

Reg F SMS Compliance Checklist

For Debt Collection Agencies Using Text Messaging | TCPA • Reg F • FDCPA

How to use this checklist:

Review each item before launching any SMS campaign. Every box must be checked before going live. Share with your compliance officer. Items marked **CRITICAL** carry the highest legal risk.

1. Opt-Out Handling (TCPA)

CRITICAL

- STOP keyword triggers immediate opt-out
- Opt-out applied across ALL channels (SMS, email, voice)
- Opt-out honored within 10 business days (TCPA max)
- Confirmation message sent after opt-out
- Do-Not-Call list checked before every send
- No re-contact after opt-out without new consent

4. FDCPA Disclosures

CRITICAL

- Mini-Miranda included in initial contact message
- Debt amount and creditor name accurate in message
- Dispute rights communicated within 5 days
- Cease-and-desist requests honored immediately
- No deceptive or misleading language in messages
- No contact with third parties about the debt

2. Message Timing (Reg F)

CRITICAL

- Messages sent 8 am – 9 pm local debtor time only
- Time zone detection enabled per debtor record
- No messages on federal holidays (best practice)
- Frequency cap set (Reg F: max 7 calls / 7 days)
- Timing logs retained for audit

5. Consent & Record-Keeping

HIGH RISK

- Prior Express Consent documented per account
- Consent source recorded (date, method, channel)
- Message logs retained minimum 3 years
- Opt-out requests logged with timestamp
- Consent revocation records maintained

3. Right-Party Contact (Reg F)

HIGH RISK

- Limited-content message sent before disclosure
- Debtor identity confirmed (YES / NO reply flow)
- No debt details shared before RPC confirmed
- Wrong-number opt-out removes number from all lists
- RPC confirmation logged per account

6. Message Content Review

BEST PRACTICE

- No threats, profanity, or abusive language
- Sender identified in every message
- Reply keywords listed (STOP, HELP, YES, PAY)
- URLs use branded / trusted domain (no URL shorteners)
- Messages reviewed by compliance before first send

Mini-Miranda Example — include in every initial SMS:

"This is an attempt to collect a debt. Any information obtained will be used for that purpose. This communication is from a debt collector. Reply STOP to opt out."

Adapt to your state's requirements. Some states require additional language.