

# **Privacy Policy**

**Last updated December 20, 2019**

## **Overview**

Pinnacle Property Management Services, LLC and its affiliates (alternately, “Pinnacle”, “we”, “us” or “our”) respects your privacy and is committed to complying with this privacy policy (“Privacy Policy”), which describes what information we collect about you, including how we collect it, how we use it, with whom we may share it, and what choices you have regarding our use of your information. This Privacy Policy applies to information collected through our business’s operations (managing multi-family housing), on our website located at <https://pinnacleliving.com> (the “Website”), any current or future mobile application (the “Mobile Application”), all interactive features, applications, widgets, social networks and social network “tabs”, and other online or wireless offerings that post a link to this Privacy Policy (collectively, the “Services” and, together with the Website and the Mobile Application, the “System”). We encourage you to become familiar with this Privacy Policy.

## **Changes to our Privacy Policy**

We may change this Privacy Policy at any time and from time to time. The most recent version of the Privacy Policy is reflected by the version date located at the top of this Privacy Policy. All such updates and amendments are effective immediately upon notice thereof, which we may give by any means, including, but not limited to, by posting a revised version of this Privacy Policy. We expressly reserve the right to make any changes to this Privacy Policy at any time, without prior notice to you. The version of this Privacy Policy posted on our website on each respective date you visit the System shall be the Privacy Policy applicable to your access and use of the System on that date. Our electronically or otherwise properly stored copies of this Privacy Policy shall be deemed to be the true, complete, valid, authentic, and enforceable copy of the version of this Privacy Policy which were in force on each respective date you visited the System. This Privacy Policy is not intended to and does not create any contractual right in or on behalf of any party.

## **What Information Do We Collect?**

Personal information means information that identifies, or is reasonably capable of being associated with a particular consumer or household and includes identifiers such as a name and email address. This is not an exhaustive list, but a few examples aimed at explaining the definition of personal information. The specific categories of information that we collect are listed below. In order to continuously improve your service and tailor our subsequent communications to you, we may also ask you to provide us with additional information regarding your comments and contact preferences.

Non-personal information is data that should not identify or reasonably relate to a specific person or allow Pinnacle to contact a specific person. Some examples of non-personal information are information about a user's computer operating system or browser, the number of users that visit the Site and the pages of the Site which are visited, as well as information about how consumers use our Site in a way that is not connected to any particular user. Pinnacle uses the information that we collect to support the operations of our residential units and to provide Services that are available via the Website and Mobile Application.

### *Categories of Personal Information Collected and the Purposes of Such Collection*

The categories of information that we collect include identifiers (such as your name and email address), age, sensitive information such as your social security number, rental history, payment information, employment history, phone number, driver's license information, financial account information, and vehicle information to manage our apartment offerings, market apartments to you, and to provide for the safety and security of our properties, and for our internal business administration. Pinnacle and/or its third party service providers collect this information directly from you or from reports that we receive from third parties.

We collect browsing information and IP address, when you use our website.

We collect information about consumers' apartment preferences from third parties to market our apartments.

### *Categories of Personal Information Sold about California Consumers*

Pinnacle does not sell California consumers' personal information.

### *Categories of Personal Information Disclosed for a Business Purpose*

We disclose identifiers (such as your name and email address), age, sensitive information such as your social security number, rental history, employment history, phone number, and vehicle information to our service providers who process the information for the purpose of managing apartment homes.

## **Cookies and Usage Reports**

By placing a small file known as a "cookie" on your computer (or other device), Pinnacle's and/or its third party service providers' servers passively gather information about all visitors' use of the System for several reasons, including, but not limited to, the following: statistics collection and analysis, System optimization, analytics (as described below), market research, and maintenance of user login information. The information that we and/or our third party service providers track with cookies includes, but is not limited to, the type of browser (such as Google Chrome or Internet Explorer) and Internet-connected devices being used to access the System, your Internet protocol ("IP") address, your home domain or Internet service provider, your referrer URL (which is the URL for the website that you were viewing prior to visiting the System), how you were directed to the System, which specific pages you access on the System, how long you view each page, the time and date you access our System and the total number of visitors to the System and any portions thereof. We, and/or our third party service providers, may use the information collected from cookies or similar files on your computer for security purposes (such as authentication), to facilitate site navigation and to personalize your experience while visiting the System. This data helps us and our third party service providers improve our respective products and services.

Most popular Internet browser applications will allow you to configure the browser so as not to accept cookies. However, setting your browser to reject cookies may, in certain instances, prevent you from taking full advantage of the System (or some portion thereof) and its capabilities, or cause some features of the System to function improperly or more slowly.

## **Correspondence**

We appreciate your questions and comments about the System and Services and welcome your messages at our “Contact Us” page, <https://pinnacle.formstack.com/forms/customerservice>. If you correspond with Pinnacle through the System or via email, the Personal Information may include the content of, and metadata regarding, any correspondence you may have with us. We may share your messages with those within our organization who are most capable of addressing the issues contained in your message. We may archive your message for a certain period of time.

## **How Can I Opt-Out of Promotional Correspondence?**

Pinnacle and/or its third party service providers may send you emails with promotional offers. If you would no longer like to receive information or other promotional messages from us, please click the link at the bottom of any such email you receive from us and follow the instructions, or alternatively you may contact us at [privacy@pinnacleliving.com](mailto:privacy@pinnacleliving.com) with the word “UNSUBSCRIBE” or “REMOVE” in the subject line. Your email address will be removed from our marketing list. Please allow us a reasonable period of time in order to satisfy your request, as some promotions may already be in process.

## **How Do We Use and Share The Information That We Collect?**

Pinnacle and/or our third party service providers collect and use the Personal Information to operate apartments and other multi-family housing units, the System and deliver the Services, including to provide certain services and improve the user experience, address System integrity or security issues, and conduct research and analysis to maintain, protect, develop, and improve the System, and, additionally, use any information submitted by users as described below or elsewhere in this Privacy Policy. We may send you information that you request from us, promotional materials regarding Pinnacle or any third party entity or individual affiliated with individual members of Pinnacle, and any other communication for any other legitimate and lawful business purposes. Additionally, we may retain and use certain Personal Information to facilitate and otherwise address certain inquiries or requests regarding the Services or the System, or respond to your questions or requests for information about or from Pinnacle. We may also use Personal Information as necessary to ensure compliance with any Pinnacle policies and any applicable law, regulation or order.

Except as set forth in this Privacy Policy, Pinnacle will not use, disclose, or transfer your Personal Information unless:

- (1) you expressly authorize Pinnacle to do so,
- (2) it is necessary to allow Pinnacle’s service providers to provide products or services for or to Pinnacle,
- (3) it is shared with our affiliates and business partners who may also be responsible for managing and/or otherwise operating a property,
- (4) Pinnacle is sending you other information that may be useful to you,
- (5) subject to applicable contractual or legal restrictions, it is disclosed to entities that perform marketing services on Pinnacle’s behalf or to other entities with whom Pinnacle has joint marketing agreements,
- (6) it is necessary to protect the confidentiality or security of your records,

- (7) it is necessary in connection with other business purposes including, without limitation, verifying identity, age, and/or payment details, investigating complaints about the System, risk assessment, security, fraud and crime prevention/detection, monitoring, research and analysis, marketing, customer purchasing preferences and trends and dispute resolution,
- (8) it is necessary to comply with law enforcement, governmental mandate, court order, subpoena, or other legal requirement, if appropriate, for your protection or in connection with an investigation or prosecution of possible unlawful activity;
- (9) subject to applicable contractual or legal restrictions, it is necessary in connection with a sale of all or substantially all of the assets of Pinnacle or the merger of Pinnacle into another entity or any consolidation, share exchange, combination, reorganization, or like transaction, including when Pinnacle ceases to manage a property, in which Pinnacle is not the survivor, or
- (10) it is otherwise necessary for Pinnacle to disclose it as required or permitted by law.

## **Job Applicants**

Any personal information you provide us, such as identifiers or employment history, when applying for a career position with Pinnacle, will be used solely to consider and act upon your application. We may retain your personal information for a period of time, but only for as long as necessary for such purposes. We may disclose your personal information to our agents for the purpose of evaluating your qualifications for the particular position you applied for, or other available positions. We may also disclose your personal information to third parties hired by us to collect, maintain, and analyze candidates for career positions.

## **How Do We Protect Information Collected About You?**

Personal information processed by Pinnacle and/or its third party service providers is processed and stored by Pinnacle in the United States. Pinnacle and/or its third party service providers implement and maintain reasonable security procedures and practices such as physical, technical and administrative measures to safeguard all personal information that is processed. Please be aware that no data transmission over the Internet can be guaranteed to be 100% secure. As a result, Pinnacle and/or its third party service providers cannot guarantee or warrant the security of any personal information that is processed.

## **Linked Websites**

For your convenience, some hyperlinks may be posted on the System that link to other websites not under our control. We are not responsible for, and this Privacy Policy does not apply to, the privacy practices of those sites or of any companies that we do not own or control. We cannot be responsible for the privacy practices of any such websites or pages not under our control and we do not endorse any of these websites or pages, the services or products described or offered on such sites or pages, or any of the content contained on those sites or pages. We encourage you to seek out and read the privacy policy of each website that you visit. In addition, should you happen to initiate a transaction on a website that our System links to, even if you reached that site through the System, the information that you submit to complete that transaction becomes subject to the privacy practices of the operator of that linked website. You should read that website's privacy policies to understand how personal information that is collected about you is used and protected.

## **User-Provided Content**

Any information, communications, or material of any type or nature that you submit to the Website or any Mobile Application by e-mail, posting, messaging, uploading, downloading, or otherwise (collectively, a “Submission”) is done at your own risk and will be treated consistently with this privacy policy.

## **Social Media Platforms and Websites**

Any Submission that you submit to any of our pages contained on a social media platform or website by e-mail, posting, messaging, uploading, downloading, or otherwise is done at your own risk and without any expectation of privacy. We cannot control the actions of other users of a social media platform and we are therefore not responsible for any Submissions contained on a social media platform or website. By visiting any of our pages that are contained on any social media platform or website, you are representing and warranting to us that you have reviewed the applicable privacy policy and terms of use of such website or social media platform and that you will abide by all such provisions contained therein.

## **Children**

The System is intended for a general audience and is not intended for use or view by children under 13 years of age without parental consent, and we do not knowingly collect information about children or sell products to children. Consistent with the Children's Online Privacy Protection Act, we will not knowingly collect any information from children under the age of 13.

## **California Consumer Privacy Rights**

This portion of our Privacy Notice advises California residents of the applicable rights as provided in the California Consumer Privacy Act (CCPA) and how to effectuate these rights by communicating with us. Please note that we will verify your identity when we receive an individual rights request from you in order to ensure the security of your personal information, which may require us to collect further information about you. You may also designate an authorized agent to make requests on your behalf.

If you are a California resident wishing to make any of the requests as described below, such as access and deletion, please contact us by:

- Using our customer contact form located at [https://pinnacle.formstack.com/forms/ca\\_consumer\\_privacy\\_act\\_request\\_form](https://pinnacle.formstack.com/forms/ca_consumer_privacy_act_request_form) (if you do, please select the “other” option under the “You need assistance with” question of the dropdown menu”);
- Emailing us at [privacy@pinnacleliving.com](mailto:privacy@pinnacleliving.com); or
- Calling us and leaving a message at 1-888-531-0237.

### *Right to Deletion of Personal Information*

California residents have the right to request the deletion of personal information as prescribed in Section 1798.105(a) of the CCPA. Pinnacle may not delete some or all personal information if it is necessary for us, or our service providers or affiliates, such as to:

- Complete the transaction for which the personal information was collected, provide a good or service requested by the consumer, or reasonably anticipated within the context of Pinnacle’s ongoing business relationship with the consumer, or otherwise perform a contract between the

business and the consumer,

- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity,
- Debug to identify and repair errors that impair existing intended functionality,
- Exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law,
- Comply with the California Electronic Communications Privacy Act pursuant to Chapter 3.6 (commencing with Section 1546) of Title 12 of Part 2 of the Penal Code,
- To enable solely internal uses that are reasonably aligned with the expectations of the consumer based on the consumer's relationship with Pinnacle,
- Comply with a legal obligation, or
- Otherwise use the consumer's personal information, internally, in a lawful manner that is compatible with the context in which the consumer provided the information.

*Your Right of Access (Request Disclosure of Data Collection and Sharing Practices)*

You may request to receive details about how we collect, use, and share your personal information. Specifically, you may request to receive the specific pieces of information that we have collected about you. You may also request to receive:

- the categories of personal information that we have collected about you,
- the categories of personal information that we have disclosed for a business purpose,
- the categories of sources from which we collected the personal information,
- our purposes for collecting that personal information, and
- the categories of parties with whom we share your personal information.

*Right to not be Discriminated Against for Exercising your Rights*

We do not discriminate against you for exercising any CCPA rights, such as the access and deletion rights discussed above. However, we may offer you rewards or benefits which we need your data to provide, but we will only provide those rewards or benefits if their value to you is reasonably related to the value provided to Pinnacle by your personal information.

*Do Not Track Requests*

Certain State laws require that we indicate whether we honor "Do Not Track" settings in your browser concerning targeted advertising. "Do Not Track" is a standard that is currently under development. As it is not yet finalized, we adhere to the standards set out in this Privacy Policy and do not monitor or follow any Do Not Track browser requests.

## **How You Can Exercise my Rights and to Whom Can You Contact For More Information?**

If you have any questions or suggestions about the System, Pinnacle, our services, or our privacy practices, please contact us by filling out our online form provided here [https://pinnacle.formstack.com/forms/ca\\_consumer\\_privacy\\_act\\_request\\_form](https://pinnacle.formstack.com/forms/ca_consumer_privacy_act_request_form); calling us at 1-888-531-0237; or by emailing us at [privacy@pinnacleliving.com](mailto:privacy@pinnacleliving.com).