AGENT'S PRIVACY NOTICE TO LANDLORD

Data controller: Bay Estate & Letting Agents.

1. Introduction

Bay Estate & Letting Agents. is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you.

Bay Estate & Letting Agents. ("The Agent") collects, stores and processes personal data relating to landlords and prospective landlords, in order to provide:

- a lettings service to find a tenant and set up the tenancy;
- a lettings service to find a tenant and set up the tenancy (including a deposit holding service);
- a lettings service to find a tenant and set up the tenancy and provide a rent collection service; and
- a fully managed property service.

This privacy notice sets down what personal data the Agent collects, why it is collected, how it is held and what information is processed by the Agent and with whom it is shared.

The Agent is committed to protecting the privacy and security of your personal data. The Agent 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 Agent will comply with data protection law. This means that the personal data 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; and
- Kept securely.

3. What Information does the Agent Collect and Process?

The Agent collects and processes a range of personal data about you. Personal data means any information about an individual from which the person can be identified. If you are already a client, some of the points below may not be relevant to you. This includes:

- Identity and personal contact details, such as your name, title, address, email address, telephone number;
- Bank account details;
- Proof of ownership;

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- Accounting records;
- Letting and management records;
- Insurance information;
- Licence applications;
- Details of mortgages;
- Lender restrictions;
- Tenancy deposit information (if any);
- Repair and health and safety records;
- Breach of tenancy terms/complaints;
- Council Tax and utilities records;
- Notices and correspondence regarding termination of tenancy;
- CCTV and audio recordings (if any);
- General correspondence in all formats (letters, emails, text messages etc); and
- Data sent from web browser to the Agent's server (including pages visited and time and date and duration on the Agent's server).

The Agent collects this information in a variety of ways. For example, personal data is collected from you at the beginning of the process, and throughout our period of instruction. The Agent also generates its own records.

In some cases, the Agent may collect personal data about you from third parties, such as:

- Other tenants, residents, or neighbours;
- Guarantors;
- Local authorities;
- The police or other law enforcement agencies;
- Department for Work and Pensions;
- Utility companies or service providers;
- Other letting/managing agents; and
- Websites or online rental portals for lettings.

Personal data is stored in a range of different places, including in paper files and in the Agent's IT systems (including the Agent's email system).

4. Why does the Agent Process Personal Data?

The Agent needs to process data to perform the terms of our lettings service as agreed between you and the Agent.

In addition, the Agent needs to process data to ensure that we are complying with our legal obligations, for example, sharing personal information with a deposit scheme by which any deposit is protected.

In other cases, the Agent has a legitimate interest in processing personal data before, during and after our period of instruction.

5. Situations in which We will use Your Personal Information

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

- To enter into a tenancy agreement;

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- To collect rent and other payments;
- To manage the tenancy and the property;
- To arrange an energy performance certificate;
- To arrange an inventory check or report on the condition of the property;
- To keep accurate records relating to the Agent's rental business;
- To arrange repairs and maintenance of the property;
- To recover debts and/or obtain possession of a property;
- 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 you (where appropriate);
- To handle tenancy termination;
- To handle complaints;
- To create and keep audio and CCTV recordings;
- To provide information 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 store emails, records of calls and other communications;
- To comply with legal and regulatory requirements;
- To bring and defend legal claims;
- To take payment for the services provided by the Agent;
- To perform our terms of business with you; and
- To provide you with general updates in relation to the property market and information relating to the Agent's services in accordance with your express consent.

6. If You Fail to Provide Personal Information

If you do not provide certain information when requested, the Agent may not be able to provide its lettings services.

7. Change of Purpose

The Agent will only use your personal data for the purposes 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(s). 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 data 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 are processed to comply with legal obligations (for example, in relation to health and safety purposes).

9. For How Long do You Keep Data?

The Agent will only hold your personal data for as long as is necessary to fulfil the purposes we collected it for, including any legal, accounting or reporting requirements. The period for which your data is held after the end of a tenancy is seven years. The period for which your data is held is one year for a potential landlord who does not contract with the Agent for its services.

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10. **Who is Data Shared With?**

Your information will be shared internally, including with other staff members..

The Agent 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;
- Freeholder and/or their managing agent (for property in block of flats);
- Debt collectors and tracing services;
- Local authorities and government/public bodies;
- Ombudsman/redress schemes;
- Professional body/regulator;
- Courts/Tribunals;
- Police/enforcement agencies;
- 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;
- Joint owners of the property;
- Tenancy Deposit Schemes;
- Universal Credit/housing benefit/other benefit administrator;
- H.M. Revenue and Customs;
- Council Tax authority;
- Utilities and service providers;
- Future owners of the property;
- Contractors and trades people providing services at the property;
- Prospective purchasers of property;

The Agent will store and/or transfer some of your personal data**]** within the European Economic Area (the "EEA"). Transfers of personal data from the UK to the EEA are permitted without additional safeguards.

11. **How does the Agent Protect Data?**

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

When the Agent 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.

12. **Your Duty to Inform Us of Changes**

It is important that the personal data we hold about you is accurate and current. Please be sure to keep us informed if your personal data changes during our period of instruction.

13. **Your Rights**

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As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request (known as a “data subject access request”);
- require the Agent to change incorrect or incomplete data;
- request erasure of your personal data. This enables you to ask the Agent to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data, if you believe your fundamental rights and freedoms outweigh our legitimate interests; and
- ask the Agent to 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.

If you would like to exercise any of these rights, or you have any questions about the privacy notice, please contact mail@bayestateagents.com.

If you believe that the Agent has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner’s Office.

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