

Help Business Capital mitigate legal risk by providing expert consulting on Texas telemarketing registration, penalties, and compliance.

Industry: Financial Services

Client: Business Capital is a direct lender with over \$5 billion funded offering small businesses a simple online application and same day decisions.

Case Study



The Client

Business Capital is a leading provider of commercial finance, specializing in working capital and asset-based lending. Their outreach efforts involve connecting with businesses to provide essential funding, but expanding into the Texas market required a specialized understanding of strict state-specific telemarketing laws.



The Challenges

Business Capital enlisted **AnswerNet** after identifying significant risks associated with the Texas Business & Commerce Code Chapter 302. Without proper guidance, the client faced:

Registration Barriers: Identifying if the business and individual callers required formal state registration and a \$10,000 security bond.

Aggressive Penalties: Risk of private lawsuits reaching \$500 per violation and federal TCPA fines of up to \$1,500 per call.

Data Complexity: The need to scrub lists against the National DNC registry every 31 days and the Texas No-Call list at least quarterly.

Disclosure Gaps: Ensuring scripts meet mandatory start-of-call disclosures, including caller identity and purpose.



The Solution

Together with the client, **AnswerNet** developed a comprehensive compliance framework and established step-by-step regulatory processes. We continue to provide consulting and audit support for these critical outreach operations.

Scrubbing & Safe Harbor: The AnswerNet team implemented protocols to scrub call lists against state and federal registries, maintaining records for at least five years to support a Safe Harbor defense.

Establish Compliance Program: We worked with Business Capital to create a comprehensive compliance program which includes disclosure requirements, appropriate calling times, consent management, and prohibited practices in alignment with the TCPA and TSR.

TCPA Guardrails: We established procedures for obtaining express written consent for autodialed calls and verified that caller IDs remained non-spoofed.

SMS Policy & Best Practices: We developed comprehensive SMS compliance policies and established step-by-step processes for 10DLC registration, scrubbing, and opt-out management to ensure all mobile outreach maintains proper consent and rigorous recordkeeping.



The Result

Through **AnswerNet's** consulting, Business Capital successfully minimized its exposure to Texas's mini-TCPA risks. They were able to reduce risk by establishing a documented safe harbor defense and implementing formal training and written procedures. They also created operational clarity by defining specific calling windows (8 a.m. – 9 p.m.) to remain within state-mandated quiet hours.

By partnering with **AnswerNet**, Business Capital can now focus on capital lending, knowing their outreach is monitored for ongoing regulatory changes.

For more information, call, text or visit us online.

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