COMPLIANCE

# CALLING YOUR OWN CUSTOMERS: THE BASICS

A plain-English starting point. Not legal advice.

Before you run an outreach campaign, get the fundamentals in place and talk to counsel about your situation.

- Scrub lists against the National Do Not Call Registry and applicable state rules.
- Keep records of consent and opt-outs.
- Honor opt-outs promptly, across campaigns.
- Observe calling-hour limits, which vary by state.
- Disclose call recording where required.

## WHAT JUST CHANGED

FCC rule changes on how people revoke consent to robocalls and automated texts take effect November 25, 2026. See What's changing.

## WHY THIS MATTERS TO A CONTRACTOR

Calling past customers is one of the best ways to fill a schedule, and it's also regulated. Fines and lawsuits under the Telephone Consumer Protection Act can add up by the call or text. Most contractors never set out to break the rules. They just assume that a past customer is fair game for anything. This is a starting point for a conversation with your attorney, and it isn't legal advice.

## THE MAIN IDEAS

**Do Not Call.** The National Do Not Call Registry restricts telemarketing calls to numbers on the list. There are exceptions, including for certain existing business relationships,

but they have limits and conditions. Many states add their own lists and rules, and some are stricter than federal law.

**Your own do-not-call list.** Keep an internal list of everyone who's asked you to stop, and honor it across all your campaigns.

**Consent for automated contact.** Calls using an autodialer or a prerecorded or artificial voice, and many automated texts, generally need prior consent. Marketing typically needs a higher level of consent, in writing. A phone number given for a service appointment doesn't necessarily cover marketing.

**Calling hours.** Federal rules limit telemarketing to certain hours, and states may narrow them further.

**Identification.** The person calling should say who they are, who they're calling for and why.

**Recording.** Some states require everyone on a call to agree to recording. If you record, announce it.

# THINK ABOUT THE CHANNEL

A person dialing by hand, a predictive dialer, a prerecorded message and an AI voice aren't treated the same. Before you adopt a new tool, ask the vendor how it places calls and what it requires of you. Then ask your attorney. Texts are often treated like calls, and business texting has its own carrier registration requirements.

# BUILD IT INTO YOUR PROCESS

- Add consent language to booking forms and agreements, reviewed by your attorney.
- Record when and how each customer gave consent.
- Scrub lists before each campaign, on a schedule your attorney recommends.
- Give every caller a way to mark do-not-call immediately.
- Make sure an opt-out in one channel gets to the others, as the rules require.
- Keep your records for as long as your attorney advises.

# IF YOU USE AN OUTSIDE COMPANY

You can still be responsible for calls made on your behalf. Ask any vendor:

- How do you scrub lists?
- How do you record opt-outs, and how do they reach me?
- What equipment do you use?
- Do you record calls, and how do you disclose it?
- Will you put these commitments in the contract?

# TRAIN THE PEOPLE ON THE PHONES

Teach everyone what to do when someone says "stop calling," "take me off your list" or something similar. They shouldn't argue, and they shouldn't try one more offer. Apologize, mark it and move on. Listen for it when you review calls.

# WATCH FOR CHANGES

These rules keep changing. The FCC's changes on revoking consent take effect November 25, 2026, and further rulemaking is open. Check what's changing regularly. Before starting a big campaign, take an hour with your attorney. It's far cheaper than a lawsuit.

# A SIMPLE PRE-CAMPAIGN CHECKLIST

1. What's the purpose of the campaign?
2. What consent do we have for each record?
3. Has the list been scrubbed?
4. Are hours set for each state?
5. Do callers know the opt-out process?
6. Who reviews recordings?

Sources: FCC rule summaries from National Law Review. Not legal advice.

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BEST PRACTICES: CALLING RULES AND COMPLIANCE

# MAKE IT A HABIT

## What good looks like

> Consent recorded for every text and marketing call.

> Do-not-call lists checked before every campaign.

> Opt-outs honored right away, in every channel.

## The habits

1. Scrub lists against the national and state do-not-call registries before calling.
2. Keep a record of consent for marketing texts and calls.
3. Honor opt-outs fast, however the customer asks.
4. Call only within allowed hours in the customer's time zone.
5. Watch the Updates page for rule changes and dates.
6. Ask your attorney when a rule is unclear.

### Signs it's time to get help

- You don't know when your lists were last scrubbed.
- Opt-outs are tracked in someone's head.
- Marketing texts go out without recorded consent.

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**Where we fit:** Service ProCall scrubs every list against the do-not-call registries before a single call, and follows a written calling policy.

More on calling rules and compliance