

## PRIVACY POLICY

At CENTURY 21 Sophia Elena we are committed to protecting your personal information and handling it responsibly. This Privacy Policy sets out how we handle your personal information.

### INTRODUCTION AND WHO WE ARE

Our use of your personal information will be governed by this Privacy Policy. We reserve the right to change and adapt this Privacy Policy from time to time.

CENTURY 21 Sophia Elena ('we' or 'us') is the trading name of Sophia Elena Limited, registered in England at Suite 109, Atlas Business Centre, Imex House, Oxgate Lane, London, NW2 7HJ. Registered No: 05641831. VAT No: 882 7133 08.

CENTURY 21 Sophia Elena is an independently owned and operated franchise of CENTURY 21 United Kingdom.

CENTURY 21 Sophia Elena controls the processing of any personal information provided to us by property search portals and our web-sites that you register with and make contact with us through, personal information you provide to us directly by calling our office, visiting us in person or contacting us by email and personal information obtained through third party providers such as tenant referencing companies. This includes personal information passed on to us from century21uk.com and century21global.com. We will treat your personal information as confidential and in accordance with applicable data protection legislation and your personal information will only be shared with others in accordance with this Privacy Policy.

### USE OF CENTURY21UK.COM

CENTURY 21 United Kingdom is the trading name of Maurice MacNeill Iona Limited, registered in Scotland at 1<sup>st</sup> Floor, Elmbank Gardens, Glasgow, G2 4NQ. Registered No: SC284167. VAT No: 866 0678 88.

CENTURY 21 United Kingdom controls the processing of any personal information collected through century21uk.com, including marketing cookies, or through century21global.com.

For the privacy policy governing your use of the CENTURY 21 United Kingdom's website, century21uk.com, please click: [CENTURY 21 United Kingdom Legal Notice and Privacy Policy](#).

### INFORMATION WE COLLECT

'Personal Information' is any information that relates to you and identifies you personally, either alone or along with other information we have. CENTURY 21 Sophia Elena collects various types of personal information such as:

- your full name
- contact details which include
  - email
  - telephone number
  - postal address
- information regarding your property related requirements and financial status

In addition, where we are required to do so by law, including but not limited to, The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017, 'Right To Rent' legislation as introduced in the Immigration Act 2014 and 'Right to Work' legislation, we collect at least:

- one form of photographic proof of identity document, which may include your date of birth, and
- one recent form of proof of residence document

We do not typically collect personal information, which is classified as 'sensitive personal information' under data protection legislation, save if you have accessibility requirements due to health in order to help us identify a suitable property or if you want us to consider any other health factors that pertain to your property requirements. Sensitive personal information includes information relating to health, racial or ethnic origin, religion or political views and sexual orientation.

Depending on the service we provide, we may collect additional personal information as per below:

If you are a landlord:

- we collect and verify your bank details in order to be able to make payments of rent to you or return money on account we hold for you

If you rent a property through us:

- in the case of a common law or company let agreement, we collect and verify your bank details in order for us to be able to return your deposit (minus any agreed deductions) at the end of a tenancy or any overpayment of rent, or reimburse you for an expense; for Assured Shorthold tenancies, we collect and verify your bank details if we need to return any overpayment of rent or reimburse you for an expense
- we may obtain your credit history, a landlord reference, confirmation of income from your employer and bank details, usually via a third party tenant referencing company in order to assess your suitability as a tenant and pass on the results as necessary to the landlord
- we collect your next of kin details usually via a third party tenant referencing company in case of emergency
- we collect documentary evidence of your nationality and immigration status to enable us to fulfil our legal obligations under 'Right to Rent' legislation as introduced in the Immigration Act 2014

If you are a prospective or current employee:

- we obtain previous employers' references, documentary evidence of education certificates, documentary evidence of your nationality and immigration status to enable us to fulfil our legal obligations under 'Right to Work' legislation and your bank details in order to be able to pay your salary

## **USE OF YOUR PERSONAL INFORMATION**

Under data protection legislation we are permitted to use your personal information if we have a legal basis for doing so. We rely on at least one of the following legal basis to process your information:

- contract - to service a contract we have been engaged to perform
- legal obligation - to comply with our legal duties and obligations
- consent - we obtain your clear and unambiguous consent prior to processing your information
- legitimate interest - to carry out activities for which it is in our legitimate interests (or those of a third party) to do so and provided that your interests and fundamental rights do not override those interests, including:

- to assist you in finding a property should you contact us to find a suitable property for you to buy or rent. We will from time to time send you properties by email for sale or rent based on criteria provided by you to us and contact you by phone to discuss the options sent to you. **You have the right to opt out of receiving this information at any time.**
- to promote our brand and products and record the success of our marketing. This will include sending you marketing information, after you have engaged us to provide services or received services from us, which may be similar and of interest to you. **You have the right to opt out of receiving this information at any time.**

#### HOW WE SHARE YOUR PERSONAL INFORMATION

- in order to comply with our legal duties and obligations, if we are required to do so, we will share your personal information with government bodies, law enforcement authorities, courts, regulators, tribunals and arbitrators
- we may share your personal information with council tax authorities and utility companies for the setting up of an account if you rent or buy a property that we are involved with the rental or sale of and your forwarding address at the end of the tenancy for payment of final bills
- whereas we do not typically, we may on occasion share your contact details with third party contractors in order to arrange access to a property for maintenance purposes
- we may share your personal information with a third party inventory company in order for them to email you the inventory report directly or to coordinate an appointment with an inventory clerk
- we use third party tenant referencing companies and other referencing agencies for the purposes assessing your suitability as a tenant and for the prevention and detection of crime and fraud
- if you are a tenant under an Assured Shorthold tenancy, we register your contact details with the Deposit Protection Service (DPS)
- the third party contractors we use constantly change. For a list of currently used third party contractors, please email [nottinghill@century21uk.com](mailto:nottinghill@century21uk.com)
- we use third party providers to process personal information, such as CRM, property management and accounting software providers
- we may share your information with our accountancy and bookkeeping service providers for the purposes of producing client accounts and business accounts in order for us to be able to comply with our contractual as well as legal obligations and duties
- we are a subscriber of lonres.com, a central London agents only property instruction sharing and property archive database. If you are a prospective buyer or prospective tenant and we are helping you to find a property that is not directly marketed by us, we may be required to share your surname and initial by the main listing agent, another subscriber of lonres.com, in order to book a viewing on your behalf
- we do not share your personal information with any other company, for the purpose of marketing, unless specifically requested by you, for example if you require a solicitor, surveyor, mortgage broker, moving or cleaning company
- we do not sell your personal information to any company for the purpose of marketing
- if you are a previous tenant, we may provide a landlord reference with your consent
- if you are a current employee, we may pass on your details to our accountancy and bookkeeping service providers for the purposes of payroll and accountancy services, setting up of workplace pensions and to comply with our legal obligations and duties
- if you are a previous employee, we may provide an employer's reference with your consent

## WHAT HAPPENS IF YOU DO NOT PROVIDE INFORMATION THAT WE REQUIRE

If you are a buyer, seller, tenant or landlord, we are not be able to accept instructions or accept you as a tenant or buyer unless we obtain the required information from you to fulfil our legal duties and obligations and comply with law, including but not limited to, The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 and 'Right To Rent' as introduced in the Immigration Act 2014.

## HOW WE KEEP YOUR INFORMATION SECURE

In order to try to prevent unauthorised access to your personal information, we have measures in place designed to do this, including but not limited to:

- client files are stored on our secure client management systems. Access is restricted to those within the business who are required to have access to your information for legitimate business purposes. Data that is stored in third party data centres or on our servers have systems and protections in place to protect against both unauthorised access, and other external factors that could cause damage to your personal information
- hard copy files are stored in secure cabinets

## OVERSEAS TRANSFERS OF YOUR PERSONAL INFORMATION

We may transfer, store or process your personal information outside the UK and the European Union. In the event we do so, we either:

- transfer it to a non-EU country with privacy laws that give the same protection as the EU
- put in place a contract with the recipient that means they must protect it to the same standards as required in the EU
- transfer it to organisations that are part of Privacy Shield. Privacy Shield is a program whereby participating companies in the US are deemed as having adequate protection, and therefore able to facilitate the transfer of information while meeting the requirements of the EU

## HOW LONG DO WE KEEP YOUR PERSONAL INFORMATION

The length of time which we keep your personal information will vary depending on the type of service we provide to you. The period may be longer than the time for which we are engaged or providing services to you where we have legal, statutory and or regulatory requirements to keep personal information for a longer period, or where we may need to retain the information in case of a legal claim or criminal investigation.

## YOUR RIGHTS

You have a number of rights relating to your personal information, these include:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

Some of these rights may not always apply. For example, if facilitating your request would expose the personal information of another person or if we are asked to delete information which we are required to keep by law or have a compelling legitimate interest to keep. In such instances, we will advise you accordingly when we respond to your request.

If you would like to exercise any of your rights please contact [nottinghill@century21uk.com](mailto:nottinghill@century21uk.com).

### COMPLAINTS

If you wish to raise a concern related to how we have handled your personal information, please contact us at [nottinghill@century21uk.com](mailto:nottinghill@century21uk.com) to have the matter investigated.

If you are not satisfied with our response or believe we are processing your personal information not in accordance with the law, please contact the Information Commissioner's Office: [ico.org.uk](http://ico.org.uk).

## LEGAL NOTICE

### DISCLAIMER

Whilst we make every effort to ensure the accuracy of property details, we cannot guarantee that the information is correct. You should verify all details, particularly current asking price, room sizes and the tenure of a property before making any offer. In addition you should check that any services mentioned are as described. Where a property is shown as 'sold subject to contract', the price displayed is that at which the property was previously marketed and is not always the price agreed. Any opinions expressed or contained are those of the author and are not given or endorsed by the company unless otherwise clearly stated and the authority of the author to so bind the company is duly verified. The content does not in any way form a legally binding agreement and is without prejudice and subject to contract.