

PRIVACY NOTICE FOR LANDLORDS, AGENTS, TENANTS, RESIDENTS, GUARANTORS, CONTRACT PARTNERS AND POTENTIAL CONTRACT PARTNERS

Data controller: PTN Estates, Brierley Hill, West Midlands, DY5 3AW

1. Introduction

PTN Estates is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you.

PTN Estates (“The Company”) collects, stores and processes personal data relating to vendors and purchasers in order to provide our service to you. This privacy notice sets down how the Company collects and uses personal information about you before, during and after a sale/purchase of a property on your behalf.

The Company is committed to protecting the privacy and security of your personal information. The Company is committed to being clear and transparent about how it collects and uses that data and to meeting its data protection obligations.

2. Data Protection Principles

The Company will comply with data protection law. This means that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have explained to you clearly and not used in any way that is incompatible with these purposes
- Relevant to the purposes we have told you about and limited to those purposes only
- Accurate and kept up to date
- Kept only for such time as is necessary for the purposes we have told you about
- Kept securely.

3. What information does the Company collect and process?

The Company collects and processes a range of personal information (personal data) about you. Personal data means any information about an individual from which the person can be identified. This includes:

- Identity and personal contact details, such as your name, title, address, email address, telephone number, fax number, date of birth, national insurance number, car registration
- Background information such as previous landlord details, employer details, accountant details, next of kin, dependants and emergency contacts
- Bank account details, bank references and credit check results
- Identification
- Tenancy deposit information (if any) including return on tenancy termination
- Tenancy details including renewals, joint tenants, other residents and guarantors
- Tenancy deposit information (if any) including return on tenancy termination;
- Immigration/right to rent checks
- Rent and utilities payment records
- Money Laundering checks
- Recovery of arrears, claims or possession proceedings
- Repair and health and safety records
- Records of you taking part in our customer surveys
- The personal opinions you provide in your customer surveys so that we can reach our high customer service targets and retain our accreditations and certifications
- General correspondence in all formats (letters, emails, text messages etc.).
- Breach of tenancy terms/complaints
- Universal credit/housing benefit records;
- Notices and correspondence regarding termination of tenancy
- CCTV and audio recordings (if any)

We may also collect, store and use the following special categories of more sensitive personal information:

- Information about medical or health conditions, including whether or not you have a disability for which the Company needs to make adaptations
- Equal opportunities monitoring information (where applicable), including information about your ethnic origin, sexual orientation, health and religion or belief.

The Company collects this information in a variety of ways. For example, data is collected from original service (valuation or viewing requests) during the sale/purchase negotiation and during sales progression.

In some cases, the Company collects personal data about you from third parties, such as:

- The Land Registry
- References supplied by former landlords, agents, employers and personal referees;
- Information from credit reference agencies
- Stakeholders and contract partners
- Other tenants, residents or neighbours;
- Guarantors
- Local authorities, housing associations and ALMOs (Arms-Length Management Organisations)
- Other Estate Agents
- HMO Licensing and selective licensing departments regarding the properties you place with us or wish to place with us
- Websites or online rental portals such as Rightmove.
- Government Departments, e.g. The Home Office
- The police or other law enforcement agencies
- Department for Work and Pensions
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- Utility companies or service providers;

Data is stored in a range of different places, including in paper files, in company phones and in the Company's IT systems (including the Company's email system).

4. Why does the Company process personal data?

The Company needs to process data to consider applications for tenancy agreements and manage tenancies.

In addition, the Company needs to process data to ensure that we are complying with our legal obligations, for example, we are required to check a tenant's "right to rent" for properties in England.

In other cases, the Company has a legitimate interest in processing personal data before, during and after the end of the landlord/tenant relationship and/or the agent/landlord relationship.

5. Situations in which we will use your personal information

Situations in which we will process your personal information are listed below:

- ☑ To verify the identity of a proposed tenant/resident;
- To decide on the suitability of a proposed tenant/resident;
- To decide on the suitability of a property for the proposed tenant/resident;
- To assess the financial standing/suitability of a proposed tenant/resident;
- To check immigration status/right to rent;
- To deal with joint tenants and residents who are linked to the tenancy;
- To enter into a tenancy agreement, lease, contract, letter of intent, service level agreement, heads of terms agreement, confidentiality agreement or other legal agreement;
- To secure payment of rent and performance of tenant obligations;
- To collect rent and other payments including monies from Notices of Set Off;
- To manage the tenancy and the property;
- To keep accurate records relating to the Company's rental business;
- To arrange repairs and maintenance of the property, including but not limited to safety certification where applicable;
- To monitor and enforce performance of tenant's obligations;
- To recover debts and/or obtain possession of a property;
- For HMO or selective licensing purposes;
- To ensure Council Tax and utilities charges are billed and paid appropriately;
- To ensure that welfare benefits (such as Universal Credit and housing benefit) are paid to the Company, agent, landlord or tenant where appropriate;
- To handle tenancy termination and the return of any tenancy deposit;
- To handle complaints;
- To analyse customer survey results and feedback;
- To address health and disability issues relating to tenants/residents;
- To create and keep audio and CCTV recordings;
- To provide information to public or local authorities (or stakeholders and clients who are contracted to provide services to public or local authorities) who are legally entitled to require this information;
- To contact next of kin or close relatives in case of emergency;
- To contact the emergency services in case of emergency;
- To store of emails, records of calls and other communications;
- To comply with legal and regulatory requirements;
- To bring and defend legal claims; and

- To prevent, detect and investigate crime and anti-social behaviour.

6. If you fail to provide personal information

If you do not provide certain information when requested, the Company may not be able to proceed with the grant of a tenancy agreement or other legal agreement you may wish to enter into.

Furthermore, while the change in legislation gives you the right to specify how you wish to be contacted, we would like you to note the following:

As a company we use email and letters as our main means of written correspondence in addition to the telephone to speak with you, however we would ask you to contact us in writing if you do not agree to being contacted in the following additional format:

- Text for appointment reminders
- Text updates for sales progression

7. Change of purpose

The Company will only use your personal information for the purpose for which it was collected unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will advise you of this and explain the legal basis which allows us to do so.

You should be aware that we may process your personal information without your knowledge or consent where this is required or permitted by law.

8. Use of sensitive personal information

Some special categories of personal data, such as information about health or medical conditions, are processed to comply with legal obligations (for example, in relation to vendors/purchasers with disabilities and for health and safety purposes).

9. For how long do you keep data?

The Company will only hold your personal data for as long as is necessary to fulfil the purposes we collected it for, including any legal, accounting, management or reporting requirements. Our periods of data retention are as follows:

- Tenant or contract partner contact details, personal details or data processed/used in connection with our business processes shall be kept for **six years** after the date the tenancy or contract ends;
- Contact details and personal details held under any service level agreement shall be kept for **six years** after the service level agreement ends;
- Contact details/personal details for general enquirers shall be kept for **six months** after the date of enquiry;
- The period for which your data is held following an unsuccessful tenancy application or contract application is **one year** after the date of application.

10. Who is data shared with?

We are a small company of less than 5 employees all of whom multi-task across a number of departments, so when your information is shared internally, it will be shared with the administration team, our property inspection and maintenance team, the finance team, the senior management team and the Compliance Manager.

The Company also shares your data with third parties where required by law, where it is necessary in order to administer the relationship with you or where we have another legitimate interest in doing so. Information can be shared with:

- Professional advisers, including solicitors and accountants
- Letting/managing agents
- Freeholder and/or their managing agent (for property in block of flats)
- Existing or previous landlords and agents
- Existing or previous employers
- Credit referencing agencies
- Debt collectors and tracing services
- Local authorities and government/public bodies, including stakeholders and clients who are contracted to provide tenancy related services to your local authority and/or a government or public body
- Ombudsman/redress schemes
- Professional body/regulator
- Courts/Tribunals
- Police/enforcement agencies

- Emergency services in the event of an emergency
- Internet service providers
- Banks/building societies
- Tenant's/resident's next of kin or close relatives in case of emergency
- Joint tenants and other residents
- Guarantors
- Tenancy Deposit Schemes
- Universal Credit/housing benefit/other benefit administrator
- H M Revenue and Customs
- Council Tax authority
- Utility suppliers
- Water suppliers
- Contractors and tradespeople providing services at the property
- Prospective purchasers of property
- Other landlords including where you apply to another landlord for a tenancy.

We will never sell your data to any third party or give your information to any form of marketing company.

Your data may be transferred to countries (stored) outside the European Economic Area (EEA) only for cloud storage purposes and use in the Company's bespoke web based management system which also uses cloud storage facilities. Data is transferred outside the EEA on this basis as agreed in the contracts between the Company and its network provider and the Company and its management information system provider. If you require further information, it is available on request.

12. How does the Company protect data?

The Company takes the security of your data seriously. The Company has internal policies and controls in place, including an information security management system, to prevent your data being lost, accidentally destroyed, misused or disclosed. Details of these measures are available on request.

When the Company engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

13. Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please be sure to keep us promptly informed if your personal information changes during the tenancy application process or during the course of a tenancy or contract.

14. Your Rights

As a data subject, you have a number of rights, including the right to be informed. You can:

- Access and obtain a copy of your data on request (known as a "data subject access request");
- Request erasure of your personal information. This enables you to ask the Company to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing
- The right to data portability
- The right not to be subject to automated decision making including profiling
- Object to the processing of your data where the Company is relying on its legitimate interests as the legal ground for processing
- Ask the Company to restrict or suspend the processing of your personal data for a period of time if data is inaccurate or there is a dispute about its accuracy or the reason for processing it.

To contact us if you have a complaint regarding your personal data and data protection, please contact jan@ptnestates.co.uk or in writing to Miss Jan Chappell of PTN Estates, 74 High Street, Brierley Hill, DY5 3AW

If you still remain dissatisfied you have the right to make a complaint to the (ICO) Information Commissioner's Office.

Changes to Our Policy

We may change our policy in line with new legislation or new services we may offer. All updates will be made available on our website ptnestates.co.uk

