



KAREN PARKS
SALES & LETTINGS

Name of Business: **Karen Parks Sales & Letting Ltd**

PRIVACY NOTICE

DATA CONTROLLER:

KAREN PARKS SALES & LETTINGS LTD

16 ELBOW LANE

FORMBY

LIVERPOOL

L37 4AF

TEL: 01704835780

Email: info@karenparks.co.uk

25th May 2018

This Privacy Notice tells you what information we obtain and hold about you, whether you are initially applying to us to register to look for a rental property or to purchase a property, a tenant, a purchaser, a guarantor, a permitted occupier, a Landlord, Vendor, Power of Attorney.

It explains what information we collect, why we collect it, what we do with it and with whom we share it.

We collect and handle personal information about our potential tenants, our tenants, guarantors, landlords, power of attorney and permitted occupiers to enable us to provide **residential rental accommodation**. This includes dealing with applications for tenancies, checking the suitability of tenants, permitted occupiers and guarantors- if any, marketing the rental properties, arranging viewing, referencing(credit checks, immigration checks, accommodation/current landlord reference, income verification, affordability, court data/notice of correction, linked addresses, electoral roll data), provision of tenancy documents, administering tenancy deposits, rent collection, property management including dealing with repairs and meeting our legal requirements as managing agents, dealing with complaints, maintaining our accounts and records, and tenancy termination.

We collect and handle personal information about our potential purchasers, purchasers, vendors/power of attorney to enable us to provide **residential property sales and**

purchases. This includes gathering information to assist in finding a suitable property for the purchaser, marketing of properties, arranging viewings, gaining feedback from viewings, and progression of sales to conclusion.

The information we collect or handle is referred to as 'data'

This notice will be made available to everyone we collect data from.

You should read this notice when you give us information so you are aware of how and why we are using this. Please update us if any information supplied by you changes.

Why are we giving you this privacy notice

We are required by data protection law to give you this notice. We must be open with you about why information is collected about you and then what is done with it. We must act fairly in relation to this information. You have various legal rights relating to this information which is covered out in more detail within this document.

Some of the items in the notice may not be relevant to you. Different information will be involved depending on whether you are a potential tenant, tenant, occupier, guarantor, landlord, potential purchaser, purchaser, vendor or other persons we have contact with.

In order that we can collect or use information about you there must be a legal basis or gateway for doing so. This notice identifies the relevant gateway for the various types of information we collect and hold about you. A detailed explanation of these gateways is given in this notice.

Under data protection legislation we can only process data 'as necessary' and only to the extent that it is needed. For example, we can use your bank details regarding payments and other limited purposes only. However, in certain circumstances, as necessary we can share any of your data, e.g with our own professional advisors. We may also share any of your data, as necessary, with the police/law enforcement agencies or regulatory authorities.

The data we collect/hold about you

We use different ways to collect data about you including the information you supply to us when enquiring about a property. If you fail to provide this information we may not be able to proceed.

As necessary personal data retained and processed by us, relating to **prospective tenants/guarantors/tenants/purchasers** consists of the following, if applicable:

- Identification and contact details
- Car registration numbers
- Personal/background information including accommodation status, permitted occupier details(number, sex and ages of any children), date of birth, employment status, benefits received, landlord details, next of kin, pet details, adverse credit history, selling agent details, mortgage details
- Bank details

- Verification and credit status
- Landlord references
- Deposit, including return on tenancy termination
- ID, Proof of funds, Mortgage in Principle documents, solicitor acting on your behalf
- Tenancy details including renewals
- Immigration/Right to Rent checks (England)
- 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 liability
- Utilities liability
- Offers reported
- Sales progression including exchange and completion
- Termination of a tenancy
- Complaints
- Insurance
- Health or disability
- Emails, voicemails, text messages and other communications and via our website where we operate one
- Website and online portal information

We also generate and use data internally eg our rent records

We also collect and receive data about you from third parties. This may be information given to us by other tenants, occupiers or neighbours. It can include information from a guarantor if you have one. It may include the Department for Work and Pensions or the Local Authority where you are receiving Universal Credit or Housing Benefit. Information may be given to us relating to Council Tax by the local authority. Utility companies or service providers may also give us personal information about you. We obtain information about you when we carry out referencing and credit checks. We may also receive information from you via websites or

from portals such as Rightmove. Any information which we receive in this way is set out in the table within this notice.

As necessary personal data retained and processed by us, relating to **Vendors and Landlords** consists of the following, if applicable:

- Identification and contact details
- Proof of Ownership
- Power of Attorney Information
- Bank Details
- Overseas Landlord Status
- Preferred Contractors
- Solicitor Details

Sharing data with others:

We will share information we hold with others, where this is necessary and applicable. When we do this, we must comply with data protection legislation. Information can be shared with landlords of the property we advertise, rent out and manage or a landlord requesting a reference for a future tenancy, vendors, contractors/suppliers, utilities and service providers, trades people, insurance broker companies, public bodies and government bodies including the DWP and local authority, courts, police and law enforcement agencies, taxation authorities; HMRC, estate agents to progress a sale/purchase of a property, Car Parking Company. We may need to share information with your next of kin etc in an emergency. It may be necessary for us to share information with a future/ new owner of a rented property if you are the tenant/occupier/guarantor. We also may share information with professional advisers such as solicitors, lawyers and accountants or an advice agency. Your details may be given to the Leaseholder/freeholder if you are renting or buying a flat. We also send notification to and have correspondence with a tenancy deposit scheme protecting any deposit which has been paid. In some cases we may be under legal obligation or under contractual obligation to provide information. What we share depends on what is necessary in the circumstance and more detail is provided in the table within this notice.

Joint tenants and Guarantors:

Where there is a joint tenancy with someone else or there is a Guarantor for the tenancy, as necessary, we will share information either with the joint tenant or the Guarantor, or both. This relates to your performance of your responsibilities under the tenancy agreement including information about any rent arrears or other breach of the tenancy terms. It can also relate to issues around the termination of the tenancy and any claims we have as a result

Immigration Check/Right to Rent Checks

By law, in England, under the The Immigration Act 2014 we are required to check your immigration status before we can grant you a tenancy. This means that you are legally obliged to produce certain documentation to us so as to establish your immigration status.

This applies to anyone who is over 18 years of age who will be a tenant or living in the property, whether a UK, European Union, European Economic Area Citizen or from a Country of Origin outside of these. Not only are we required to see original documents but we must take and store copies. We also check this documentation as part of our process to verify your identity at the outset of the tenancy.

Search Engines, website etc..

As necessary, we obtain information about you which is publically available via search engines such as Google or Facebook and websites. This will include information about you which you yourself made public. Further details are set out in the table within the notice. However, when doing so we make sure that we comply with application guidelines under data protection legislation.

Special categories of data/sensitive personal data

In limited situations we will process information about your health or any disability. This data is given special protection under data protection law. Normally we would expect to ask you for explicit consent before we collect or use this kind of data.

Children

In cases where you rent a property where a child resides, information will be given to us about resident children; usually by an adult such as a parent on their behalf. Data protection law requires us to give such information additional protection where we collect or use it. In particular, where the rented property is located in England, we need to check on the age of any residents to see whether or not an immigration/right to rent check must be carried out.

Obligation to process data

Private renting and sales is highly regulated so we are under various legal obligations. These include an obligation to carry out Energy Performance checks and gas safety checks in rental properties under gas safety legislation. We may need to handle data for this purpose, eg to give to the contractor to arrange access to the property. In line with the Information Commissioner advice, we will for our rental properties pass over details of your occupancy to the relevant Water Company to enable them to collect water charges as it is in their legitimate interest 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.

Under any statutory licensing schemes applicable to the rental property we may be required to give information to the local housing authority relating to your occupation of the property. Similarly, there are various regulatory requirements which may mean that we need to give information about you to public or local authorities or other regulatory authorities.

Utilities

Again, in line with advice from the Information Commissioner we consider that it is in the legitimate interests of utility companies to receive information about occupants of the rental property to enable them to bill you for utilities. In some rented properties this may be included in your rent and in this case it would not be necessary to inform the suppliers.

Council Tax

Likewise, we notify local authorities of your occupancy of rental properties relevant to the collection of Council Tax. In any event they are entitled to serve notice upon us requiring this information if they choose to do so.

Why we collect data and the legal basis for processing your personal data

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:

- **Consent.** Consent may be requested from you in certain circumstances eg: to General Marketing of a property, carrying out property matches and provide you with details of 'suitable' properties of interest or obtaining a reference in order to rent a property but generally we do not rely on your consent to process your personal data.
- **Contractual Obligation.** To perform our contract so that we can carry out our responsibilities under the agreement with you, including anything you request us to do with a view to selling or purchasing a house, renting a property out or becoming a tenant/occupier.
- **Legal Obligation.** Compliance by us with a statutory or other legal obligation.
- **Vital Interest.** Where it is in your vital interest eg. If there is a life threatening situation.
- **Own Legitimate Interests.** 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.

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.

Why we process your data

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 tenancy/purchase
- In our legitimate interests for verifying the credit worthiness/suitability of tenants/occupiers/guarantors
- Our legal obligation to check and verify identity for tenants, landlords, purchaser and vendors
- Our legal obligation to check proof of funds for the purchaser
- Our legal obligation to check and verify proof of ownership for vendors and landlords
- To perform our tenancy contract to deal with joint tenants and permitted occupiers linked to a tenancy
- To perform our contract and legal obligations to complete the tenancy agreement
- In our legitimate interest to secure a purchaser for a property
- To perform our contract to report an offer on a property to the vendor/s
- To perform our contract to progress a sale to completion
- Our legal obligation to check Immigration Status/right to rent
- In our legitimate interests to secure tenancy obligations eg: deposit payment and guarantor obligations
- For Contractual performance for rent collection, 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 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 or 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 for dealing with welfare benefits(including Universal Credit and Housing Benefit) where payable in respect of the rent
- 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/occupiers
- To perform our legal obligations to provide information to public and 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, voicemails, telephone calls, records and other communications
- To perform 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

We may change the purposes where this is compatible for the purpose for which we obtained the data originally. If we need to use your data for a non-compatible purpose we will notify you and explain the legal gateway that allows us to do so. We may process your information without your knowledge where this is required or permitted by law.

More information about what we do with your data and why, along with the relevant gateway is given in the Table. This also tells you who we share the data with and from whom we receive it.

Retaining Communications

We will monitor and retain records of telephone calls. We will monitor recordings and retain your emails, voicemails, text messages, social media messages and other communications. This is in our legitimate interests to maintain an accurate record of these. This may be necessary to manage your sale, purchase, tenancy application, tenancy and those associated with it or the property itself. We need these records for our ongoing dealings with you, including our data protection obligations.

Length of Storage of Data

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 property purchase, property sale, and rental application. After completion of a property sale and a property let, we will hold your personal data for seven years. In the case where we manage a rental property we will hold your personal data for the duration of the tenancy and 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 will not retain your data.

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 employees, 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 services or devices. Certain information is also retained on a secure basis in hard copy format.

Telephone calls

To protect our legitimate interest messages are recorded electronically and monitored.

CCTV

Some of the retirement residential establishments, flats in which we rent out, do have CCTV installed to cover the car parking area and door entrances. This is for security purposes by the establishment and is in their legitimate interests.

Information legally required under your tenancy agreement

Your tenancy agreement provides that in certain situations you must provide us information when asked. This is a legal obligation because it is a contractual requirement. You should refer to the relevant clauses in your tenancy agreement which tell you the situations in which such information must be given.

Holding data outside the European Union

Our email account and web provider is the provider specified in the Table.

Your rights

Where we hold personal data about you, you are the 'data subject'. Data protection legislation gives you a number of rights. **To exercise any of these rights you should contact us.** You can do so by emailing us at the address given above or you can telephone us on the number provided. You can also write to us at our address given at the top of this notice. Normally no fee is payable.

In particular you have a right to object to the processing of your information where we are processing this in our own legitimate interests or those of someone else. This applies if you feel that this has impacts on your own interests or your fundamental rights of freedom.

These rights are as follows:

1. **The Right to 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.
2. **The Right to 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 for it to be 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.
3. **The Right to 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, ie it is no longer necessary, consent has been withdrawn, there is an objection and where applicable your rights override the legitimate interests to continue our processing, or data has been unlawfully processed.
4. **The Right to Object to Processing**- this allows you to object to our processing of data about you. We must then stop processing data unless we can establish legitimate reasons 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 can also apply in other situations.
5. **The Right to Restrict 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 unlawfulness of processing.
6. **The Right to Data Portability**- this allows individuals to reuse their personal data for their own purpose across different services allowing them to move, copy or transfer personal data more easily.
7. **The Right to Withdraw Consent**- where your consent provides us with the legal gateway to process data about you, you can withdraw this at any time by telling us by email or post using the telephone number and address above.
8. **The Right to Complain**- 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 who is:

Information Commissioner

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

www.ico.org.uk

TABLE

Introduction

As necessary, we collect, use and otherwise process different categories of information/data about you relying on the various legal gateways available to us. This relates to your application for a tenancy and where it proceeds, the management of the tenancy and the property along with associated matters **or** it relates to your application to purchase a property **or** it relates to the rental or sale of your property **or** to your involvement in the afore mentioned scenarios.

This part of the notice gives you a general description of these processing activities for the different categories of information and the purposes for which we process your information. If you consider that we have not given sufficient details of what we do then you can make an access request for more information.

Background

Selling and renting out residential accommodation, managing tenancies and rental properties is multi-faceted. As potential purchasers/purchasers, potential tenants/tenants/permitted occupiers, guarantors, vendors, landlords, power of attorneys are at the centre of this service, we must process your data for a large number of different purposes. Data protection law requires us to give you information about these processing activities as concisely as possible. To do this we have split information about you into different categories, which is in line with requirements in the legislation. We also have to tell you the extent for which your information can be used and shared. Due to the nature of our business, information falling into one category will be combined with information in other categories to be handled by us as permitted for the stated purposes under the relevant legal gateway which we have to identify. For example information about your identity/contact

details will be combined with other categories of information to correctly identify you. Eg: when we compile our accounts or pass information about a repair over to a contractor so that they can deal with the problem at the property that you rent. However, we only do this to the extent that is necessary in the circumstances.

Expressions used

To make this Table as concise as possible we employ a number of expressions:

Handle information/data- collecting, compiling, using or storing data

Use information/data- when we use information this means we consult it, compile it, refer to it to make a decision, or act on it, or combine it with other data. When using it in this way we may have to alter it.

Share information/data- this includes transferring data to someone else where this is necessary, or receive it from a third party.

Collect information/data- this is when we receive information either from you eg when you sign a tenancy application form or from a third party eg a reference about you.

Compile information/data- this is when we use information about you which we have collected to generate information about you eg our rent payment records or repair records.

Altering Data

We are required by data protection legislation to keep your information up to date and it is course our legitimate interests to do so for us to ensure that we have accurate records. Eg we keep our record of your rent payments up to date as they are received

Storing Data

We keep information both electronically and in a manual filing system to maintain our records. We do this because we need to use it from time to time. Normally the legal Gateway permitting us to do so is the same as that which applies when we use the data. Additionally, however there are legal obligations to retain the data under data protection law, taxation legislation and housing law. We also need to fulfil our contract with you. In our legitimate interests we also need to retain information to deal with enquiries or disputes and for audit purposes.

Destruction of Data

We delete/destroy data once it is no longer required. This is a requirement of data protection law. This notice tells you the period for which we normally store data.

What this Table tells you

Part 1- we list out the different categories of your information, explain them, explain what we do with the information and why, as well as specifying the relevant legal gateway we rely on to do so and where the legal gateway is our own legitimate interests (or those of a third party) we identify the relevant legitimate interests.

Part 2- we list details about sharing data with others and also receiving data about you from a third party.

PART 1: COLLECTING, COMPILING, USING AND STORING INFORMATION

Identity and contact details

1. This includes title, name, address, telephone contact number/s and email address

This information is required for us to communicate with you throughout the letting or sales process.

Legal Gateway: to perform our contract with you

2. We handle this information in order to draw up a tenancy agreement and subsequently to manage the tenancy and property. It may be used to communicate with permitted occupiers also, during the tenancy.

Legal Gateway: to perform our contract with you and to comply with statutory and legal obligations.

Personal and background information

1. The information we ask for depends on whether you are looking to buy or to rent or whether you are selling or renting out a property.

If you are looking to rent we ask for the following data: present accommodation details, other occupant names and contact details, details of any children who will be living in the property- number, sex, age and date of birth, employment status and details, details of any benefits you receive, details of any CCJs (county court judgements) or bad debt, next of kin, pet details, rental affordability/desired rent to pay, ID (in the form of passport or driving licence- we will copy for our records).

If you are looking to buy we will ask for the following data; accommodation status, details of any property to sell, selling agent details, status of sale, buying position, desired price bracket. Once your offer has been accepted we will require your ID(in the form of passport or driving licence- we will copy for our records), proof of funds or Mortgage details.

If you are looking to rent your property out through us, we will ask for the following data; overseas landlord status, your bank details, emergency contact details, preferred contractor details, ID and proof of ownership, any current tenant details.

If you are looking to sell your property through us, we will ask for the following data; ID and Proof of Ownership. You may provide us with any planning application details.

2. This information is handled to evaluate your suitability as a tenant or purchaser of a particular property and finding a suitable property for you to buy or rent.

Legal Gateway: for our own legitimate interests. These are to ensure that you are matched to suitable properties and to arrange viewings. It is also used to ensure that

any let is to reliable tenants and with suitable guarantors where applicable. We request and consider credit and other referencing relating to decide this suitability. This may be using the services of a Credit Referencing Agent and/or direct liaison with Landlords. We also provide information to prospective landlords and agents acting on their behalf, in their legitimate interest, to assist in evaluating suitability of a tenant for a tenancy. These interests are to ensure that properties are let to reliable tenants.

3. This information is handled in reporting an offer to a vendor or an offer to a landlord, negotiation if applicable, confirming a sales chain and a purchasers' ability to proceed including money laundering checks

Legal Gateway: to perform our contract, complying with statutory and legal obligations.

4. This information is handled during the sales progression process, with communication between the vendor, purchaser and third parties (solicitors, agents).

Legal Gateway: own legitimate interests. These are to ensure that the sale progresses to exchange and completion to suit vendor and purchasers' timescale.

5. We handle this information which relates to next of kin etc...to contact them in an emergency.

Legal Gateway: To protect your vital interests.

6. This information will be handled if we need to trace you, as a tenant, to contact you in connection with the tenancy or the property or to pursue a claim against you eg for rent arrears.

Legal Gateway: Our own Legitimate Interests to enforce your obligations.

Bank Details

1. This includes details of your bank, building society or other paying organisation, including those operated digitally/online
2. We handle this information in order to receive payments from you or to make payments to you eg: rent payments to the Landlords.

Legal Gateway: to perform our contract

3. We also handle this information if we seek to make recovery from you of any unpaid debt eg rent arrears. This is to recover what is owed to us.
4. We also handle this information as part of our verification of someone's suitability as a tenant and to prevent and protect against money laundering and fraud.

Legal Gateway: Our own Legitimate Interests

Tenancy Details

1. This includes renewal of the tenancy. Information within this category includes the address of the property, start date of the tenancy, period of occupancy, rent and other payments.
2. We handle this information to prepare and complete the tenancy agreement and then to manage the tenancy and the property or to allow the Landlord to manage the tenancy and the property.
3. Tenancies are renewed by agreement. This will involve discussion with the tenant. We handle information about the renewal of tenancies. This is done for contractual performance.
4. Where there are joint tenants or there are other persons living in the property, details will be linked and also with the property
5. Where there is a Guarantor we collect information about their identity, contact details, background information and property owned. This is then linked to the tenancy and the property.

Legal Gateway: This is done to perform our contract and To protect Our Own Legitimate Interests. This is to provide security for the payment of the rent and to ensure compliance with tenancy obligations.

Deposits (if any)

1. This includes the amount of a deposit, who pays it and in what shares and the steps taken to protect the deposit
2. We handle this information to deal with the deposit received and to administer the deposit. This also includes information about any person who contributes towards the deposit who is not a tenant.

Legal Gateway: This is done for contractual performance, to secure payment of the rent, to comply with tenancy obligations and to ensure the compliance with legal obligations relating to handling deposits under the Deposit Protection Legislation.

We also handle deposits at the tenancy termination and this is dealt with under that section.

Immigration/ Right to Rent checks (England only) & Verifying identity

1. Under immigration legislation we check that each tenant and adult resident in the property has the right to rent. This includes retaining copies of passports, driving licences and other specified documentation. We must retain this for inspection, if required, by the Home Office.
2. We handle this information in accordance with the requirements of immigration legislation in order to carry out our legal obligations.
3. We also handle this information in order to verify the identity of tenants, permitted occupiers, guarantors, Landlords, purchasers and vendors in order to protect our legitimate interests and to ensure that we are dealing with the correct person.

Rent and payment collection

1. This includes records we compile to record receipt of rent and other payments from tenants and associated documentation relating to such payments. This also includes any documentation where we need to issue reminders for payment, including levying charges for interest or fees for late payment.
2. We keep this information in order to compile correct and up to date records.

Legal Gateway: Contact performance

Recovery of arrears, claims and possession proceedings

1. In the event of non-payment of rent or other payments due, or if there is non-performance of the contract then we records this and enter into relevant communications. This includes information and documentation relating to any proceedings, which may commence, including possession of a rental property.
2. We handle this information in order to pursue recovery of what is owing to us and to enforce our rights, to defend claims, and to recover possession of a property.

Legal Gateway: Our own Legitimate Interests, to protect our property interests, to enforce our rights and to ensure payment due to us is made, as well as to defend any claim brought against us.

Repairs /housing standards/Health and Safety

1. This includes condition surveys, inspection reports, reports of repairs required and information about action taken. This extends to the condition and standards generally at the property and includes health and safety eg: gas safety;

We will provide your contact details or the contact details of another person given by you, to our contractors or the preferred Landlords' contractors to facilitate access to the property to carry out necessary works.

We will on occasions arrange for inspections in our legitimate interests and to comply with our legal obligations in relation to health and safety checks.

2. We handle this information to ensure that the property and its contents are properly maintained and to carry out our responsibilities under the tenancy agreement
Legal Gateway: Contractual performance and where applicable, to comply with our Legal Obligations

Breach of tenancy agreement/nuisance etc

1. This includes complaints, which we receive, or information, which we hold relating to alleged breaches by a tenant, or permitted occupier, including nuisance and anti social behaviour. This includes records and related communications from all parties involved.

2. We handle this information so as to ensure that the tenancy obligations are complied with and that the tenants and occupiers live harmoniously with neighbours, as well as the prevention and detection of crime and anti-social behaviour.
3. This may also include information about the abandonment of a rental property.

Legal Gateway: To protect our own legitimate interests and the legitimate interests of affected third parties.

Council Tax Liability

1. Notification is given to the local authority in relation to tenant/occupier liability for council tax. This can include information about the occupiers; name and date of birth, also the period of occupancy, former and subsequent addresses.
2. We handle this information in order to ensure that the liability for Council Tax is dealt with correctly and the appropriate party is given the relevant tax bill.
3. In the event of the local authority serving a statutory notice we then must supply this information to comply with our Legal Obligations
4. Information is handles relevant to claims made by tenants eg: reduction in Council Tax. This is in the interest of the local authority administrating the scheme to see that benefits are properly calculated and paid.

Legal Gateway: Our Own legitimate interests and those of the Local Authority.

Water Charge Payment

1. This relates to notification to a water company of the tenants/occupiers at the rental property, their periods of occupancy, previous and subsequent addresses.
2. We handle this information to ensure that utilities are provided and to establish liability for water charges and the appropriate party is given the relevant bill.

Legal Gateway: Our Own legitimate interests and those of the water authority

Utility Providers

1. We arrange and establish liability for payment of Gas and Electricity consumed at the rental property. This involves communication about changes in a tenancy to the suppliers, interruptions and disconnection of supply and work to be carried out in connection with utilities and services eg: installation of smart meters/replacement meters.
2. Utility companies also have certain statutory obligations to perform eg metering. In the case of utilities or other services providers- if we agree to provide as part of the tenancy agreement then these arrangements are made for contractual performance.
3. We handle this information to ensure that utilities are provided and to establish liability for utility services used and the appropriate party is given the relevant bills to be paid.

Legal Gateway: Our Own legitimate Interests and those of the Utility Companies.

Universal Credit/Housing Benefits/Local housing Allowances

1. Where eligible a tenant will be entitled to the appropriate welfare benefits to assist then to pay rent. Information may be required by the Department for Work and Pensions (DWP) or local authority to verify entitlement. Normally, the payment is made direct to the tenant, however, if there are arrears, payment of benefit can be made direct to us.
2. We handle tenancy details and rent payment records, including information about arrears of rent and tenants personal circumstances, relevant to process claims.

Legal Gateway: Contractual Performance, Our own legitimate interests to secure payment of rent due to us.

Tenancy Termination

1. A tenancy usually finishes at the end of the lease but may be terminated earlier. We may serve notice to the tenant to vacate and if need be, enforce this using a solicitor and court possession proceedings.
2. Tenancy termination of whatever kind also involves the return of any deposit paid, possible claims against guarantors, claims on rent insurance and arrangements for tenants/permitted occupiers to vacate the property, inventory and the possibility of tenants leaving items behind. They also give rise to issues around the state of condition in which the property has been left eg: cleanliness

Legal Gateway: Our own legitimate interests

3. We handle information relevant to these matters, to ensure that the property is returned to us in a proper state with vacant possession and that all appropriate financial claims by either party against the other are correctly dealt with. These include our obligations in relation to the refund of deposits

Legal Gateway: Our contractual obligations

Complaints

1. We operate a complaints procedure, which may be informal.
2. Information handled concerns complaints, which you may have or which may be made on your behalf. These will give rise to communications and records being compiled by us.
3. We handle complaints with a view to resolving them, although this might involve external intervention eg: ombudsman services, courts. This is to ensure that we protect ourselves and that the complaints are properly resolved.

Legal Gateway: Contractual Performance, Own Legitimate interests

Health/Disability

1. This is sensitive personal information to which additional protections apply. We may be given information about your health or disabilities.
2. Health information may be given to us to explain why a viewing can not take place or an appointment postponed/rearranged, to explain why a tenant/permitted occupier may be absent from the rental property for a period of time, a reason why rent has not been paid or is late. You may want us to have information about your health so that we are aware of how you may need assistance on occasion. This could also be information about health or disabilities affecting someone else which impacts on you or about an adult or child, which requires specific consideration when choosing a rental property.
3. We may be given information about your disabilities so that we can make particular arrangements for you, including any adaptations, which may be required to make under disability discrimination legislation.
4. We handle information about your health or disability, and the health of others depending upon the circumstances to assist us in the management of the tenancy and the rental property.
5. As this is a special category data, we may request your consent to handle this information

Legal Gateway: This may be to protect your vital interest. Legal Obligation. It may be for Contractual Performance where it affects your ability to perform your contractual obligations under the tenancy agreement. It will be in Our own Legitimate interests if we are told of any medical condition which affects you. This is so we are aware of possible impacts on you.

CCTV and Audio

1. If we operate CCTV on buildings housing rental accommodation you will be given information about this. If operated, it will be for your own safety and security and for the prevention and detection of crime/anti-social behaviour/monitoring tenants obligations.
2. We may hold audio recordings eg: phone messages on our telephone answering machine. To assist with accurate record keeping, to manage viewings and manage rental property maintenance.

Legal Gateway: CCTV- In Our Own Legitimate Interests. Audi- In our own legitimate interests, Legal Obligation and to have a reliable record of communication

Correspondence

1. Correspondence includes all ways in which we receive communications from whatever source. This includes emails, text messages, social messaging, letters and documentation. This can also include photographs for marketing of properties and other visual recordings eg: inventory DVD. Individual consent may be sought.

2. We handle these communications initially relating to registering applicants for sales and lettings, to arrange viewings and property visits, to advertise properties effectively, for sales progression through to completion, for managing rental tenancies and properties as well as associated matters arising under the various categories of information referred to in this Table.

Legal Gateway: Contractual Performance, Legal Obligations, To protect tenants vital interests, In our own legitimate interests- to ensure that we have the necessary information relating to the afore mentioned matters and for accurate record keeping.

Websites and online platforms

1. Information about you is available in the public domain, often put there by you. This can be accessed by appropriate searches.
2. Information about you is made available to us when you access online platforms eg: to enquire about properties which are available for sale or to rent
3. We handle this information to assess your suitability for properties, to arrange viewings and assist with the management of a tenancy and rental property.

Legal Platform: In our own legitimate interests; to ensure that rental tenants are suitable and that the tenancy and property are effectively managed, and to ensure that tenancy obligations are performed. This is also to ensure that our property interests are protected. For Contractual Performance; to arrange viewings for rentals and sales, entering into tenancy agreements and progressing house sales

Insurance

1. We may insure against rent arrears
2. We handle information about you that may be relevant to insurance cover. Contractually we are under certain duties to disclose information to the insurers.

Legal Gateway: To protect our own legitimate interests; to ensure that appropriate risks are adequately insured against and to recover any sums due to us under the policy as a result of a claim.

Flat Management

1. This applies in particular when the property is a flat/apartment and where there is a lease or they are subject to other contractual arrangements setting out various responsibilities for upkeep, insurance etc including communal areas. The lease or other arrangements place contractual obligations on us, which in turn may be passed onto tenants.
2. We handle information about you in order to carry out our responsibilities under these leases/arrangements.
3. Under leases/other contractual arrangements they may be entitled to certain information eg: who occupies the flat and the terms of occupation. Further consents/permissions may be required relating to the tenancy for the carrying out of

alterations/repairs and information may be shared in our own legitimate interests if there are breaches of the leases regards to noise and anti-social behaviour.

Legal Gateway: Contractual Obligations, Our Own legitimate interests and those of the Freeholder.

Car Registration

1. We handle car registration details for vehicles kept/using car parking facilities. Information is required to manage the bookings.
2. We also handle this information to monitor and regulate parking

Legal Gateway: Contractual Performance, Our own legitimate interests and those of neighbours/residents to manage parking issues

PART 2- SHARING INFORMATION

Introduction

We share your information with various persons, organisations and public authorities as necessary. This involves us transferring your information to others or collecting it from them, depending upon the circumstances. Certain private persons, organisations and public authorities can then share any of your information (irrespective of its category)

Where we collect information from a third party we have to tell you the source of this information (public or private) and the type of organisation from which the information is obtained. The required details are mentioned in this part of the table.

Section A – Sharing of certain categories of your information

Table 1- this identifies the different categories of your information and specifies with whom these categories are shared with.

Depending on the category of data concerned you should also refer to that category under PART 1 above because the purpose set out for which we handle data and the legal gateway for doing so usually apply when we share data with others.

Table 1- Data categories and with whom it is shared, as necessary

DATA CATEGORY	WITH WHOM WE SHARE THE DATA
Personal & Background information	Rentals: our registered Landlords, Credit Referencing agency/ other Landlords/ Estate Agent, Insurer/broker re rent guarantee, Solicitor Sales: our registered Vendors, Solicitor, Estate Agents
Bank Details	Rentals: Our Bank/Natwest, Tenants

Tenancy Details	Our registered Landlords; other Landlords, Tenants; Guarantors, Insurers re rent Guarantee, Local Authority, Solicitors, Tenancy Deposit body
Deposit (if applicable)	Tenancy Deposit body, Tenant, Landlords, Guarantors or other persons paying/contributing to the deposit
Immigration/right to rent checks (England) and Verification of tenant's identity	Credit Referencing Agency, Home Office
Rent and other payments	Bank, Local Authority, Taxation Authority, joint tenants/permitted occupiers, Guarantors, Insurers, Other Landlords/Referencing Agents, Solicitors
Recovery of Arrears, claims and possession	Other landlords, joint tenants/permitted occupiers, Guarantors, Insurers, solicitors, courts, Local Authority/DWP
Repairs, housing conditions, health and safety	Contractors/preferred contractors, trades people, suppliers, joint tenants/permitted occupiers, Freeholder of flats, guarantors, Landlords, Local Authority, Deposit Protection body, Vendors
Breach of tenancy agreement/nuisances	Contractors, trades people, suppliers, joint tenants/permitted occupiers, Freeholder of flats, guarantors, Landlords, neighbours, other residents
Council Tax Liability	Taxation Authority/Local Authority
Water Charges	Water Company
Utilities	Utility suppliers
Universal Credit, housing benefits	Department of Works and Pensions/Local Authority, regulatory Authority, joint tenants/permitted occupiers/guarantors, Landlords
Termination of Tenancy	Landlords, Insurer re Rent Guardian, local authority, Deposit Protection body, Inventory Supplier, Joint tenants/permitted occupiers/guarantors, contractors, bank
Complaints	Ombudsman, accreditation or similar scheme of which we are a member, Legal Services
Health/Disability	Landlords, Health Care Providers, Local Authority

CCTV/audio/ record keeping	Tenants, Purchasers, Landlords, Vendors, Contractors any of the persons/organisations/authorities listed in Section A
Correspondence	Depending upon the applicable category of information, relevant correspondence etc is shared with any of the persons/organisations/authorities listed in Section A
Websites and Online platforms	Tenants/Permitted occupiers/guarantors, Landlords, Vendors, Purchasers
Insurance	Insurer/Broker, Landlords
Flat Management	Freeholders; management agents; tenants
Car Registration	Car Parking Company

Public Authorities with whom we share data:

- Home Office- right to rent checks for the performance of our legal obligations
- Deposit Protection Body- under housing legislation we are required to protect any deposit which you pay in connection with a managed tenancy. We pay this into a custodial scheme which holds the money. We have to register the deposit with the deposit body concerned. This is to comply with our legal obligations. During the course of the tenancy it may be necessary to give details of any changes to the deposit body to comply with our legal obligations. On the termination of the tenancy, for contractual performance, we must arrange for the return of the deposit in whole or in part, depending on whether there are any claims on it or not by the Landlord. In the event of any dispute the claim may go to resolution and submitted to adjudication, in which case it is necessary for information to be provided to the deposit body. This is in our legitimate interests to pursue or defend claims. This is also contractually required under the rules of the scheme.
- Taxation Authorities- These are HMRC and Local Authorities. We are required by law to ensure that any overseas Landlords are meeting their tax obligation under the Non-Residential Landlords Scheme. Local Authority are informed of any change in a tenancy.

Private Persons/Organisations/Public Authorities with whom ANY information is shared and legal gateway:

- Professional Advisors- Assistance and advice regarding the management of the tenancy and the property for contractual performance. Where we handle your information under some other gateway and a professional advisor assists or advises, this will be for the same purpose and under the same legal gateway. If it is in the legitimate interests of us or someone else then those interests will be the same.

These are to ensure that we act appropriately and properly as well as according to the law

- Police/Law Enforcing Agencies*- prevention/detection of crime and anti social behaviour in our legitimate interests
- Regulatory Authorities*- they carry out their function in the legitimate interests. These are to enforce legal requirements. We may be under a legal obligation to provide your information, particularly if a notice to that effect is served on us. This can include an ombudsman or accreditation scheme of which we are a member. It also includes utility providers.
- Courts*-they administer justice in our legitimate interests to pursue and defend claims

***these are public authorities**

Names of persons/Organisations/public authorities with whom information is shared

Email and Web provider: Outlook/Locall Net Ltd,
Accountant: Philip Jones & Partners
Bank: Natwest
Contractors
Referencing Agent: UK tenant data
Car parking: Creative Parking Solutions
Deposit Body: Deposit Protection Service
Rent Insurance: Rent Guardian/Legal Protection Group