

# SMS Module | Terms and Conditions

It's crucial for BookingCenter customers to understand compliance issues in text / SMS marketing. This article covers the most important aspects of SMS compliance and opt in text messaging. Compliance for text/SMS servicing to your Guests isn't complicated, but is mandatory. Don't be scared, but failing to follow the law can have consequences. We've heard in 2012 Papa Johns Pizza agreed to pay \$16 million to settle a class action lawsuit brought against them for failure to get proper user consent to SMS. To prevent upset customers, and potential legal action, simply comply with the Telephone Consumer Protection Act (TCPA), which provides for some basic consumer protections when it comes to text marketing.

## SMS Module

### Express written consent

According to the TCPA, customers must give businesses "express written consent" before the business sends them text messages. This written consent should not be buried in a long form full of legalese. It should be clear and obvious, so the recipient knows what they are signing up for. Failure to adhere to this guideline is one of many possible TCPA violations. Even text messages that are merely informational require consent.

Here are some ways customers can give consent and opt in to receive text messages from you:

- Send a keyword to a short code you maintain.
- Enter a mobile phone number on a web form, such as your Booking Engine, as consent.
- Add clear 'consent' to your Policies messages that Guests must agree to before booking with you; or to clearly opt-out by **not** placing their mobile number.
- Sign up at your physical location.

It's important to note that you're **not** allowed to require a user to opt in to your text program as a condition to purchase property, goods, or services. If you haven't already, check out online resources to learn more about the type of consent you must get from an individual to lawfully send SMS marketing messages. However you decide to get consent, you should be clear.

### Call to Action (CTA)

A call to action is the message that prompts the individual to opt in to your SMS campaign. It should consist of the following:

- **SMS campaign purpose:** Let your subscribers know what they're signing up for. Are they getting reminders? Self Check-In access? Tips on their stay at your property? Specify what you're offering so there are no surprises.
- **Message frequency:** Include the approximate number of messages the customer should expect to receive in a given week or month. This will prevent any unexpected or intrusive texts.
- **Message and data rates:** Even though unlimited texting has become more common, some users may have to pay a small fee to receive text messages. You have to inform your subscribers that these charges may be incurred if they sign up to your program.
- **Terms and conditions:** List all the terms and conditions in full beneath the CTA, or provide a link nearby. This list should contain:
  - The identity of your company/brand/program
  - Customer care contact information
  - Description of the product people are signing up for
- **Privacy policy:** List the privacy policy in full beneath the CTA, or provide a link.

### Confirmation

Regardless of how users sign up, your first text should be a compliance message confirming opt-in. It should reiterate some important information, including:

- Your identity
- Message frequency.
- The fact that message and data rates may apply
- How to opt out.

BookingCenter **does not** send confirmation messages for your 'opt in guests' automatically. But it can be added as an 'Auto Letter' in MyPMS.

#### Example confirmation message:

***MyHotel Self CheckIn 'opt in' confirmed. Msg & data rates may apply. 1msg per booking.***

SMS or Text Blasts are an effective marketing tools, as long as you follow TCPA guidelines and implement them after customers have sent their opt in text messages. Mark Twain famously said, "I did not have time to write a short letter, so I wrote a long one instead." This guide may be short, but it contains the information you need. Have questions? [Contact Us](#).