

Telephone Consumer Protection Act “ TCPA ”

TCPA

- TCPA was originally created to protect consumers from telemarketing efforts

TCPA

- It's the increasing norm that cell phones have become the primary point of contact because of their convenience and mobility

TCPA

- Dialer technology is a powerful quality control tool that ensures regulatory compliance and customer service. The dialer seamlessly manages the Fair Debt Collection Practices Act, “FDCPA “. Time zone sensitive, limiting the number of call attempts, placing calls at correct times.

TCPA

- Reducing the correct usage of the dialer's ability will result in highly manual procedures that can increase compliance violations, consumer complaints causing a higher cost to collect

TCPA

- More lawsuits will be filed against consumers due to the inability to communicate thru cost effective technology. Lawsuits would create greater burden on the courts. Increased lawsuits will cause a higher cost for services.

TCPA

- Deeper restrictions can provide the consumer a safe haven from their contractual repayment obligations creating a negative impact.

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- Limiting dialer usage could have a 30 % or greater effect on reducing operational efficiency thus lowering productivity

TCPA

- When consumers fall behind on payment plans, credit providers and their servicers need to be able to use technology to contact and recover the unpaid amount that is legally owed and provided in good faith

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- Debt collectors can only use an auto dialer to call wireless numbers with the prior express consent of the called party

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- Consent to call wireless numbers is established when the consumer provides the number to a creditor and this consent transfers to a debt collector collecting on the creditor's behalf

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- In summary, agencies are not involved in telemarketing. Further TCPA regulations can erode the relationships and productivity between the consumers, their credit providers and the companies who are working on behalf of the creditor.