



Max Cash® Affiliate Program Compliance Guidelines

Our mission is to ensure all marketing efforts align with industry standards and consumer protection regulations. Affiliates play a critical role in maintaining compliance, ensuring that all activities are legal, ethical, and transparent.

1. Brand Consent

Affiliates must obtain express consent from Max Cash® before using any trademarks, logos, or brand names in promotional materials, websites, or advertisements. Unauthorized use of Max Cash® brand assets can lead to penalties, termination of affiliate partnerships, and potential legal action.

Guidelines for Brand Usage:

- **No Unauthorized Use:** Affiliates are prohibited from using the Max Cash® name, logo, or other brand elements in any form unless written consent has been granted.
- **Maintain Brand Integrity:** Affiliates who receive brand consent must use approved logos, taglines, and messaging to ensure brand consistency and uphold Max Cash® standards.
- **Examples of Prohibited Uses:**
 - Displaying the Max Cash® logo on personal or third-party websites without approval.
 - Using the Max Cash® trademark in misleading ways, such as implying direct lending services when Max Cash® primarily connects consumers with lending partners.

Affiliates are encouraged to reach out to Max Cash® for approval on any brand usage to ensure compliance with these guidelines.

2. Explicit Written Consent for TCPA

Affiliates must collect Express Written Consent (EWC) before sending any marketing SMS/text messages. This consent must be clear and affirmative, ensuring consumers understand what they are consenting to.

- **Requirements for EWC:**
 - Explain that consumers agree to receive marketing messages.
 - Disclose message frequency and opt-out options.
 - Store and securely maintain records of consent for at least 4-5 years.

- Provide consumers with an easy opt-out mechanism, such as replying 'STOP.'

Example: On a landing page form:

"I agree to receive SMS marketing messages about loan options. I understand I can opt-out anytime by replying 'STOP.'"

3. Clarify Consent for TCPA

Affiliates should avoid implying consent through pre-checked boxes or broad terms. Consent must be specific and voluntarily provided.

- **Example:**
 - Sending a confirmation SMS: "Thank you for signing up. You consent to receive marketing messages. Reply STOP to opt-out."
 - After receiving an opt-out request: "You have been unsubscribed from SMS messages. You will no longer receive texts from us."

Affiliates must retain these records and promptly respond to any opt-out requests.

4. Affiliate Monitoring and Liability

Max Cash[®] actively monitors affiliate activities to ensure compliance. Affiliates must regularly review their marketing materials for compliance and update practices according to regulatory changes.

- **Responsibility and Penalties:**
 - Affiliates are solely responsible for any non-compliance.
 - Violations of the TCPA, CAN-SPAM, or UDAAP can result in suspension or removal from the program.
 - Legal consequences such as significant fines or lawsuits are possible for regulatory breaches.

Example: Affiliates who promote "Guaranteed Loan Approval" will face penalties, as this claim is prohibited under consumer protection laws.

5. Prohibited Marketing Practices

Affiliates must avoid misleading or unethical marketing tactics.

- **Prohibited Practices Include:**
 - Impersonating financial institutions or using misleading branding.
 - Making unsubstantiated claims like "No Credit Check" or "Guaranteed Approval."
 - Using bait-and-switch strategies, advertising one product but offering another.

Examples:

- False claim: “We will approve your loan instantly!”
- Misleading phrase: “Guaranteed best rates available!”

6. State-Specific Requirements

Affiliates must comply with stricter state laws, particularly in states like California, New York, and Illinois. Each state may impose additional requirements regarding disclosures and consent.

- **Examples:**
 - California (CCPA): Must provide detailed privacy disclosures and offer an opt-out of data collection.
 - New York: Requires Express Written Consent for all SMS communications, with hefty fines for non-compliance.

7. ADA Compliance for Websites

Affiliates must ensure their websites are accessible in compliance with the Americans with Disabilities Act (ADA).

- **Requirements Include:**
 - Providing text descriptions for images (alt text).
 - Enabling keyboard-only navigation.
 - Ensuring forms are accessible to screen readers.

Failure to comply with ADA guidelines can result in lawsuits and limit access to key consumers.

Example: If your website contains images without alt text or inaccessible forms, it must be updated to meet ADA standards.

8. Data Privacy and Security

Affiliates must adhere to data privacy regulations, such as the California Consumer Privacy Act (CCPA) and the General Data Protection Regulation (GDPR), ensuring consumer data is handled responsibly.

- **Data Privacy Best Practices:**
 - Clearly explain how consumer data will be collected, used, and stored.
 - Use industry-standard security measures to prevent data breaches.
 - Provide consumers with the ability to opt out of data collection.

Example: If a consumer’s data is shared with third parties without their explicit consent, it violates data privacy laws.

9. Lead Management

Affiliates must maintain high standards in managing consumer lead data.

- **Lead Management Best Practices:**
 - Ensure that consumer information is accurate and securely stored.
 - Only share consumer data with third parties if explicit consent has been provided.
 - Comply with privacy and security regulations to avoid penalties.

Example: Affiliates who share consumer leads without consent violate data privacy rules and will face penalties.

10. CAN-SPAM Act Compliance (Email Marketing)

All email marketing campaigns must comply with the CAN-SPAM Act, ensuring transparency and providing consumers with the option to opt out.

- **Key Requirements:**
 - Use clear “From” and “Reply-To” addresses.
 - Include a clear advertisement notice and physical mailing address.
 - Avoid misleading subject lines.
 - Honor opt-out requests within 10 business days.

Example: If you send promotional emails about loans, you must include: “This is an advertisement. You are receiving this email because you signed up for updates. To unsubscribe, click here.”

11. Website Language Compliance

Affiliates must avoid using language that could be considered unfair or deceptive.

- **Prohibited Terms:**
 - “Best Rates” or “Lowest Rates” (use “competitive rates”).
 - “Instant Approval” (use “Quick decisions available”).
 - “No Credit Check” (use “May qualify with various credit scores”).
- **Required Information:**
 - Display a privacy policy.
 - Include terms of use.
 - Post disclaimers stating that Max Cash® is not a direct lender but connects consumers to lending partners.

Example: Instead of saying, “We offer the best rates,” use: “We connect you with lenders who offer competitive rates based on your qualifications.”



12. SMS Marketing Guidelines

Affiliates sending SMS messages must ensure compliance with TCPA regulations by obtaining explicit consent, including opt-out instructions, and sending messages only within legally permitted hours.

- **Additional High-Risk Lending Considerations:**
 - Avoid implying guaranteed approval or pre-qualification unless it is genuinely offered.
 - Be cautious of offering flexible terms without lender backing.

By following these guidelines, affiliates can ensure compliance and build consumer trust, ultimately fostering a more effective partnership with Max Cash®.