choose to make contact by phone or text (i) check phone numbers against the federal DNC registry, any state DNC list and your company DNC list (ii) do NOT use autodialers and (iii) do NOT use artificial voice or pre-recorded messages. Emails must follow CAN-SPAM rules. You should also check to make sure you follow the Do Not Email/Unsubscribe Requests.

### SHOWCASE YOUR **EXPERTISE**

You can impress prospects by showing you are the agent who can get their home sold fast and for the right price by creating listing presentations that wow with **MoxiPresent**<sup>®</sup>, our digital presentation and CMA tool.

- you win the listing when sellers see your incredible property marketing program.
- you can use programs like **RealVitalize®** to sell their home<sup>2</sup>.
- INRIX Traffic. Then share your presentation via email, in print and on social media.
- Design Concierge.
- □ Additional ideas:



1. Based on average commission amount of active agents with production that performed an action in MoxiPresent between Jul 1st, 2022 and Jun 30th, 2023. Results are not guaranteed. 2. RealVitalize is available in select markets only

Choose from a suite of professionally designed buyer, seller and luxury presentations in **MoxiPresent**,

which you can customize and update on the fly with live MLS data, video testimonials, charts and more.

Highlight the power of **Listing Concierge** using the seller presentation in **MoxiPresent**, which can help

Mention the Seller's Assurance Program, featured in the listing presentation in **MoxiPresent**, to show how

Create your own presentations for open houses and neighborhood tours and report market data that is updated in real time. Show clients what their commute will look like using MoxiPresent's integration with

Personalize your presentations by ordering semi-custom agent profile and testimonial pages through

Affiliated agents and teams who used MoxiPresent earned \$26.5K more and are 1.4X more productive<sup>1</sup>

### PROPERTY MARKETING

#### WIN THE LISTING. PROVE YOUR VALUE. TURN ONE LISTING INTO THREE.

Get comprehensive, creative property marketing in minutes with our Listing Concierge program, all for a fraction of the market price. Simply visit **Desk > Listing Concierge** to get started and we'll help you handle the rest.

#### MAKE AN IMPACT

With Listing Concierge, you can win more listings by offering a marketing campaign your competitors can't match, prove your value by showing prospects you're worth your commission and turn one listing into three when happy clients refer you to their friends.

Reference your Agent Guide for a full list of region-specific details<sup>1</sup>.

- Property Brochures
- Single-Property Website
- Property Tour Slideshow
- Just Listed & Just Sold eBlast
- Just Listed & Just Sold Postcards
- Targeted Online and Social Media Advertising

Listings involved in the program, Listing Concierge, close with a 2.4% higher commission rate.<sup>2</sup>



1. Listing Concierge package contents vary by market. 2. Based on Coldwell Banker Realty Listing Concierge usage data from Apr 1st, 2022 through Mar 31st, 2023 with an average sales price of properties marketed through Listing Concierge of \$653,899. Results are not guaranteed.

# **PROMOTE YOURSELF**

#### ESTABLISH YOUR PERSONAL BRAND

Build on the powerful Coldwell Banker® brand name by creating your own complementary personal brand that helps you stand out from the competition. Offering semi-custom and custom design and copywriting services, Design Concierge can help you create a distinctive personal brand for all your marketing. Cost-effective a la carte options are available as well as packages, which include action plans that guide you on how to implement your personal brand marketing.

### Affiliated agents and teams who used Design Concierge were 3.1X more productive and had 2.2X more units\*

Which of the following would help you get noticed and grow your business?

- □ Advertising
- □ Agent logo
- 🗆 Bio
- □ Brochure
- □ Business card
- □ Email signature
- □ Flyers
- □ MoxiWebsites<sup>®</sup>

#### Start thinking about your personal brand and what makes you unique.

- What's your signature color? \_\_\_\_\_
- What's your favorite type of font? \_\_\_\_\_\_
- □ What's your style?
- What makes you unique among agents?
- □ What's your area of specialty? \_\_\_\_\_

#### **2024 ACTION ITEMS**

- □ If you already have a personal brand, make sure to update your marketing for 2024
- Update your headshot, bio and contact info on social media, coldwellbanker.com and all industry sites
- □ Update your email signature
- Update your personal website or order new MoxiWebsites<sup>®</sup> design through Design Concierge
- □ Include the Move Meter<sup>®</sup> and CB Estimate<sup>®</sup> widgets on your website
- Update your business card if anything has changed
- □ Additional ideas

- Personalized MoxiPresent<sup>®</sup> listing presentation
- Personalized marketing templates
- for Listing Concierge
- Postcards
- □ Signage
- □ Social media headers
- □ Stationery
- Additional ideas

\*Based on average commission amount of active agents and teams with production between Jan. 1-Dec. 31. 2022 that placed an order within Design Concierce between April 19. 2019-Dec. 31. 2022. Results are not guaranteed

# **EDUCATION**

Take full advantage of the opportunities available to you to continually build your skills and become more effective in running your business successfully.

#### Polish Your Skills

Your sales skills and marketing can help you get your foot in the door - then you need to be prepared to talk your way to closing the deal. Visit CBU.com for a schedule of BootcAMP, which is designed to help you get business now and includes lead generation best practices, developing scripts and practice calls. Benefit from our Outlist | Outlast and Buyer Strategies courses, with in-class and self-paced activities, live demos and skill-building activities that can help you hone the essential tools for success. For qualified agents, unlock the power of the Coldwell Banker Global Luxury® program by becoming a certified **Global Luxury Property Specialist**. Visit Desk and search "CBGL certification" to learn more.

#### **Boost Your Business**

Affiliated agents who took CBU<sup>SM</sup> Learning Center courses displayed greater improvement in their business during the 12 months following their coursework than in the 12 months prior. The average improvement over the prior 12-month period was 33% for closed volume and 11% for closed units\*.

#### **Practice Your Pitch**

Always know what to say to a prospect or client by practicing with the scripts in the agent scripts library provided in the CBU Learning Center.

#### Keep Learning

Ongoing education is vital for real estate agents, so you can stay on top of trends and tools and sharpen your skills. A robust educational program, including online, on-demand and instructor-led live classes, is available to you as part of Coaching to Confidence. For a deeper dive into these topics and more, including the course catalogs and Agent Pathways, visit **CBU.com** for these classes:



#### What skills do you need to improve upon this year?

- □ Business planning
- □ Generating leads
- □ Listing presentations
- □ Marketing

□ Negotiating □ Prospecting

□ Additional ideas

\*Listings taken, closed units, and closed sales volume (collectively, the "Metrics") were measured during this study. To calculate the results, we took a sample of 4,000 independent sales associates who had been affiliated with the Coldwell Banker® brand for at least a year prior to the study and who participated in CBU Learning Center learning classes and activities between Jan. 2020-Dec. 2021 (the "Sample Pool") and entered their activities into REScoreboard. All sales associates included in the study completed one or more learning classes, each ranging in duration from a minimum of 3-22 hours. We measured the monthly Metrics generated by the sample pool during the 12 months prior to their taking any Coldwell Banker courses and then measured the monthly Metrics generated during the 12 months after the end date of each affiliated agent's participation in the learning courses. This was not a controlled study: correlation does not equal causation. Past performance does not ouarantee future results. Market conditions may influence results and there is no assurance any Coldwell Banker affiliated sales associate will achieve the same or similar results

NOTE: If you choose to make contact by phone or text (i) check phone numbers against the federal DNC registry, any state DNC list and your company DNC list (ii) do NOT use autodialers and (iii) do NOT use artificial voice or pre-recorded messages

## **NETWORKING**

#### Get Out There

- includes opportunities to make that happen.
- logo shirt.
- establish strong connections while making a difference in your community.
- you so you're ready when it comes up in conversation.

#### **Benefit From Referrals**

Referral Rewards is a powerful Wealth Builder program that helps you generate a passive commission stream by introducing other successful agents\* to a career with Coldwell Banker.

#### Leverage Word of Mouth

While your direct contacts might not currently be in the market to buy or sell a home, they may know someone who is, so remember to always ask your clients for referrals.

#### Grow Your Business

Agents participating in the **CB Supports St. Jude** program make an automatic donation for every home sale or purchase they complete. Your participation in the CB Supports St. Jude program not only increases awareness of this important cause, but also allows you to associate yourself with a world-renowned organization to help attract new sellers and buyers who are connected to St. Jude.

Additional Ideas:



\*To be eligible for this program, the agent you refer cannot have been affiliated with the Coldwell Banker brand or any other Anywhere Real Estate brand within the past six months or qualify for other recruitment incentive programs offered by Coldwell Banke

Both virtual and face-to-face meetings are effective ways to convert a prospect into a client. Be sure your plan

Attend at least one networking event each month, proudly wearing your name tag or a Coldwell Banker®

Get involved with local charities or organizations that support causes you believe in. It's a rewarding way to

Learn how to use MoxiPresent® to show prospects what their home may be worth. Then keep your tablet with

# NOTES

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## **GLOSSARY**

**Boost** – Automates real estate digital advertising campaigns for listings, open houses and more on Facebook, Instagram, Wave and across the web. (Page 10)

**CBU<sup>SM</sup> Learning Center –** Find robust education programs for all levels of experience built on best practices from top performers within the Coldwell Banker® network, including instructor-led and self-study courses designed to help you grow your business. (Page 26)

Design Concierge - Build on the powerful Coldwell Banker® brand name by creating your own complementary personal brand, including a logo, bio, personal brochure, email signature, MoxiPresent<sup>®</sup> listing presentation, MoxiWebsites<sup>®</sup> and more. (Page 25)

**Listing Concierge –** Win the listing, prove your value and turn one listing into three with creative and consistent, digital-first property marketing handled on your behalf. (Pages 24)

Marketing Center - Save time and easily create beautiful marketing materials in minutes. Automate your marketing and stylishly promote yourself and your listings with customizable videos, social assets and print integration. (Page 9)

Market Quest – Access graphs that display MLS-based statistical data and reports on #1 market share claims, market position and market trends that are automatically generated based on user-applied filters, all pre-populated with your contact info. (Page 9)

MoxiEngage<sup>®</sup> – This CRM tool is designed to fit your unique selling needs by leveraging property data, encouraging long-term lead nurturing, driving repeat and referral business and keeping you on track to reach your goals. (Pages 7)

MoxiPresent<sup>®</sup> – This listing presentation and comparative market analysis (CMA) tool helps you create sleek, professional presentations integrated with your MLS to provide accurate and up-to-date market data. (Pages 23, 25 & 27)

MoxiWebsites® - An easy-to-use website builder that makes putting your best foot forward a simple task. Grow your brand, sphere and business with custom, branded websites. (Pages 5 & 25)

Prospect Square – Brings together all your contacts and all the ways you reach them into one central hub. Stay connected with clients and contacts by sending newsletters, property eBlast template and Market, Area and Quarterly Reports to showcase your expertise. (Pages 7 & 9)

**RealVitalize® –** Helps your sellers make inspiring home improvements with no money up front, including kitchen renovations, painting, staging, replacing flooring, enhancing curb appeal and more. (Pages 7, 8 & 23)

**Referral Rewards –** Referral Rewards is a powerful program that helps Coldwell Banker® affiliated agents generate a passive commission stream by introducing other successful agents to a career with the brand. (Page 27)

Xpressdocs - Order printed marketing materials, business cards, direct mail, property brochures and more. (Page 8)

### **QUESTIONS?**

Connect with your broker or manager to discuss your marketing plans



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#### **GENERAL GUIDELINES AND REMINDERS**

Each affiliated sales representative and broker is responsible for complying with any consumer disclosure laws or regulations.

Wire Fraud - Wire fraud scams continue to affect the real estate industry. Given the ongoing risks of wire fraud previously shared by the Federal Trade Commission and the National Association of REALTORS®, it is imperative that brokers and agents continue to be vigilant to this very real threat.

Advertising Guidelines - Claims in advertisements should be truthful, should not be deceptive or unfair, and should be fact-based.

Website Considerations - If you have a website, you may consider Privacy Policies about how you intend to use any data you might collect over the Internet, and incorporating terms of use.

Copyright and Trademark Issues - Be mindful of using materials including but not limited to photos, videos, and music that may be copyrighted or trademarked. You must obtain permission to use any copyrighted or trademarked materials before using them.

General Guidance - The information herein is intended for informational purposes only and is not intended, nor shall it be deemed, to provide or offer legal or financial advice or guidance. We recommend you consult with your own advisor when dealing with any of the issues visited herein.

Do Not Call Registry - The FTC's Telemarketing Sales Rule helps protect US-based consumers from fraudulent telemarketing calls and gives them certain protections under the National Do Not Call Registry. Companies also need to be familiar with rules banning most forms of robocalling. If you or someone working on your behalf is telemarketing, know the dos and don'ts before you plan your strategy, including but not limited to the following:

- Before making a sales call, you or a third-party vendor you hire should determine whether the consumer's phone number has been 1. included on the National Do Not Call Registry and your company-specific Do Not Contact list. We recommend that you speak to your broker about compliance with these rules.
- 2. Any sales calls or communications to consumers must follow the requirements of the Telephone Consumer Protection Act ("TCPA"), state and local telemarketing laws, including but not limited to requirements that messages or calls may not be sent using an automatic telephone dialing system or an artificial or prerecorded voice unless you have express written consent from the consumer

We recommend that you review your local MLS rules and regulations regarding the proper use of listing data for other commercial purposes such as soliciting new clients, contacting expired listings, or recruiting.

Similar laws may apply outside of the United States, including, but not limited to the CAN-SPAM Act, by way of example.

### **Avoid Fines from Violating the Telephone Consumer Protection Act (TCPA)**

### Why the TCPA matters to you:

You will be personally liable for any violations of the TCPA.



Fines can be as much as \$500 per call or text, and add up quickly.

### **TCPA Myths Dispelled**

#### Myth 1:

"The TCPA applies to calls, not texts."

**NOT TRUE.** The TCPA covers both calls and texts. "I checked the Do Not Call (DNC) Lists when I got the number: I'm covered."

**NOT TRUE.** Numbers are added to the DNC Lists all the time. If you haven't recently checked the number against the DNC Lists, you must do so before calling or texting.



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### Before making your next call or text:



DO NOT use an automated platform vendor to call or text potential customers.

**DO NOT** leave pre-recorded messages.



**Check phone numbers** against Do Not Call Lists prior to making any calls or texting.



Get prior written consent before calling or texting a number on the Do Not Call Lists.

### Myth 2:

### Myth 3:

"A friend gave me this person's number, so I don't need to check the DNC Lists."

**NOT TRUE.** *If the person* you are going to call or text did not give you the number, you must check the DNC Lists.

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