



## ADVERTISING AND MARKETING GUIDELINES

**Overarching Guidelines:** When engaging in any advertising or marketing activities, you must ensure any, and all advertising and marketing materials are clear to the consumer and allow them to make educated decisions. In order to accomplish this, you must fully disclose all services provided in a transparent and easy to understand way. You must be in good standing with the officials and regulatory bodies that govern you and you must comply with all applicable laws and regulations. You must never engage in activities that are unfair, abusive, or deceptive. You must protect every Consumer's personal data with comprehensive website security and ensure that any party with which you work, protect consumer personal data in the same manner. You must have a conspicuously placed privacy policy that clearly and accurately explains your data collection practices, as well as how you will use the consumer data. You must use advertising and marketing practices that promote the responsible use of short-term credit services. You may not engage in any false, misleading, or deceptive advertising campaigns.

<b>Sample Permitted Messaging</b>	
<ul style="list-style-type: none"> <li>● Get up to \$5,000</li> <li>● Get up to \$5,000 in as little as 24 hrs</li> <li>● Get up to \$5,000 Fast!</li> <li>● Avoid paper hassles</li> <li>● Bad Credit Ok</li> <li>● Start now to find a lender</li> <li>● Avoid paperwork</li> <li>● Find a lender to get a loan up to \$5,000</li> <li>● Need up to \$5,000? A Lender may be able to help</li> <li>● Get up to \$5,000 from a lender in as little as 24 hrs.</li> <li>● Find a lender to get the money you need in as little as 24 hrs.</li> <li>● Need cash for bills or emergencies?</li> <li>● Got a cash emergency?</li> </ul>	<ul style="list-style-type: none"> <li>● Quick and Easy process</li> <li>● You could find a lender to get funds of up to \$5,000</li> <li>● Secure (only if secure site)</li> <li>● Find a lender and get a cash loan up to \$5,000</li> <li>● You could find a lender in minutes</li> <li>● Little short this month? You have options!</li> <li>● Find a lender and get the extra funds you need in 3 easy steps</li> <li>● Unexpected bills left you short this month?</li> <li>● Little short this month? Find a lender and get the extra funds you need!</li> <li>● Don't let life's unexpected events throw you off track</li> </ul>
<b>*Please note that this is not an exhaustive list and is subject to change*</b>	

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### Messaging NOT Permitted

- TILA Trigger Terms without a disclosure being present
- The amount of percentage of any down payment.
- The number of payments or period of repayment.
- The amount of any payment
- The amount of any finance charge
- No reference to loan terms
- No Credit Checks (or other
- Language indicating that credit is irrelevant)
- Transfers usually completed in 24 hrs or less
- By Today (or any other language which implies that a consumer may receive funding the same day)
- Accept this Offer
- Our newest offer
- Advance Transfer Pending
- Advances Available Today
- Get a loan as soon as today
- Activation; Activation for [NAME]
- 'Confirm Information' call button (when consumer information is on the page).
- This email contains important information that you will need to begin to finalize the process.
- Customer Loan Services (or other language that may suggest that we lend)
- Please review information below to confirm accuracy
- Review Documents; Documentation
- Funds Are Available
- Funds immediately
- We'll contact you within the hour
- As soon as today
- No use of the words "we" "our" "us" when referring to providing funding
- All applications approved
- **Get the cash** in X hours (X as a specific time: 1, 3, 12, etc)
- **Get Cash** (or any variation of the phrase)
- Get **matched** to the **best lenders**

- Rates**
- Lowest fee, Lowest rate
  - Most favorable
  - Avoid absolutes such as "will" or "100%". Alternatives include "may be able to" or "could".
  - Get up to (any amount exceeding \$5,000)
  - We will find, We will help
  - **Matched** – (no use of the word "Match")
  - **Match you**
  - **Within 24 hours**
  - Cash in one hour, 1-hr loans
  - Approval in seconds, cash in minutes
  - Get loan as soon as today
  - Most favorable
  - **Guaranteed**
  - **Pre-Qualified, Pre-Screened, Pre-Selected, Pre-Approved**
  - Approval guaranteed
  - Certified Lender
  - Criminal
  - We find you the **best lender**
  - We **match** you with the lender based on your circumstances
  - We search for the **lowest rates**
  - We will approve your loan
  - All applications approved
  - Nothing to imply a **Deadline**
  - Nothing indicating a need to **Review Documents**
  - Nothing indicating **a verification process or pending verification.**
  - There are no **Effective Dates**
  - Advance **Transfer** Pending
  - Advances Available Today
  - **Activation**; Activation for [NAME]
  - 'Confirm Information' call button (when consumer information is on the page).
  - This email contains important information
  - that you will need to begin to finalize the process.
  - Customer Loan Services (or other language that may suggest that we lend)

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<p>With <b>great rates</b></p> <ul style="list-style-type: none"><li>• We'll contact you within the hour (We do not contact the consumer)</li><li>• Approval in seconds, cash in minutes</li><li>• <b>Best Lenders, Best Loans, Best</b></li></ul>	<ul style="list-style-type: none"><li>• Please review information below to confirm accuracy</li><li>• Cash is available now</li><li>• Nothing to indicate <b>Funds are or can be available</b></li></ul>
<p><b>*Please note that this is not an exhaustive list and is subject to change*</b></p>	

### E-mail Marketing

#### 1. Email Content Marketing Guidelines

- a. You will not make any statements that could be construed by the consumer to infer:
  - i. that we are offering or making the loan or are in any way involved in the loan process, including but not limited to underwriting or decisioning;
  - ii. that we have knowledge of or insight to the status of the loan, approval of the loan or loan amounts offered to a specific consumer by any lender;
  - iii. that we are in any way involved with the collection of the loan or have any knowledge about whether or not the consumer is accepted or denied for any loan product or service, by a lender.
- b. All advertising content should be developed and presented in accordance with applicable advertising laws, including but not limited to Section 5 of the FTC Act, the CAN-SPAM Act, the CFPB's prohibition of UDAAP, the TCPA, the TSR and OLA Best Practices. Additionally, all advertising should be developed and presented in a manner that clearly and accurately reflects the services being offered. The services are solely limited to providing the consumer the opportunity to submit his/her information to a prospective lender and requesting that the prospective lender review the consumer's information and make an independent decision about whether or not the prospective lender would like to purchase that consumer's information for the purpose of offering the consumer a loan related product or service.
- c. Email creatives should be clear to the consumer that:
  - i. the information submitted by the consumer may be shared with one or more lenders;
  - ii. the lenders will make an independent determination whether to purchase that consumer's information for the purpose of making a loan offer based on the information the consumer provides, and the lenders own the lending criteria.
- d. All 3rd Party created email creatives must be submitted to legal for approval, including but not limited to: From Lines, Subject Lines, Content, and Imagery.

#### 2. Email "Subject" Lines

- a. Subject lines MUST be less than 65 characters in length.
- b. No excessive punctuation is allowed. i.e., Up to \$5,000 in your banking account as

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soon as tomorrow!!!!!!!!!!!!!!

- c. Subject lines with Personalization are allowed.
- d. Do **NOT** use a deceptive or misleading "subject" line. See important messaging that is **NOT ALLOWED** within the subject line.
- e. Both Branded Library and Branded 3rd Party Creatives **MUST** be accompanied with one of our "Approved Subject" lines. Use of anything else must be submitted for prior approval before use.

### 2. Email "From" Lines

- a. If not utilizing a pre-approved library creative the "From" line should indicate that it is being sent by you and **must not** represent or appear that the email comes from us or from any of our brands.
- b. The "From," "To," "Reply-To," and routing information – including the originating domain name and email address – must be accurate and identify you as the person or business who initiated the message. These will be checked for private/proxy domain registration.
- c. Do not use a deceptive or misleading "from" line.
- d. From line can **NOT** contain the words 'No-reply'.
- e. "Friendly From's" should be less than 29 characters before the @ sign.
- f. If not utilizing a pre-approved library creative and you utilize a "Friendly From," it should include your name or brand.
- g. If you utilize a "Friendly From" and you are mailing as the advertiser (us), with a pre-approved branded library creative, you are **PERMITTED** to use our pre-approved friendly's. Use of anything else must be submitted for prior approval before use.

### 3. Email Unsubscribe / Opt-out Links; Physical Address

- a. Library Creatives **MUST** have **two** opt-out/unsubscribe methods and postal addresses. **One** for the advertiser and **One** for the publisher.
- b. The opt-out/unsubscribe method must go directly to an opt-out landing page.
- c. "Cut and paste" opt-out methods are allowed.
- d. Emailers are required to use the appropriate disclaimers and postal addresses.

### Use of Asterisks

1. After amount (e.g., Get up to \$5,000\*)
2. After timeline/deadline (e.g., In as little as 24 hrs\*)
3. After reference to credit or credit checks (e.g., Bad Credit Ok\*\*)
4. After claim of no paperwork/faxing (e.g., Complete the Process Online)
5. Only one asterisk should be used per sentence. (e.g., Get up to \$5,000 in as little as 24 hrs\*)
6. Any use of an asterisk should correspond to the following relevant disclaimer:

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\*THE OPERATOR OF THIS WEB SITE IS NOT A LENDER, does not broker loans to lenders and does not make short-term cash loans or credit decisions. It is not an agent, representative or broker of any lender and does not endorse any lender or charge you for any service or product. This Web Site does not constitute an offer or solicitation to lend. This site allows you to submit the information you provide to a lender. However, providing your information on this Web Site does not mean that a lender will be able to work with you or that you will be approved for a short-term loan. Cash advances should only be used by you to solve immediate cash needs and should not be considered a long-term solution. Not all lenders can provide up to \$5,000. Cash transfer times may vary between lenders and may depend on your individual financial institution. For details, questions, or concerns regarding your short-term cash loan, please contact your lender directly. Lender services may not be available to residents of all states based on individual lender requirements. This service is not available in New York or to New York borrowers due to interest rate limits under New York law. \*\* Credit checks, consumer credit reports and other personal data may be obtained by some lenders from Experian, Equifax, Trans Union or through alternative providers

### Statutory and Regulatory References

1. FTC Act
2. CFPB's Prohibition of UDAAP
3. OLA Best Practices
4. CAN-SPAM Act
5. Section 5 of the FTC Act (Unfair or Deceptive Acts or Practices)
6. Telephone Consumer Protection Act (TCPA)
7. Telemarketing Sales Rule (TSR)

**This document is intended to set forth our minimum expectations of you as it pertains to your advertising and marketing activities. PLEASE NOTE THAT THIS DOCUMENT IS INTENDED TO BE USED AS A REFERENCE ONLY. This document is in no way a comprehensive list of applicable laws and regulations, not a complete list of permitted and non-permitted uses, and specified uses are subject to change. This list does not connote any legal opinion or advice. You should seek competent legal advice from your own independent legal counsel regarding your marketing and advertising activities and compliance with all applicable laws and regulations.**

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**Signature**

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**Date**

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**Type or Print Name**

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**Title**

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**Company Name**