

1. Who we are

This Privacy Notice applies to the use and processing of personal information collected by Gem UK Properties.

The phrases "us", "we" or "our" will mean Gem UK Properties on behalf of and in respect of whom this Privacy Notice is made.

Address of Business: Gem UK Properties, PO Box 488, Salford, M5 0AA

Telephone Number: 0161 877 8807

Email address: info@gem-uk-properties.com

Date: 25th May 2018

Information Commissioner's Office Registration: Z2774279

2. Information covered by this Privacy Notice

This Privacy Notice tells you what information we obtain and hold about you whether you are initially applying to us for a tenancy or if you become a tenant, resident or guarantor, or if you are a landlord whose property we let & manage. It explains what information we collect, why we collect it, and what we do with it, as well as who we share it with. We collect and handle personal information about our tenants and residents and prospective tenants and residents along with any guarantors to enable us to provide residential accommodation. This includes dealing with applications for tenancies, checking the suitability of tenants, residents along with any guarantors (including credit, immigration and similar referencing checks), arranging lettings, property management (including dealing with repairs), rent collection, dealing with any complaints, maintaining our accounts and records, tenancy terminations and administering tenancy deposits.

3. Where we get personal information from

When you enquire or register for products and our services we may collect personal information from a variety of sources, including:

- Information we collect directly from you, either through face to face contact, by telephone, email or electronic communications such as messaging or through the internet
- Information we collect when you complete forms, such as referencing application, property details etc
- Information from publically available sources, for example, Land Registry

4. What information we collect

4.1 Information we collect directly from you

As necessary personal data is processed by us relating to tenants/prospective tenants/residents/prospective residents/guarantors consisting of the following as applicable:

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- Identity and contact details
- Personal/background information including occupation/status
- Bank details
- Verification and credit status
- Deposit (if any) including return on tenancy termination
- Tenancy details including renewals, joint tenants, other residents and guarantors
- Immigration/right to rent checks (England only)
- Rent and other payments
- Recovery of arrears, claims or possession proceedings
- Repairs/health and safety/housing conditions
- Breach of tenancy terms/nuisance/anti social behaviour
- Council Tax liability
- Water charges payable
- Utilities and services provided
- Termination of tenancy
- Audio recordings (if any)
- Complaints
- Insurance
- Health or disability
- Emails texts and other communications and via our website.

- Website and online portal information.

We also generate and use data internally, e.g. our rent records.

4.2 Information we collect when you visit our web sites

Our Service is hosted by Weebly, Inc. ("Weebly"). Weebly provides us with the online platform that allows us to provide the Service to you. Your information, including Personal Information, may be stored through Weebly's servers. By using the Service, you consent to Weebly's collection, disclosure, storage, and use of your Personal Information in accordance with Weebly's privacy policy available at <https://www.weebly.com/privacy>.

4.3 Information we obtain from third parties

Where we are required by law, or for business needs, we will obtain information about you from third parties, but only after we have your agreement to do so. For example (but not limited to) the third parties we may need to contact are credit reference agencies, banks, employers, accountants and solicitors in order to obtain references, undertake identity verification and basic criminal record checks, and validate your income level and financial history.

5. Who we share your information with

We will share information we hold with others, where this is necessary. When we do this, we must comply with data protection legislation. Information can be shared with other landlords including where you apply to another landlord or letting agency for a tenancy; contractors/ suppliers; utilities and service providers; tradespeople; financial organisations (including banks and insurance companies); debt collection and tracing agents; public and government bodies (including those who administer benefits, such as the Department for Work and Pensions or the local authority); courts; police and law enforcement agencies; taxation authorities; local authorities in relation to Council Tax and regulatory functions; letting and managing agents; and any future owner of the property. We may need to share information with your next of kin etc., e.g. in an emergency. It may be necessary for us to share information with a future owner of the property if we are selling. We also may share information with professional advisers such as lawyers and accountants or an advice agency which involves sharing information about you with them. If you live in a flat we give information to the freeholder, managing agent etc., for the block of flats. We also send

notifications to and have correspondence with any tenancy deposit scheme protecting any tenancy deposit which has been paid. In some cases, we may be under a legal obligation to provide information either because of the law or because of a contractual obligation binding on us. What we share will depend on information which we hold about you.

6. How we use your information

Private renting is highly regulated so we are under various legal obligations. These include an obligation to carry out gas safety checks under gas safety legislation. We may need to handle data for this purpose, e.g. to give the contracted gas safety engineer access to the property. In line with Information Commissioner advice, we will pass over details of your occupancy to the relevant Water Company to enable them to collect water charges as it is in their legitimate interests to receive this information.

Legally we must also hold and process information relating to any tenancy deposit which you pay to us including sharing your information with a deposit scheme by which any deposit is protected.

7. Lawful basis of processing

We must tell you why we collect and hold information about you. We must also have a legal basis before we are allowed to collect or process your personal data. Processing personal data includes recording, storing, altering, using, sharing or deleting data. We only need one of these "gateways" and for our purposes they are:

- You consent. Consent may be requested in certain cases, e.g. to obtain a reference but generally we do not rely on your consent to process your personal data.
- To perform our contract so that we can carry out our responsibilities under the tenancy agreement with you, including anything you request us to do with a view to you becoming a tenant (or resident).
- Compliance by us with a statutory or other legal obligation.

- Where this is in your vital interests, e.g. if there is a life-threatening situation.
- Where we are pursuing our own legitimate interests or those of a third party. This will not apply if our interests are overridden by your interests or your fundamental rights and freedoms. We must carry out a balancing exercise therefore to decide whether we can rely on this gateway to ensure that it applies. In each case we have done this and we do not consider your interests, rights or freedoms outweigh our own or those of the third party concerned.

This notice identifies the relevant gateway applicable in each case. In some cases, we will rely on more than one gateway depending on the particular purpose for which we are using your data. Additionally, any data must be processed by us fairly and openly.

The various purposes for which it may be necessary for us to process various categories of your information include:

- In our legitimate interests for deciding on the suitability of a proposed tenant/resident
- In our legitimate interests for verifying the credit worthiness/suitability of tenants/residents
- Our legal obligation to check immigration status/right to rent. This is also to verify identities,;
- To perform our tenancy contract to deal with joint tenants and residents who are linked to the tenancy
- To perform our contract to complete the tenancy agreement
- In our legitimate interests to secure rental payments/performance of tenant obligations, e.g. deposits and guarantors

- For contractual performance for rent collection and collection of other payments including banking details
- For contractual performance for managing the tenancy and the property
- For contractual performance and/or in our legitimate interests for record keeping
- For contractual performance for arranging repairs and maintaining the condition of the property and keeping it in a safe condition.
- For contractual performance for monitoring and enforcement of tenant responsibilities
- For contractual performance or in our legitimate interests for recovering debts and other payments due, including any possession proceedings
- In our legitimate interests for administering liability for Council Tax
- In our legitimate interests and those of the Water company for the payment of water charges
- In our legitimate interests and those of the provider relating to arranging and paying for utilities and services
- In our legitimate interests in relation to tenancy termination including the return of any deposit
- In our legitimate interests for processing complaints
- For contractual performance or in our legitimate interests for dealing with health and disability issues relating to tenants/residents
- In our legitimate interests for obtaining and holding audio recordings
- To perform our legal obligations to provide information to public or local authorities who are legally entitled to require this information
- In your vital interests for contacting next of kin etc., in an emergency
- In our legitimate interests for the storage of emails, records of calls and other communications
- In accordance with our legal obligations if you exercise your rights under data protection law

- To perform our legal obligations for compliance with legal and regulatory requirements
- In our legitimate interests for the establishment and defence of legal rights
- In our legitimate interests for prevention, detection and investigation of crime and anti social behaviour and the security of any website or other means of electronic communication

8. How long we keep your information for

Data can only be stored on a time limited basis and not indefinitely. We will hold personal data about you for the duration of your tenancy and for seven years after your tenancy has ended. This is the statutory limitation period six years plus a further year to allow for service of proceedings should proceedings commence later. We are also required to retain information for up to six years for tax purposes. If your tenancy application does not go ahead then we retain data for one year.

9. Storage and security of data

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

All our information is stored securely electronically on servers or devices. Certain information is also retained on a secure basis in hard copy format.

10. Your statutory rights

These rights are as follows:

- Access – you have the right to make a request to be told what personal data we hold about you. This is a right to obtain confirmation that data has been processed and to have access to your personal data and the right to information details which should be provided with the privacy notice.
- Correction/Rectification – if you consider any data we hold about you is inaccurate you can tell us so that where appropriate this can be corrected. Where a mistake is made in data processing then you can ask to have it rectified. Any third parties who have received the data from us should then be told of the rectification and you should be informed by us of any such third parties.
- Erasure – you have a right to ask us in certain circumstances to erase any data we hold about you (the so called right to be forgotten). Individuals can request the right to have personal data erased to prevent processing in specific circumstances, i.e. it is no longer necessary, consent has been withdrawn, there is an objection and where applicable your rights etc., override the legitimate interests to continue our processing, or data has been unlawfully processed.
- You can object to our processing of data – this allows you to object to our processing of data about you. We must then stop processing data unless we can establish legitimate reason for continuing. In particular this applies where we are relying on our own legitimate interests or those of a third party to process data but it can also apply in other situations.
- Restricting processing – you can ask us to suspend processing of your personal data and we must then restrict processing of data. This includes where you are contesting the accuracy of a statement or the lawfulness of the processing.

- Data portability – this allows individuals to reuse their personal data for their own purposes across different services allowing them to move, copy or transfer personal data more easily.

11. Children's privacy

We do not offer any products or services to children.

12. Links to other websites

Our websites, other electronic portals and documentation may provide links to other websites for your convenience and information. These may operate independently from us and have their own privacy notices or policies, which we strongly suggest you review.

Where linked websites are not owned or controlled by us, we are not responsible for their content or data privacy practices.

13. Updates to our Privacy Notice

We will occasionally update our Privacy Notice, so we suggest that you review this Notice from time to time. If we make substantial changes to our Privacy Notice, we will endeavour to inform you directly about these changes.

14. Complaints

We operate our own internal complaints policy and if you have any concerns about the way in which we collect or handle data please contact us.

Additionally, you have the right to lodge a complaint with the Supervisory Authority which is:

Information Commissioner
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
www.ico.org.uk