

Do Not Call - Do Not Fax - Do Not Email Acknowledgement

Baird & Warner Policy for Communications with and from Customers and Clients

All Baird & Warner personnel, including Sales Associates, other independent contractors and employees shall comply with all federal and state laws and regulations governing communications with consumers of real estate, mortgage, title, and related company services. These laws prohibit unsolicited telephone calls, emails and faxes. Baird & Warner employees, Sales Associates and other independent contractors shall not call, email, or fax any person or entity with whom they do not have an existing business relationship.

Any Baird & Warner personnel who violate any law or regulation as described in this policy shall be personally responsible to Baird & Warner for any fines or penalties.

Baird & Warner companies reserve their rights under federal and Illinois law and regulations to block all unsolicited business communications from individuals and other entities.

Use the information below to answer your Do Not Call questions.

Your continued use of this web site serves as your acknowledgement of and agreement to comply with this policy.

Do Not Call Frequently Asked Questions (FAQs)

What is the Do Not Call Registry and how did it come about?

In December of 2002, the Federal Trade Commission ("FTC") developed a national Do Not Call registry directed at stopping unwanted interstate telemarketing calls to consumers. The new FTC rules allowed consumers to place their telephone numbers on the registry. Sales Associates are prohibited from calling any number on the registry unless the Sales Associate and the consumer meet certain criteria, which are discussed below.

In June of 2003, the FCC announced that its telemarketing rules would, among other things, prohibit intrastate calls to any person on the National Do Not Call registry. This significant change means all Sales Associates making interstate and intrastate calls must comply with the requirements of the National Do Not Call registry, regardless of state law exemptions.

When will the Do Not Call requirements go into effect?

Enforcement of the Do Not Call registry requirements begins October 1, 2003.

How will these new rules be enforced?

The FTC and FCC are working to develop an efficient enforcement strategy. Aggrieved consumers can sue if they receive two calls in violation of the regulations by the same caller within a twelve-month period.

Are there any exemptions to the rule?

Yes. Sales Associates may call the following:

Consumers with whom Sales Associates have an existing business relationship for up to 18 months after a transaction;

Consumers who make an inquiry, for up to three months after the inquiry;

Consumers who have filled out the Baird & Warner [Permission To Call Form](#).

Do the new rules apply to calls made to FSBO's?

Yes and no. Sales Associates may call a FSBO seller whose number is listed in the Do Not Call registry if the Sales Associate represents a buyer who is interested in the property, since this call is not a telephone solicitation of the FSBO's listing. Sales Associates may not call a FSBO seller whose number is listed in the Do Not Call registry in an attempt to obtain a listing.

Do the new rules apply to calls made to businesses?

No. The Do Not Call Registry is only for residential telephone numbers.

A consumer calls my office to inquire about a listing. Can I call this consumer to talk about other listings over the next three months?

Yes. The Rules permit a Sales Associate to call a consumer following an inquiry for three months after the inquiry or until the consumer asks to be placed on the company's Do Not Call list. There is no limit on what the Sales Associate can discuss with the consumer during those three months.

A former client calls to say her friend would like me to call her to discuss the possibility of listing her home. Do I have to consult the Do Not Call registry before calling?

Yes. Baird & Warner policy treats an indirect inquiry like this as a solicitation. Suggest that your former client call the friend and instruct her to call you.

Can I call visitors to an open house who provide their phone numbers on a sign-in sheet?

Yes, because the [sign in sheet](#) doubles as the written permission from the consumer.

What are the fines and are there any "safe harbors?"

The fine for calling someone whose name appears on the Do Not Call registry is up to \$11,000 per call. There is a "safe harbor" for inadvertent mistakes but the burden of proof is on the Sales Associate and is very hard to meet.

Who pays the fine if one is levied against Baird & Warner or one or more Sales Associates?

Sales Associates are responsible for the payment of any fine levied against them or the company as a result of their calls. If the actions of more than one Sales Associate lead to the levy of a fine, all will participate in payment.

Are the federal registry and the Baird & Warner Do Not Call list the same?

No. The federal list is compiled of numbers registered by consumers on the FCC and FTC web sites. The Baird & Warner list consists of numbers of consumers who have told the company or its agents not to call them.

Does registering a number on the Baird & Warner Do Not Call list mean that number is registered on the federal list?

No. These are two different lists. Baird & Warner personnel can add numbers to the Baird & Warner list. Each consumer must register his or her own numbers on the federal list.

What if I call someone who is not registered on the federal list who tells me not to call again?

Assure the consumer you will add his/her phone number to the Baird & Warner Do Not Call list. Then go to mybairdwarner.com to the Do Not Call web page and follow the directions to add the number.

What should I say if by mistake I call someone whose number is registered?

You should apologize and assure the consumer you will not call again.

How do I register my own phone numbers on the federal Do Not Call registry?

Go to www.donotcall.gov and follow the directions to add your numbers.