

TEXTING GUIDELINES

MyRepChat

Text messaging is a form of electronic communication as defined in our Advisor Compliance Manual and branch office security policies. Those manuals and policies remain applicable. The guidelines below provide additional context when using text as a method to communicate LPL related business. LPL Financial permits texting via the MyRepChat texting desktop/mobile application only. You may not use any other format or tool for LPL-related texting.

1. In accordance with the Telephone Consumer Protection Act (TCPA), written consent is required from text message recipients before initiating text conversations. This consent language is sent to text message recipients by default upon first message. Contacts must 'Accept' consent via text to engage in text conversation. Consent is implied if the contact initiates the text conversation with you. A client can also respond 'Yes.'
2. Contacts will be provided instructions upon consent and periodically thereafter on how to opt out of receiving future messages, as required by TCPA. Instructions are provided to the contact on how to opt back into receiving future messages by replying 'Stop.'
3. Remember that recipients always have the right to revoke consent to receive text messages. If you send too many texts or texts that are an annoyance to recipients, you may lose the ability to text with the consumer.
4. Text messages will not be delivered to the recipient until the contact has provided consent. If the contact opts out of future messages, a notification will be posted in MyRepChat advising that outbound messages will be undeliverable until the contact once again provides consent.
5. Text messages to clients must not include Personally Identifiable Information (PII) (e.g., DOB and account numbers). Messages containing PII will be blocked. Please consult the [Branch Office Security Policy](#) for additional guidance on PII.
6. Advisors must not accept trades or money movement instructions based on text message instructions from a client. All text message instructions must be confirmed verbally or in person prior to submitting to LPL Financial for processing. If failing to confirm verbally results in losses for the client, the advisor may be penalized up to the whole amount of the loss.
7. Customer complaints received via text message must be immediately escalated to the appropriate OSJ Branch Manager or Home Office Supervision and the LPL Legal Department through the [Early Dispute Resolution Transmittal portal](#). A screenshot of the text should be sent along with the submission.
8. Always enter the full first and last name of the contact associated with phone numbers you text with into the contact card in the MyRepChat application, never leave it blank or use nicknames.
9. Like with email, if you send the same text to multiple recipients in a 30 day period it may require approval by Marketing Regulatory Review (MRR) prior to first use. Follow the guidance in the Advisor Compliance Manual and on the Resource Center or contact MRR. Texting is to be used for administrative types of communication only.

10. Texting is NOT to be used for marketing, prospecting for new clients or promoting the purchase of products or services.
11. Remember, all communications with the public must:
- Be based on principles of fair dealing and good faith
 - Be fair and balanced
 - Give the investor a sound basis for evaluating the facts
 - Not omit material information, including risk disclosures
 - Not make exaggerated, unwarranted, or misleading statements, opinions, or claims
 - Not contain untrue or false statements
 - Not contain predictions or projections of actual investment results
 - May not imply that past performance will recur
12. All brokerage, advisory and LPL insurance related messages are subject to review by the OSJ Branch Manager and/or a designated home-office principal via the OSJ Review Tool (ORT) in the same way emails are today. Electronic communications are subject to the same content standards as written communications. Additionally, no level of privacy exists with respect to communications sent through LPL approved text messaging; such communications are subject to supervisory review, retention by LPL, and production to regulatory agencies.
13. If you use text to communicate regarding LPL-related business with office members or other persons associated with LPL, all parties must do so using the MyRepChat application only.
14. Hybrid advisors should consult with their OSJ to ensure they can properly comply with SEC regulations prior to using text messaging for their advisory related business. Currently text messages will only be available for supervision in Intelligent Supervision.