

FAQS ABOUT THE UNSOLICITED TELECOMMUNICATION RULES AND HOW IT AFFECTS ZOLO

Zolo Realty, Brokerage (“**Zolo**”), is committed to ensuring compliance with Unsolicited Telecommunication Rules (“**UTR**”). The UTR must be considered by every Zolo employee, contractor, agent or third party prior to making telemarketing calls on behalf of Zolo. It should be noted that Zolo does not generally encourage its employees, contractors, agents or third parties to make telemarketing calls. Zolo’s business model generally involves inbound calls. However, where outbound calls are made (and such outbound calls are deemed to be telemarketing calls), all Zolo employees, contractors, agents or third parties are expected to comply with the UTR.

The following points are intended to answer some of your questions about UTR.

What is considered a telemarketing call under the UTR?

- Telemarketing is broadly defined under the UTR to include all use of telecommunications facilities to make unsolicited telecommunications for the purpose of solicitation (which is the act of selling or promoting a product or service or requesting money or equivalent directly or indirectly, for oneself or for another party).

Are there exemptions under the UTR?

- The UTR exempts registered charities, newspapers, political parties, as well as organizations that conduct market research, polls and surveys.

Who is captured by the UTR?

- The UTR governs Zolo but also individuals who are acting on behalf of Zolo, such as employees, contractors and third-party agents. For example, if Zolo hires a third-party agency to make telemarketing calls or send faxes on its behalf, Zolo will still be responsible for the actions of the third-party agency.

Who can telemarketers call?

- Telemarketers should only be calling: (i) consumers who they have an existing commercial relationship with; or (ii) consumers who are not on the National Do-Not-Call List (“**DNCL**”).

How is an “existing commercial relationship” defined under the UTR?

- An “existing business or commercial relationship” is where the consumer:
 - o has purchased, leased, or rented a product or service from the company in the last 18 months;
 - o is in possession of a written contract with the company for a service that is still in effect or has expired within the last 18 months, and/or
 - o has made an inquiry or has submitted an application to the company about a product or service within the last six months.

What is the National DNCL?

- Telemarketers have to register with the National DNCL and purchase a subscription to the DNCL for the area codes they intend to call.
- Prior to making any calls, ensure telemarketers must:
 - download the numbers from the National DNCL and delete them from their call lists,
 - use a version of the National DNCL that is not older than 31 days; and
 - do not call the home phone, cellular and fax numbers that consumers have registered on the National DNCL (except where the consumer has consented to be contacted)

If a consumer is on the National DNCL, how do I obtain consent for me to call them?

- Acceptable forms of express consent include:
 - (a) written consent, including a completed application form signed by the consumer giving consent to be contacted by way of telecommunications;
 - (b) oral consent, including:
 - i. oral consent verified by an independent third party;
 - ii. oral consent, where an audio recording of the consent is retained by Zolo or consumer of Zolo;
 - (c) electronic consent through the use of a toll-free number;
 - (d) electronic consent via the Internet; or
 - (e) consent through other methods as long as a documented record of the consumer consent is created by the consumer or by an independent third party. the specific purpose for which the consent of the recipient is sought.

What are the rules that telemarketers must follow when making calls?

- Among other things, telemarketers must:
 - identify who you are and, upon request, provide a fax or telephone number where the person being called can speak to someone about the telemarketing call;
 - display the telephone number that you're calling from or that the consumer can call to reach you, and
 - only call or send faxes between 9:00 a.m. and 9:30 p.m. on weekdays and between 10:00 a.m. and 6:00 p.m. on weekends.

- Telemarketers are responsible for making sure their calling lists are current and that they do not call the home phone, cellular or fax numbers of consumers on the National Do Not Call List (“**DNCL**”). Prior to making any calls, all employees, contractors, agents or third parties that are making telemarketing calls must ensure they check their call lists against the CRM database and the DNCL.

What are my obligations if a consumer makes a do not call request?

- You are required to add a consumer’s name and phone number to the internal list within 14 days of a consumer’s do not call request. You are also expected to ensure a consumer’s do not call request is flagged in the CRM database.

Who should I contact if I have additional questions?

- If you have any questions or concerns regarding these FAQs or the UTR, please contact Kevin Ali, Vice President, Operations.
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