

Omni Communications Agency SMS Compliance Policy

Effective Date: March 25, 2025

Last Updated: March 25, 2025

Governing Jurisdiction: Louisiana, USA

1. Scope & Purpose

This policy governs the use of SMS/text messaging by Omni Communications Agency ("we," "us," or "our") for **conversational messaging only**, as defined by the Cellular Telecommunications Industry Association (CTIA) and the Federal Communications Commission (FCC). This policy ensures compliance with:

- The Telephone Consumer Protection Act (TCPA), 47 U.S.C. § 227
 - CTIA Messaging Principles & Best Practices
 - Louisiana Consumer Protection Act (La. R.S. 51:1401 *et seq.*)
 - Louisiana Database Security Breach Notification Law (La. R.S. 51:3071 *et seq.*)
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2. Consent & Authorization

2.1 Express Written Consent

By submitting your mobile number via our website form, phone call, or other designated channels, you authorize Omni Communications Agency to send you **transactional and conversational SMS messages** related to:

- Free estimate requests
- Responses to direct inquiries
- Appointment confirmations or rescheduling
- Service updates or safety-related notifications

You explicitly agree that:

- Consent is voluntary and not tied to any purchase.
- You are the account holder for the provided number or have authorization to use it.
- Message frequency varies based on your inquiry (typically 1–5 messages per request).

2.2 Prohibited Uses

We **DO NOT** use SMS for:

- Marketing, promotions, or sales solicitations
- Third-party advertising
- Automated telemarketing (robocalls/robotexts)

2.3 Consent Documentation

We retain records of consent, including:

- Timestamp and IP address of form submission
 - Call logs (if consent is obtained verbally)
 - Screenshots of web forms with disclosure language
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3. Opt-Out & Revocation of Consent

3.1 Unsubscribing from SMS

- **Immediate Opt-Out:** Reply “STOP” to any message. You will receive a confirmation text (e.g., “You have been unsubscribed. No further messages will be sent. Reply HELP for assistance.”).
- **Alternative Methods:** Email support@omnicommagency.com or call 504-321-7131 to request removal.

3.2 Post Opt-Out Protocol

- All further SMS communication ceases within 24 hours.
- Your number is permanently added to our internal “Do Not Text” list.
- To resume messaging, you must reinitiate contact and provide fresh consent.

3.3 Assistance

- Reply “HELP” for support or email support@omnicommagency.com.
 - We will provide:
 - Our business name and contact information
 - Instructions for unsubscribing
 - Carrier-specific details about message/data rates
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4. Privacy & Data Security

4.1 Data Collected

- Mobile number
- Message content
- Timestamps of interactions

4.2 Data Use

- Solely to facilitate conversational messaging and deliver requested services.

4.3 Data Protection

- **Encryption:** SMS data is encrypted in transit and at rest.
- **Access Controls:** Restricted to authorized personnel with confidentiality agreements.
- **Retention:** Data is retained for 3 years post-last interaction or as required by Louisiana law.

4.4 Third-Party Vendors

- SMS platforms used (e.g., Twilio, ClickSend) must comply with TCPA, CTIA, and SOC 2 standards.
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5. Compliance & Legal Disclosures

5.1 Federal Requirements

- **TCPA Compliance:** We honor Do Not Call (DNC) registries and maintain internal suppression lists.
- **Truth in Caller ID Act (15 U.S.C. § 57b):** No spoofing; caller ID will display “Omni Communications” or 504-321-7131.

5.2 Louisiana-Specific Obligations

- **Consumer Rights:** Under La. R.S. 51:1407, consumers may pursue civil action for unfair trade practices.
- **Breach Notification:** Data breaches affecting Louisiana residents will be reported within 60 days per La. R.S. 51:3074.

5.3 Carrier Disclaimers

- **Message Delivery:** Carriers (e.g., Verizon, AT&T) are not liable for delayed/failed messages.
 - **Data Charges:** Standard messaging rates apply as per your carrier plan.
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6. Operational Practices

6.1 Hours of Operation

- Messages are sent between **8:00 AM – 8:00 PM CT**, Monday–Friday, excluding federal/Louisiana state holidays.

6.2 Prohibited Content

- No links, GIFs, emojis, or MMS media (to comply with CTIA's "10-DLC" rules for conversational messaging).

6.3 User Responsibilities

- Notify us immediately if your number changes or is reassigned.
 - Do not submit others' numbers without explicit consent.
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7. Dispute Resolution

- **Governing Law:** Disputes are resolved under Louisiana state law in Orleans Parish courts.
 - **Arbitration:** By using this service, you waive rights to class action lawsuits and agree to binding arbitration per the American Arbitration Association (AAA).
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8. Contact Information

Omni Communications Agency (DBA)

Physical Address: [Insert Louisiana Street Address – Required for TCPA]

Phone: 504-321-7131

Email: support@omnicommagency.com

Privacy Policy: omnicommagency.com/privacy

Terms of Service: omnicommagency.com/terms

9. Policy Amendments

We reserve the right to update this policy. Changes will be posted at omnicommagency.com/sms-policy with a revised "Last Updated" date. Continued use of SMS constitutes acceptance of amendments.