Hatch

The Hatch User's Guide to Texting

Rules & recommendations to get the most out of your campaigns

Introduction

To say that compliance has "increased" over the past couple of months would be an understatement. It has shot up out of a nowhere it seems — and we get it — it has been a major pain in the neck.

Not just because you've had to jump through hoops, but also because failure to comply with all these new rules can negatively impact your revenue, your reputation, and how much ROI you get on your Hatch investment.

So that's why we've created this guide. It contains exactly what you need to ensure success with compliance, which ensures success with your business as a whole.

We wrote this guide to ensure you get the highest deliverability and response rates—and therefore also your highest ROI—with Hatch.

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Why is compliance so important?

As texting gets more popular and privacy laws continue to advance, compliance is only becoming more important. Noncompliance **will** result in lost revenue, either because your texts aren't getting delivered, and/or because the experience you're providing is not in line with what consumers have come to expect.

And yes, making changes to your website and text campaigns can be a hassle, but once you get the hang of things, it'll be smooth sailing from there—and you'll be future-proofed.

So as your texting platform that **cares about your long-term success**, it is our duty to educate and equip you to comply!

That's why we've made this guide.

Noncompliance *will* result in lost revenue!

TCPA MESSAGING REQUIREMENTS

Here are the TCPA requirements you absolutely must follow if you want your texts to get delivered and your reputation to stay strong.

1. You must include an opt-out instruction in the first text of every campaign

The initial message that you send to an individual needs to tell the recipient what word they can respond back with (aka the opt out keyword) to opt out of messages.
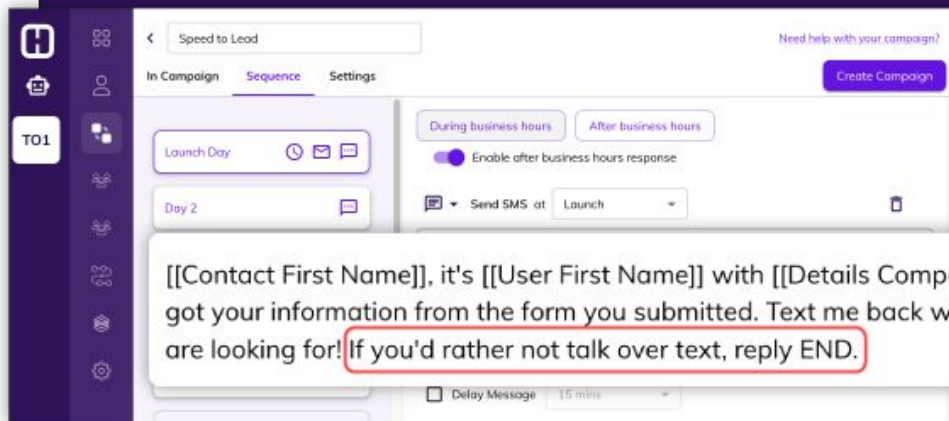
Opt-out example:

"Hi [name], this is [name] from [company]. Thanks for submitting your form on our site. How many windows do you need replaced?

If you don't want to talk via text, reply STOP."

Notes on this:

- Your opt-out keyword must be one of these, **in all caps**:

  - STOP, STOPALL, CANCEL, END, QUIT

- Hatch automatically includes an opt-out in the first text for your campaigns, which you can customize.

What it looks like in Hatch

Examples:

- Reply STOP to unsubscribe
- Reply STOP to end messages.
- Opt out any time by replying END.
- Reply CANCEL to stop messages.
- To not communicate over text, reply END.
- If you do not wish to text with us, reply END.
- If you'd rather not talk over text, reply END*.

*We chose this as the default within Hatch because "Reply STOP to unsubscribe" has a very ecommerce feel to it, and we don't want your customers thinking that they're opting into those types of impersonal, always-automated mass texts. Hatch users send a few automated texts and then converse in real time—so we wanted to use something that was more reflective of that.

Note that the default is just the placeholder text—you can change it to whatever you feel is best!
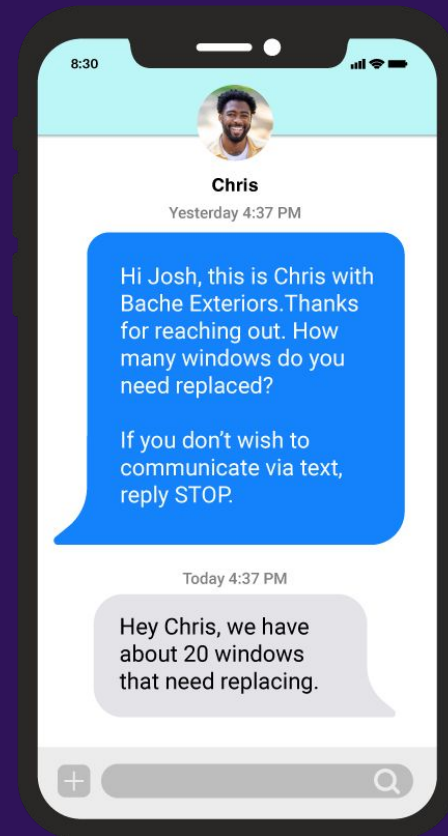
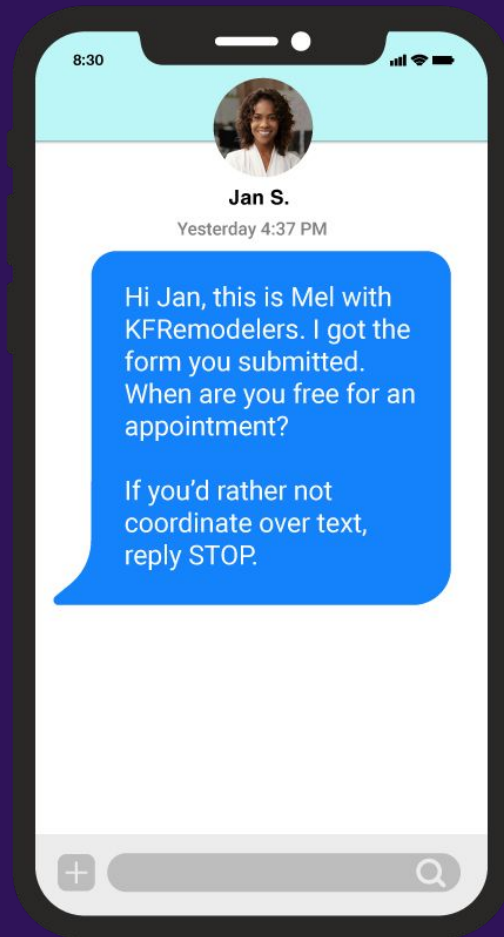**For more help with this, go to our**
Opt-Out Requirements & Examples.

2. You must include a company identifier in the first text of every campaign

You also have to let your text recipient know your company name in the first text of every campaign.

Example

Hi [Contact Name], this is [Rep Name] from [Company Name]. Thanks for submitting your form! Would love to schedule an appointment for you.

If you'd rather not talk over text, reply STOP.

For more help with this, go to our Company Identifier Help Page

---

8:30

Jan S.
Yesterday 4:37 PM

Hi Jan, this is Mel with KFRemodelers. I got the form you submitted. When are you free for an appointment?

If you'd rather not coordinate over text, reply STOP.

Notes on this

- You do not need to include the identifier for follow-up messages in an ongoing conversation
- Hatch requires the [[Details Company Name]] on the first SMS of every campaign.

Examples of company identifiers

This is [[User First Name]] from [[Details Company Name]].

[[User First Name]] here from [[Details Company Name]].

This is [[Details Company Name]].

3. You must obtain consent to text

The technical term for this is **prior express written consent**. Just like you need to obtain permission to send emails to people, you need to get permission to text.
Here's a breakdown:

- **Prior** = Before you send the first text. (i.e. you can't send a text to ask if it's okay to talk over text.)

- **Express** = Explicitly given (expressed) by the consumer, not just implied.

- **Written** = Not verbal, but documented with a timestamp. Lead gen forms, whether physical or online, count as a document.

- **Consent** = Permission to text

Contact us today

First name

Last name

Email

Phone

Service needed

SUBMIT

By submitting, you authorize [company] to reach you via call, email, or text for information about your project needs. We will never share your personal information with third parties for marketing purposes. You can opt out at any time. Message/data rates apply. Consent is not a condition of purchase.
Terms and Conditions | Privacy Policy

How do I do this?

This applies to any form on your website where, if a visitor fills it out, you plan to text them (either manually or using Hatch).

For these forms, you need to include specific verbiage that makes it clear that the visitor is opting in to text messages.

The requirements are listed on the right, with examples and a template on the next pages.

Your lead capture forms must provide the following disclosures:

1. That by submitting the form, they may receive text messages from you.

2. The purpose of those text messages

3. That consent is not a condition of purchase

4. That message and data rates apply

5. A link to your SMS Privacy Policy and your SMS Terms & Conditions (see the Additional Resources section for templates for these).

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First name

Last name

Email

Phone

Service needed

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Terms and conditions | Privacy Policy

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Terms & conditions | Privacy Policy

Here's a consent verbiage template you can use

By clicking "Submit" you authorize [Company] to reach out to you via call, email, or text for information about your project needs. We will never share your personal information with third parties for marketing purposes. You can opt out at any time. Message/data rates apply. Consent is not a condition of purchase. Terms & Conditions | Privacy Policy

For more examples and details on this texting requirement, head to our help page on Opt-In Verbiage

Additional Notes

- If the initial message to the recipient is not within a reasonable amount of time after consent, the initial message must give the recipient the ability to reconfirm consent.

- Consenting to messaging from one brand does not entitle the sender to send messages from or about another brand

- If a contact initiates a conversation, that is considered consent for messaging (such as if they see your number on your website and reach out to you).

- You may send a message to an individual where you have a prior relationship, as long as that individual:
  - Provided their phone number to you
  - Has not expressed a preference to *not* receive messages from you.
  - Took an action to trigger your outreach to them, such as:
    - Button press
    - Alert setup
    - Appointment set
    - Order placement
- Examples of acceptable messages in these scenarios include:
  - Appointment reminders, payment receipts, password resets, order/shipping/reservation confirmations, drivers coordinating pickup locations, and repair persons confirming service call times.
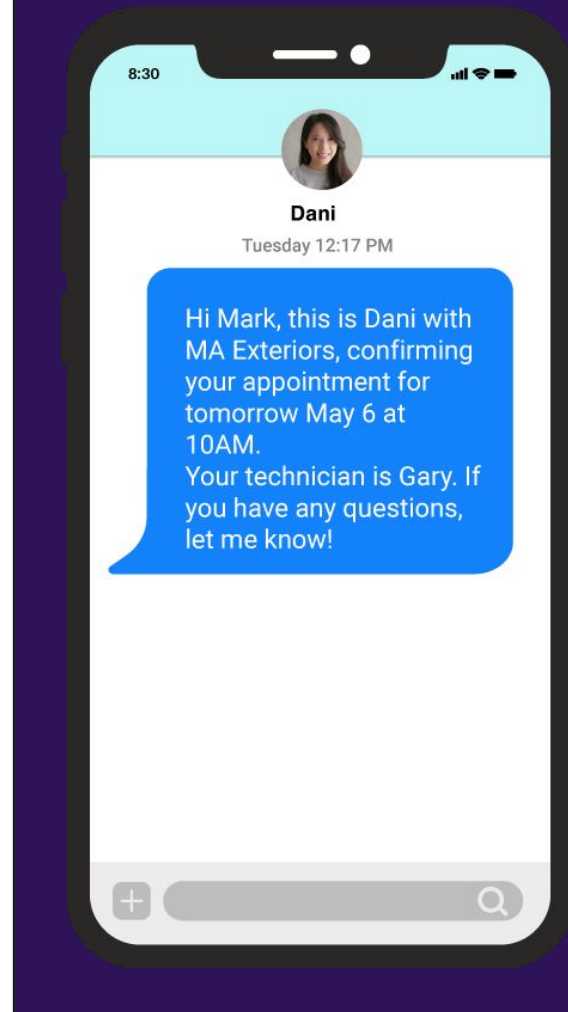
4. Character limits

Technically, Twilio can support messages up to 1600 characters, but long text messages negatively impact deliverability rates and your customers' experience.

For this reason, both Twilio and Hatch recommend keeping your messages to 320 characters or less.

Hatch limits text messages to 612 characters.

Send SMS at [Launch ▾]

Hi [[Contact First Name]],
This is [[User First Name]] with [[Details Company Name]]. We got your Inquiry regarding the Home Warranty to cover your Home appliances and systems, When is a good time for us to chat and get you setup?
If you'd rather not talk over text, reply END.

[Snippets ▾]   Character Count: 279/612
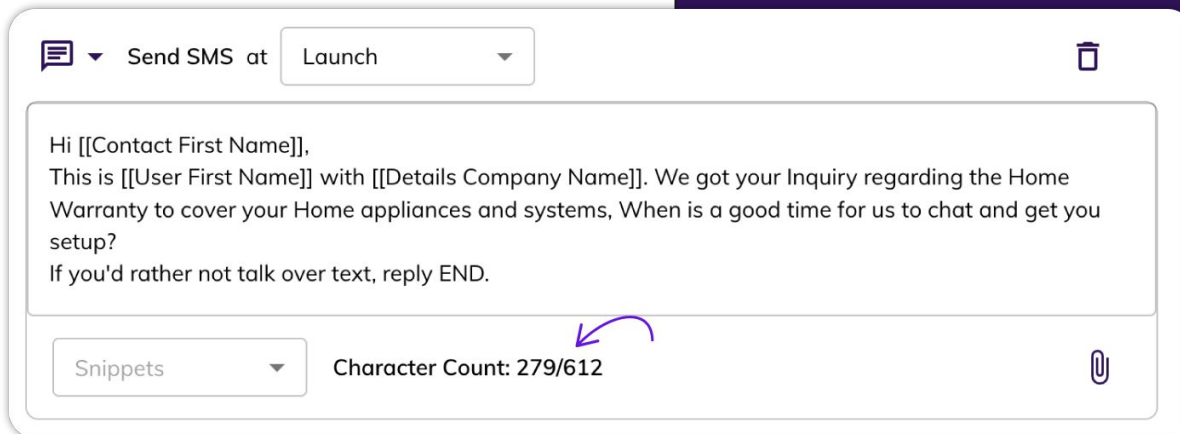
5. Attachments

Here are Twilio's requirements for attachments, but note that carriers may have their own:

- No more than 10 media files per MMS message.
- Image attachments (JPG, PNG, or GIF) cannot exceed 5 MB
- NON image attachments (PDF for example) are subject to the following carrier limits:
  - AT&T and Verizon: 1.0MB
  - T-Mobile: 1.5MB
- Recommended dimensions for images are: 400 x 400px
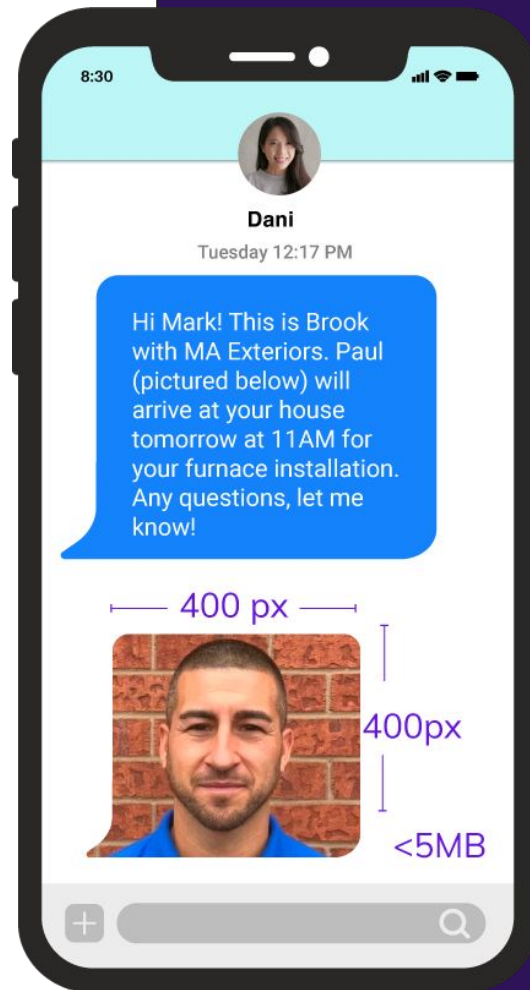
5. Attachment types

Image files that Twilio **supports** include:

- JPG
- JPEG
- PNG
- GIF

Additional files that Twilio **accepts** include:

- Audio
- Video
- Application
- Text

[Here is the full list of all Twilio-accepted file types](.).

Supported means the content will be adjusted as needed to appear correctly on different devices and screen sizes.

Accepted means the files will still get sent, but the content will not be adjusted for device compatibility.

6. Message use

Twilio will not allow:

- Hate speech, harassment, exploitative or abusive messages, or any communications that originate from a hate group.
- Fraudulent messages.
- Malicious content, such as malware or viruses.

Also, if you are messaging about something with an age limit (alcohol, firearms, etc) you must make sure every recipient is of the appropriate age.

7. Filtering evasion

Twilio will block content that has been designed to get around policies, rate limits, or volume restrictions. For example:

- Intentionally misspelled or altered words or opt-out phrases
- Sending similar messages to one customer from multiple phone numbers
- Note that Hatch has a launch limit of 150 contacts per workflow to help you stay within Twilio's volume restrictions.

MESSAGING BEST PRACTICES

These are not requirements that need to be met in order for your texts to get delivered. Rather, they are our recommendations that will help you to resonate with your customers and get the most out of Hatch.

HATCH ASSISTANT

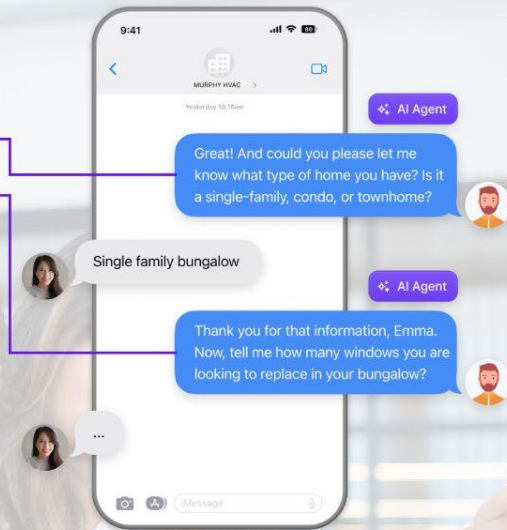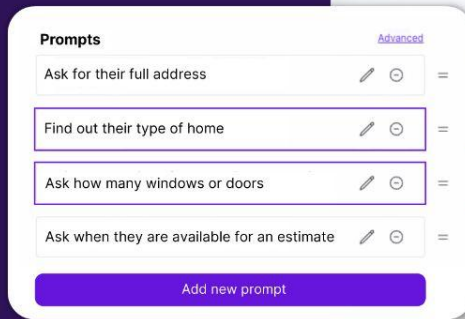# AI agents that text with your leads

With Hatch Assistant, train custom bots to take on customer conversations and perform admin work. They can:

- Qualify and route leads
- Set appointments
- Follow up on quotes
- Answer questions about your business

...and more

Try it out yourself!

TEST IT OUT

Prompts Advanced

Ask for their full address

Find out their type of home

Ask how many windows or doors

Ask when they are available for an estimate

Add new prompt

9:41
MURPHY HVAC
Yesterday 10:15am

AI Agent

Great! And could you please let me know what type of home you have? Is it a single-family, condo, or townhome?

Single family bungalow

AI Agent

Thank you for that information, Emma. Now, tell me how many windows you are looking to replace in your bungalow?

iMessage

1,539
CONVERSATIONS HANDLED

5 sec
RESPONSE TIME

122+
HOURS SAVED

In one month for Renewal by Andersen

"I was skeptical at first about having a bot talk with customers, but I fully trust Lance. We now ask ourselves "What would Lance say?" when interacting with customers!"
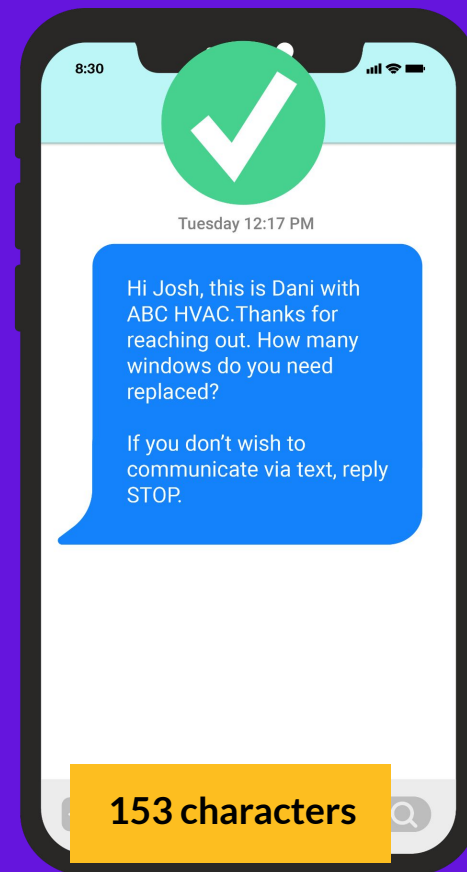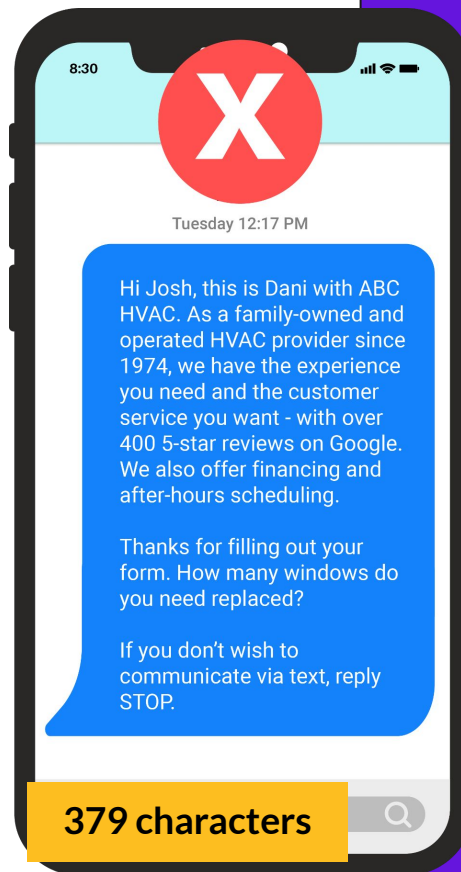
Kaitlyn Rencher
Data Entry Team Lead
Renewal by Andersen

1. Keep messages short

Just because you have 612 characters doesn't mean you should use all of them. The best practice is 320 characters or less.

Remember, the reason why text messaging is preferred by consumers is that it's fast and convenient.
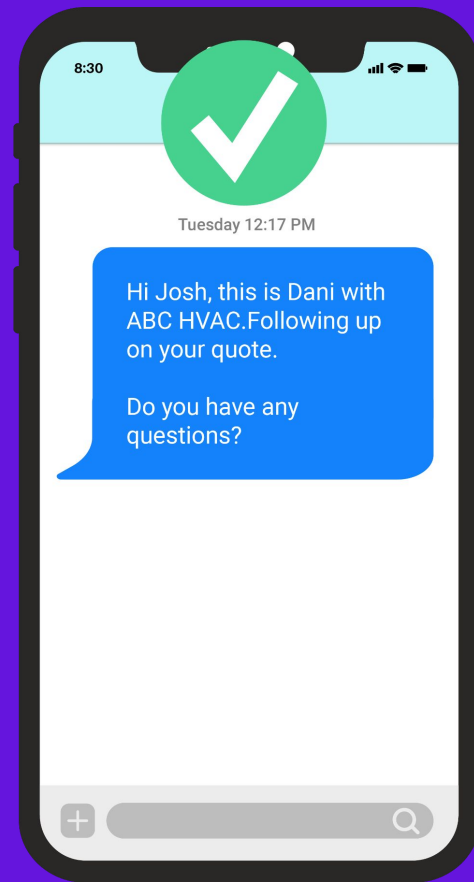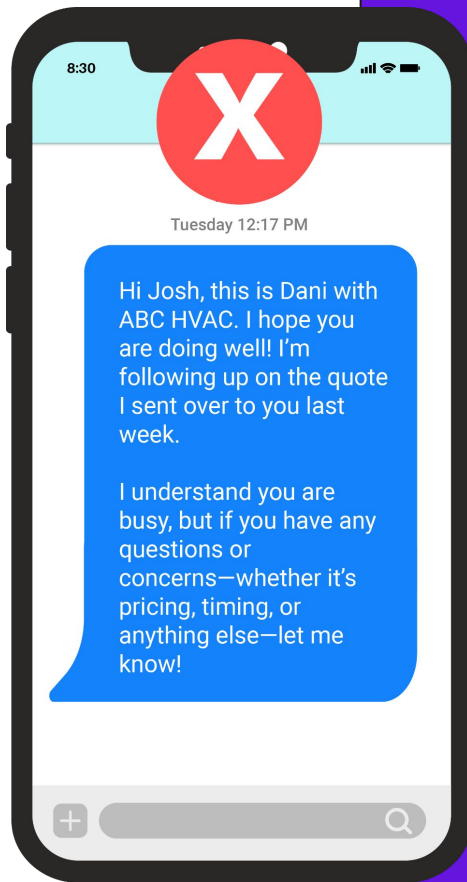
Do not put an email's worth of content into a text—it will get ignored!

Tuesday 12:17 PM

Hi Josh, this is Dani with ABC HVAC. As a family-owned and operated HVAC provider since 1974, we have the experience you need and the customer service you want - with over 400 5-star reviews on Google. We also offer financing and after-hours scheduling.

Thanks for filling out your form. How many windows do you need replaced?

If you don't wish to communicate via text, reply STOP.

379 characters

Tuesday 12:17 PM

Hi Josh, this is Dani with ABC HVAC.Thanks for reaching out. How many windows do you need replaced?

If you don't wish to communicate via text, reply STOP.

153 characters

2. Go for the response, not the sell

This goes hand-in-hand with keeping messages short.

Don't try and convince customers of anything in your initial messages. Instead, immediately state your intention and then finish off with a closed question that invites a response.

We have plenty of templates to help you out here!

55 Text and Email Templates.

27 Follow-Up Templates and Tips

3. Tailor your messaging

Messaging is most effective when it is tailored to the recipient. The more you can segment out your contacts into specific groups with shared qualities, the more tailored you can get with your messaging.

This is especially important when engaging current or past customers.

Tuesday 12:17 PM

Hi Jane,
Mark here from HVAC Pro.
Thank you for being a valued customer!

We would love to help you with any new projects you have coming up, and are running some promotions that can help you save. Are you interested?

If you don't want to talk over text, reply END.

This is okay

Tuesday 12:17 PM

Hi Jane,
Mark here from HVAC Pro.
Thank you for entrusting us with your furnace replacement earlier this year.

We would love to help you with any new projects you have coming up, and are running some promotions right now that can help you save. Are you interested?

If you don't want to talk over text, reply END.

This is better

Use our Audience Builder to create segments based on lead source, stage of funnel, quote status, last engagement date, service quoted for, and more.

Check out our **Audience Builder Help Page** for more tutorials and best practices.

WRITING YOUR SMS TERMS & CONDITIONS AND PRIVACY POLICY

As stated earlier in this guide, your lead forms must link to your Terms & Conditions page as well as your Privacy Policy page—both of which need to have a clear SMS section.

Contact us today

First name

Last name

Email

Phone

Service needed

SUBMIT

By submitting, you authorize [company] to reach you via call, email, or text for information about your project needs. We will never share your personal information with third parties for marketing purposes. You can opt out at any time. Message/data ~~es~~ apply. Consent is not a condition of purchase.
Terms and Conditions | Privacy Policy

For more details and help with these, check out our:

- [SMS Terms & Conditions Templates & FAQs](#)
- [SMS Privacy Policy Template & FAQs](#)

SMS Terms & Conditions Template

DISCLAIMER: The following template is for your SMS terms and conditions, not for your entire website terms and conditions. It also covers only the minimum requirements, and may not include everything required for your business, industry, use case, etc. This is also not legal advice. You should consult with your legal counsel to ensure that your terms of service and privacy policy are compliant with applicable law and consistent with standards for your particular campaign and industry.

For more help and details, head to our
SMS Terms & Conditions Templates & FAQs

SMS terms & conditions template

[Company name] SMS Terms & Conditions

1. **Program description:** This is a brief description of the kinds of messages users can expect to receive when they opt in.
2. **Frequency:** You will receive {message frequency}.
3. **Opt-out:** You can cancel the SMS service at any time. **Just reply back with [OPT OUT KEYWORD]**. After you send the SMS message [OPT OUT KEYWORD] to us, we will send you an SMS message to confirm that you have been unsubscribed. After this, you will no longer receive SMS messages from us. If you want to join again, just sign up as you did the first time and we will start sending SMS messages to you again.
4. **Help**: If you are experiencing issues with the messaging program you can reply with the keyword HELP for more assistance, or you can get help directly at {support email address or toll-free number}.
5. **Interruption:** Carriers are not liable for delayed or undelivered messages
6. **Cost:** As always, message and data rates may apply for any messages sent to you from us and to us from you. If you have any questions about your text plan or data plan, it is best to contact your wireless provider.
7. **Privacy:** If you have any questions regarding privacy, please read our privacy policy: {link to privacy policy}

You don't have to format it this way, but it does make things clear for the consumer and helps you to ensure you've hit all your key points.

SMS terms & conditions example

ABC Roofing SMS Terms & Conditions

1. **Program description:** When opted-in, you will receive text messages (SMS/MMS) to your mobile number. These kinds of messages may include a response to an inquiry, real-time texts to ask and answer questions about our services and pricing, and appointment confirmations.
2. **Program frequency:** Message frequency will vary depending on the conversation.
3. **Opt out:** You can opt-out of this service at any time. Just text "STOP" to the phone number. After you text "STOP" to us, we will send you an SMS reply to confirm that you have been unsubscribed. After this, you will no longer receive SMS messages from us. If you want to join again, just sign up as you did the first time or text "START," and we will start sending SMS messages to you again.
4. **Help:** If you are experiencing any issues, you can reply with the keyword HELP. Or, you can get help directly from us at [link to your contact page on your website].
5. **Interruption:** Carriers, such as AT&T, are not liable for delayed or undelivered messages.
6. **Costs:** Message and data rates may apply for any messages sent to you from us and to us from you. If you have any questions about your text plan or data plan, please contact your wireless provider.
7. **Privacy:** If you have any questions regarding privacy, please read our privacy policy [link to privacy policy].
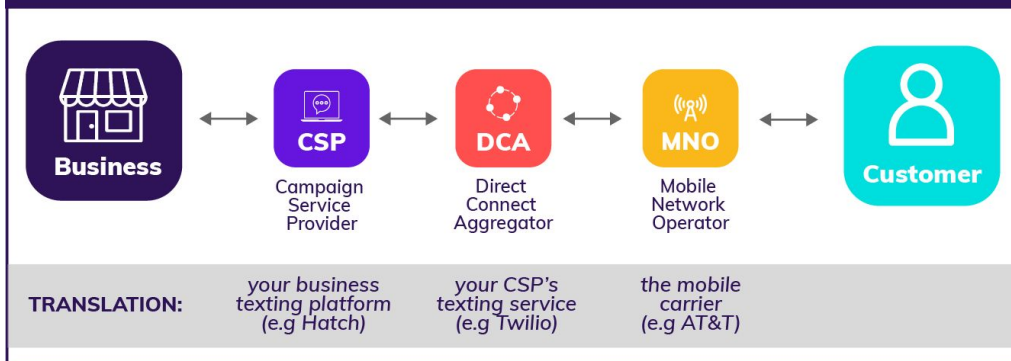
Part V

COMPLIANCE FAQs

We understand these rules can be a pain, and we don't like them either! But while we *can't* change them, we *can* help you to understand the *why* behind them a little better.

What are all these acronyms?

- **10DLC:** 10-digit long code number used for business texting (as opposed to a 5-digit short code number or 800 number).
- **TCR:** The Campaign Registry. A third party organization chosen by MNOs to approve and register 10DLC numbers.
- **CTIA:** Cellular Telephone Industries Association. Has a Messaging Best Practices document that aligns with TCPA
- **CSP:** Campaign service provider. The app/platform/service you use to text customers.
- **DCA:** Direct connect aggregator. The service your CSP uses to provide texting services. Interfaces directly with the MNOs
- **MNO:** Mobile network operators, like AT&T, Verizon, and T-Mobile.
- **TCPA:** Telephone Consumer Protection Act (TCPA). Federal law that enforces best practices for reaching consumers through phone call and text.

How texts get from your business to customers.

THE BUSINESS TEXTING CHAIN

Business	CSP Campaign Service Provider	DCA Direct Connect Aggregator	MNO Mobile Network Operator	Customer

| TRANSLATION: | your business texting platform (e.g Hatch) | your CSP's texting service (e.g Twilio) | the mobile carrier (e.g AT&T) | |

Hatch

Why all these new rules?

Actually, these policies **aren't new**. They began back in 2015 when the FCC declared that TCPA laws, which only applied to phone calling, would now also apply to text messaging.

However, in the years since, there has been little to no enforcement of TCPA laws for texting.

Federal Communications Commission   **FCC 15-72**

DECLARATORY RULING AND ORDER

Adopted: June 18, 2015   Released: July 10, 2015

I.   **INTRODUCTION**

1.   Month after month, unwanted robocalls and texts,[1] both telemarketing and informational, top the list of consumer complaints received by the Commission. The Telephone Consumer Protection Act (TCPA)[2] and our rul... receive, with heightened ... particularly intrusive. B... Answering Points (PSAPs)[4] from robocalls that can tie up critical first responder resources.[5] With this Declaratory Ruling and Order, we act to preserve consumers' rights to stop unwanted robocalls, including both voice calls and texts, and thus respond to the many who have let us, other federal agencies, and states know about their frustration with robocalls.

"including both voice calls and texts"

But then, in 2022, due to an influx of spam and robotexts, mobile carriers stated that they would now require any 10-digit business number used for texting to get registered with TCR, also known as 10DLC registration.

10DLC registration requires a vetting process by TCR which checks to make sure your website and texts adhere to TCPA laws.

Which is why you're seeing so many "new" policies pop up.

Mobile carriers started only semi-enforcing this policy in 2022, but at this point have reached full enforcement.

To get the full 10DLC story, click on the above post!

In other words, it's not Hatch that is setting these requirements. We're not trying to make your life harder!

Hatch (your texting platform) has them in place because **Twilio** (our texting provider) has them in place because **mobile carriers** (the gatekeepers) have them in place.

Make sense?

HOW BUSINESS TEXTING WORKS

YOUR BUSINESS

TEXTING PLATFORM
Hatch

TEXTING SERVICE
Twilio

The ones enforcing the rules

MOBILE CARRIER
AT&T, Verizon, etc
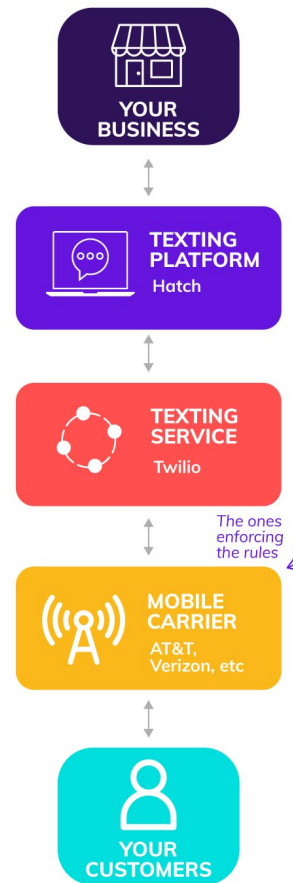
YOUR CUSTOMERS

What happens if I don't comply?

There are several consequences to not adhering to the rules.

- **Limited deliverability:** Your texts will get filtered by Twilio, which means blocked from being delivered.
- **Negative customer experience:** Not getting texts or receiving noncompliant texts can create a poor customer experience..
- **Decreased ROI:** Fewer texts and/or fewer responses will negatively impact your revenue, and thus your ROI on Hatch and other investments.
- **Lower reputation:** Poor standing among consumers or mobile carriers

From Hatch

- [10DLC Explained](#)

- [Opt-Out Requirements and Examples](#)

- [Company Identifier Requirements and Examples](#)

- [Terms and Conditions Requirements and Template](#)

- [Privacy Policy Requirements and Template](#)

- [10DLC/TCPA Checklist](#)

From the FCC
(Federal Communications Commission)

- The [TCPA privacy section](#) that documents the company identifier requirement (which can be found via the FDIC's [Consumer Compliance Examination Manual).](#)

- [2015 Omnibus Declaratory Ruling and Order](#) that text messages are subject to the same TCPA restrictions as phone calls.

- [FCC Fact Sheet](#)

- [FCC TCPA Summary](#)

- [CTIA's Messaging Principles and Best Practices](#)

- [Twilio's Messaging Policy](#)

- [The Campaign Registry Website](#)

Final word

At Hatch, we take compliance seriously! We've seen too many businesses and even text providers run into sticky (and expensive) situations because of failure to comply. Stick to these requirements and recommendations and you'll be saving yourself time, money, and headaches in the long run—not to mention setting yourself up for growth!
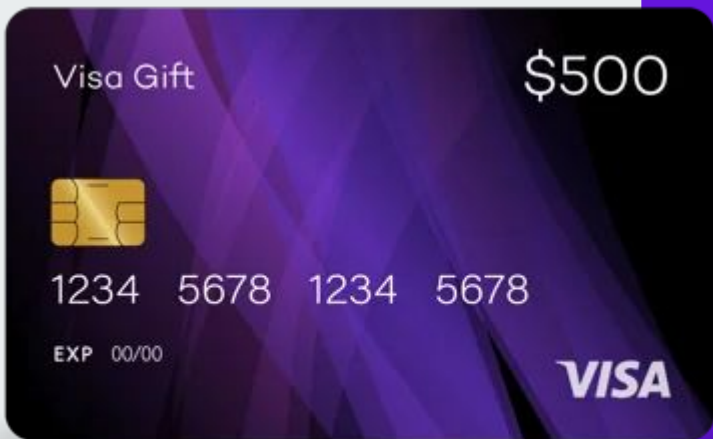
Refer a friend to Hatch and get $500

Refer a friend to Hatch and if they become a customer for 90 days, we'll send you a $500 Visa gift card. Easy money!

REFER A FRIEND