

# **MERRILL GARDENS L.L.C. PRIVACY POLICY (MERRILL GARDENS & TRUEWOOD BY MERRILL COMMUNITIES)**

This Privacy Policy was last updated: February 26, 2025

Thank you for visiting the Internet web site (“Site”) of Merrill Gardens, LLC and its affiliates (collectively, “Merrill Gardens”, “us”, “we”, or “our”). The Site is located at the URL [www.merrillgardens.com](http://www.merrillgardens.com).

This Privacy Policy details certain policies implemented throughout our collection and use of personally identifiable information about users of the Site and our services.

## **1. PRIVACY POLICY UPDATES**

We may need to update this Privacy Policy from time to time. If so, we will post the updated Privacy Policy on the Site. We may also send registered users of our services a notice that this Privacy Policy has been changed. We encourage you to review this Privacy Policy regularly for any changes. Your continued use of this Site and/or services and/or your continued provision of personally identifiable information to us after the posting of such notice will be subject to the terms of the then-current Privacy Policy.

## **2. INFORMATION COLLECTION**

In certain sections of this Site, we may request you to submit your personally identifiable information to us, and we may invite you to submit questions, comments and request information. In addition to any personal information that you may voluntarily provide, the Site collects information using cookies and other third-party tools. Please refer to the sections below on “Cookies” and “Third Party Analytics Tools” and “Third Party Advertising Tools” for more information about the information these tools collect and use.

Due to the nature of some of our services, you may provide us with personally identifiable information such as your name, email address, address, phone number, and other contact information that you voluntarily transmit with your communication to us.

### **3. INFORMATION USE**

We may use your personally identifiable information to deliver our services or information you have requested, verify that you are a customer or prospective customer, send you information that you have signed up to receive, notices about our products and/or services that you have used or that may be of interest to you and notices about events, and improve the content and general administration of the Site and our services. If you are a user of our services, we may use your personally identifiable information to provide the services to you.

### **4. CHILDREN'S PRIVACY**

We recognize the privacy interests of children and we encourage parents and guardians to take an active role in their children's online activities and interests. Neither the Site nor our services are intended for children. We do not target our services or this Site to children. We do not knowingly collect, sell, or share personally identifiable information from children of any age.

## **5. COOKIES**

We use both session ID cookies and persistent cookies. A session ID cookie expires when you close your browser. A persistent cookie remains on your hard drive for an extended period of time. You can remove persistent cookies by following directions provided in your Internet browser's "help" file.

On the Site, we use session cookies to make it easier for you to navigate the Site by remembering your locale preferences and to improve and track the overall Site experience. Persistent cookies enable us to track, store and target the interests of our users to enhance the experience on the Site. If you reject cookies, you may still use the Site, but your ability to use some areas of the Site may be limited.

## **6. THIRD PARTY ANALYTICS TOOLS**

Beyond the personally identifiable information you voluntarily provide to us directly, we utilize analytics tools including third party technologies, such as Google Analytics, to collect information utilizing cookies. Certain types of information, including geolocation, device type, onsite website usage and behavior, demographic data, and purchase history, is collected and aggregated across our Site users for our analysis and advertising efforts.

## **7. THIRD PARTY ADVERTISING TOOLS**

We use Google Analytics and Google Ads and similar types of technologies to display relevant advertisements to users who have previously visited the Site. Referred to as remarketing or retargeting, we may utilize previous session information to serve display

advertisements to you on the Site and based on such session information Google may set a cookie and serve ads to you on third party websites on the Google Display Network. Third party vendors such as Google may display our ads on websites across the Internet. Aggregated user data may be utilized to create remarketing/retargeting “lists,” or groups of users with similar onsite behaviors or demographics. We also use Google tools to display advertisements to users based on their inferred interests and demographics.

Users may learn more about Google’s use of cookies by visiting the Google Privacy and Terms page at <http://www.google.com/policies/>. You may opt out of being tracked by Google Analytics by i) Turning off cookies in the preferences settings in your browser ii) Downloading the Google Analytics opt-out browser add on available at: <https://tools.google.com/dlpage/gaoptout/> iii) Opting out of user interest and demographic categories in the Settings for Google Ads feature to manage or opt out of Google interest based ads at <https://adsettings.google.com> or iv) Managing cookies used for online advertising across multiple companies at the US-based Network Advertising Initiative at <http://www.networkadvertising.org/choices/>.

## **8. USAGE INFORMATION**

We automatically collect information about your interactions with the Site, including information about the device you use to interact with and/or access the Site, such as: IP address, access dates and times, information about your approximate location (as determined through your IP address), hardware and software information, mobile, computer or hardware device information (e.g., operating system version, Hardware model, IMEI number and other unique device identifiers, MAC address, and device settings), device event information, and crash data. This information allows us to understand how you’ve used the Site (which may include administrative and support communications with us or whether you have clicked on links to External Web Sites), and other actions you have taken in

connection with your use of the Site. We automatically collect log data when you access and use the Site, even if you have not created an account or logged in.

## **9. AGGREGATE INFORMATION**

We may collect and track the total number of visitors to the Site, the number of visitors to each page of the Site, External Web Sites (defined below) linked to and other aggregated data collected through our services and we may analyze this data for trends and statistics in the aggregate but such information will be maintained, used and disclosed in aggregate form only and it will not contain personally identifiable information. We may use such information for purposes such as analyzing trends, administering the Site, and to understand how users interact with the Site.

## **10. DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION**

We may provide your personally identifiable information and the data generated by cookies and third party analytics tools and the aggregate information to the vendors and service agencies that we may engage to assist us in providing our services to you. For example, we engage with marketing companies to assist us in creating and hosting this Site.

We will disclose your personally identifiable information if we reasonably believe we are required to do so by law, regulation or other government authority or to assist in any investigation, to protect our or our users' rights or to enforce our terms of use. We will not sell your personally identifiable information to any company or organization except we may transfer your personally identifiable information to a successor entity upon a merger, consolidation or other corporate

reorganization in which we participate or to a purchaser of all or substantially all our assets to which this Site relates.

## **11. LINKS TO THIRD PARTY SITES**

The Site may provide links to other Web sites or resources over which we do not have control ("External Web Sites"). Such links do not constitute an endorsement by us of those External Web Sites. You acknowledge that we are providing these links to you only as a convenience, and further agree that we are not responsible for the content of such External Web Sites. Your use of External Web Sites is subject to the terms of use and privacy policies located on the linked to External Web Sites.

## **12. SECURITY**

We may employ industry standard procedural and technological measures that are reasonably designed to help protect your personally identifiable information from loss, unauthorized access, disclosure, alteration or destruction. We may use, without limitation, firewalls, password protection, secure socket layer, and other security measures to help prevent unauthorized access to your personally identifiable information.

## **13. PRIVACY NOTICE FOR CALIFORNIA RESIDENTS**

This section supplements the information provided in the Privacy Policy above and applies only to visitors and users who are residents of the state of California. The California Consumer Privacy Act of 2018 ("CCPA") and the California Privacy Rights Act of 2020 ("CPRA"), collectively referred to as "California Consumer Privacy Laws," provide California consumers with specific rights regarding their personal information. This section describes your rights under the California Consumer Privacy Laws, explains how you may exercise your privacy

rights, and provides an overview on the types of personal information we collect.

## Your Rights Under California Consumer Privacy Laws

California Consumer Privacy Laws provide you with the following rights:

### 1. *Right to Know*

You have the right to know what categories and specific pieces of personal information we collect or disclose; the categories of sources from which we collect or disclose; our business purpose or commercial purpose for the collection, use, or sharing of your personal information; and any categories of third parties with whom we share your information. We do not sell any of your personal information.

### 2. *Right to Delete*

You have the right to request that we delete personal information we may collect about you.

### 3. *Right to Opt-Out*

You have the right to opt out of the sale of your personal information. Because we do not sell any personal information, the right to opt out of the sale of personal information does not apply. You also have the right to request that we do not share your personal information.

### 4. *Right to Correct*

You have the right to request the correction of any personal information we maintain about you.

### 5. *Right to Limit Use or Disclosure of Sensitive Personal Information ("SPI")*

You have the right to limit use or disclosure of your SPI, if we are using your SPI beyond what is reasonably necessary and proportionate to provide the requested goods or services.

#### 6. *Right to Non-Discrimination*

You have the right to not receive discriminatory treatment from us for exercising any of your rights under the California Consumer Privacy Laws. This means we will not treat you differently for exercising any of the rights described above.

California Consumer Privacy Laws allow you to exercise your privacy rights and request your information from us, at no cost. We will provide our response in a readily usable format, which is usually electronic. If you have any questions, please contact us with the information at the end of this Privacy Policy.

#### Personal Information We Collect

California Consumer Privacy Laws define “personal information” as information that identifies; relates to; describes; is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. Personal information does not include:

- information that is lawfully made available from federal, state, or local government records;
- de-identified or aggregated information; and
- information excluded from the California Consumer Privacy Laws such as health or medical information covered under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) and financial information covered under the Fair Credit Reporting Act (“FCRA”) or Gramm-Leach Bliley Act (“GLBA”).

To help consumers make informed privacy decisions, the California Consumer Privacy Laws create and define categories of personal information. Some types of personal information may apply to multiple

categories. Depending on your level of interaction with us, we may have collected the categories of personal information described in the table below. We may not have collected your personal information from all of the categories.

<b>Category</b>	<b>Examples</b>	<b>Collected</b>
1. Identifiers	Name, alias, postal address, unique personal identifier, online identifier, internet protocol (IP) address, device, browser, email address, account name, or other similar identifiers.	Yes
2. Customer Records Information	Name, signature, physical characteristics or description, address, telephone number, insurance policy number, education, employment, employment history, or other similar information. Some personal information included in this category may overlap with other categories.	Yes
3. Characteristics of protected classifications under California or federal law	Age, race, color, ancestry, national origin, citizenship, religion or creed, marital or familial status, medical condition, physical or mental disability, sex, veteran or military status, genetic information, and other similar information.	Yes
4. Commercial information	Records of products or services purchased, purchasing or consuming histories or tendencies.	Yes
5. Biometric information	Fingerprints, facial or hand imagery, or voice recordings.	Yes
6. Internet or other similar network activity information	Browsing history; search history; information regarding consumer's interaction with a website, application, or advertisement.	Yes

7. Geolocation data	GPS coordinates or other location tracking information.	Yes
8. Sensory data	Audio, electronic, visual, or similar information.	Yes
9. Professional or employment-related information	Employer, employment history, resumes and CVs, background checks, and other employment-related information.	Yes
10. Education information	Records maintained by an educational agency or institution that pertain to a student, such as grades and transcripts.	Yes
11. Sensitive personal information ("SPI")	Social security number, driver's license, state identification number, passport number, financial information, race, personal information collected and analyzed concerning health, precise geolocation, racial or ethnic origin, genetic data, or other similar information.	We do not typically collect this information for general marketing purposes.  However, we collect SPI in a reasonably necessary and proportionate manner to provide care for our residents.
12. Inferences	Inferences drawn from any of the categories described above to create a profile about a consumer reflecting the consumer's preferences and characteristics.	Yes

The table below describes the sources for each category of personal information we collect, the business and/or commercial purposes for which we use each category of personal information, and the third parties with whom we may share your personal information with. We do not sell any of your personal information.

Category	Sources	Business or Commercial Purposes	Third Parties Shared With
1. Identifiers	<ul style="list-style-type: none"> <li>● Directly from consumers</li> <li>● Website cookies</li> <li>● Website analytics providers</li> </ul>	<ul style="list-style-type: none"> <li>● Provide the services you requested</li> <li>● Assist you in the event of an emergency</li> <li>● Verify your eligibility to become a resident</li> <li>● Provide information to you regarding our services</li> <li>● Prepare incident reports</li> <li>● Conduct internal audits, investigations, and data analysis</li> <li>● Comply with applicable state and federal laws</li> <li>● Enhance website experience and for marketing purposes</li> </ul>	<ul style="list-style-type: none"> <li>● Website providers</li> <li>● Analytics providers</li> <li>● Advertising providers</li> <li>● Telephone service providers</li> <li>● Healthcare providers</li> <li>● Referral agencies involved with providing care to residents</li> </ul>

<p>2. Customer Records Information</p>	<ul style="list-style-type: none"> <li>● Directly from consumers</li> <li>● Website cookies</li> <li>● Website analytics providers</li> </ul>	<ul style="list-style-type: none"> <li>● Provide the services you requested</li> <li>● Assist you in the event of an emergency</li> <li>● Verify your eligibility to become a resident</li> <li>● Provide information to you regarding our services</li> <li>● Prepare incident reports</li> <li>● Conduct internal audits, investigations, and data analysis</li> <li>● Comply with applicable state and federal laws</li> </ul>	<ul style="list-style-type: none"> <li>● Website providers</li> <li>● Analytics providers</li> <li>● Advertising providers</li> <li>● Telephone service providers</li> <li>● Healthcare providers</li> <li>● Referral agencies involved with providing care to residents</li> </ul>
<p>3. Characteristics of protected classifications under California or federal law</p>	<ul style="list-style-type: none"> <li>● Directly from consumers</li> <li>● Website cookies</li> <li>● Website analytics providers</li> </ul>	<ul style="list-style-type: none"> <li>● Provide the services you requested</li> <li>● Assist you in the event of an emergency</li> <li>● Verify your eligibility to become a resident</li> <li>● Provide information to you regarding our services</li> <li>● Prepare incident reports</li> </ul>	<ul style="list-style-type: none"> <li>● Website providers</li> <li>● Analytics providers</li> <li>● Advertising providers</li> <li>● Telephone service providers</li> <li>● Healthcare providers</li> <li>● Referral agencies involved with providing care to residents</li> </ul>

		<ul style="list-style-type: none"> <li>● Conduct internal audits, investigations, and data analysis</li> <li>● Comply with applicable state and federal laws</li> <li>● Enhance website experience and for marketing purposes</li> </ul>	
4. Commercial information	<ul style="list-style-type: none"> <li>● Directly from consumers</li> <li>● Website cookies</li> <li>● Website analytics providers</li> </ul>	<ul style="list-style-type: none"> <li>● Provide the services you requested</li> <li>● Verify your eligibility to become a resident</li> <li>● Provide information to you regarding our services</li> <li>● Prepare incident reports</li> <li>● Conduct internal audits, investigations, and data analysis</li> <li>● Comply with applicable state and federal laws</li> <li>● Enhance website experience and for marketing purposes</li> </ul>	<ul style="list-style-type: none"> <li>● Website providers</li> <li>● Analytics providers</li> <li>● Advertising providers</li> <li>● Telephone service providers</li> <li>● Healthcare providers</li> <li>● Referral agencies involved with providing care to residents</li> </ul>
5. Biometric information	<ul style="list-style-type: none"> <li>● Telephone calls</li> </ul>	<ul style="list-style-type: none"> <li>● Provide the services you requested</li> </ul>	<ul style="list-style-type: none"> <li>● Telephone service providers</li> </ul>

		<ul style="list-style-type: none"> <li>● Conduct internal training</li> <li>● Analyze marketing trends</li> </ul>	<ul style="list-style-type: none"> <li>● Analytics providers</li> </ul>
6. Internet or other similar network activity information	<ul style="list-style-type: none"> <li>● Website cookies</li> <li>● Website analytics providers</li> </ul>	<ul style="list-style-type: none"> <li>● Enhance website experience and for marketing purposes</li> </ul>	<ul style="list-style-type: none"> <li>● Website providers</li> <li>● Advertising providers</li> </ul>
7. Geolocation data	<ul style="list-style-type: none"> <li>● Directly from consumers</li> <li>● Website Cookies</li> <li>● Website analytics providers</li> <li>● Advertising providers</li> </ul>	<ul style="list-style-type: none"> <li>● Provide the services you requested (incl. safety pendant/alert support)</li> <li>● Assist you in the event of an emergency</li> <li>● Analyze website traffic for marketing purposes</li> </ul>	<ul style="list-style-type: none"> <li>● Website providers</li> <li>● Analytics providers</li> <li>● Advertising providers</li> <li>● Telephone service providers</li> <li>● Healthcare providers</li> <li>● Referral agencies involved with providing care to residents</li> </ul>
8. Sensory data	<ul style="list-style-type: none"> <li>● Telephone calls</li> </ul>	<ul style="list-style-type: none"> <li>● Provide the services you requested</li> <li>● Conduct internal training</li> <li>● Analyze marketing trends</li> </ul>	<ul style="list-style-type: none"> <li>● Telephone service providers</li> <li>● Analytics providers</li> </ul>
9. Professional or employment-related information	<ul style="list-style-type: none"> <li>● Directly from consumers</li> </ul>	<ul style="list-style-type: none"> <li>● Provide the services you requested</li> <li>● Conduct internal training</li> <li>● Analyze marketing trends</li> </ul>	<ul style="list-style-type: none"> <li>● Website providers</li> <li>● Analytics providers</li> <li>● Advertising providers</li> </ul>

			<ul style="list-style-type: none"> <li>● Telephone service providers</li> <li>● Healthcare providers</li> <li>● Referral agencies involved with providing care to residents</li> </ul>
10. Education information	<ul style="list-style-type: none"> <li>● Directly from consumers</li> </ul>	<ul style="list-style-type: none"> <li>● Provide the services you requested</li> <li>● Analyze marketing trends</li> </ul>	<ul style="list-style-type: none"> <li>● Website providers</li> <li>● Analytics providers</li> <li>● Advertising providers</li> </ul>
11. Sensitive personal information ("SPI")	<ul style="list-style-type: none"> <li>● Directly from consumers</li> </ul>	<ul style="list-style-type: none"> <li>● Provide the services you requested</li> <li>● Assist you in the event of an emergency</li> <li>● Verify your eligibility to become a resident</li> <li>● Prepare incident reports</li> <li>● Conduct internal audits, investigations, and data analysis</li> <li>● Comply with applicable state and federal laws</li> </ul>	<ul style="list-style-type: none"> <li>● Healthcare providers</li> <li>● Referral agencies involved with providing care to residents</li> <li>● Parties involved with providing services to residents</li> </ul>
12. Inferences	<ul style="list-style-type: none"> <li>● Website analytics providers</li> <li>● Advertising providers</li> </ul>	<ul style="list-style-type: none"> <li>● Provide the services you requested</li> <li>● Provide information to you</li> </ul>	<ul style="list-style-type: none"> <li>● Analytics providers</li> <li>● Advertising providers</li> </ul>

		regarding our services <ul style="list-style-type: none"> <li>● Provide customer service</li> <li>● Conduct internal audits, investigations, and data analysis</li> </ul>	
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### Exercising Your Rights

If you would like to exercise any of your privacy rights, please contact us through any of the following:

- Call us toll-free at 800-318-8652
- Email us at [marketing@merrillgardens.com](mailto:marketing@merrillgardens.com)
- Visit our website at [www.merrillgardens.com](http://www.merrillgardens.com)

### Verification of Your Identity

To protect your privacy, we will ask you to verify your identity. We will ask you to provide your name, email address, phone number, or other information so that we can reasonably verify your identity. We will not disclose any information until we can reasonably verify your identity.

### Authorized Agent

You may designate an authorized agent to submit a request on your behalf. To designate an authorized agent, you will need to provide us with your written permission and verify your identity, as described in the “Verification of Your Identity” subsection. Please contact us if you would like to designate an authorized agent.

### Response Time to Your Request

We will acknowledge your request within ten (10) business days of receiving your request. We will respond to your request within forty-

five (45) calendar days from the date we receive it. In some cases, we may require additional time to complete your request and will inform you if additional time is needed. Where additional time is needed, we may take up to a maximum of ninety (90) calendar days to complete your request.

### Financial Incentives

We do not offer financial incentives or price or service differences in exchange for the retention or sale of personal information.

## **14. PRIVACY NOTICE FOR TEXAS RESIDENTS**

Merrill Gardens L.L.C., its affiliates, and the communities its manages (collectively “**Merrill Gardens**”, “**we**,” or “**us**”) have adopted this Consumer Personal Data Privacy Policy (the “**Policy**”) to comply with the Texas Data Privacy and Security Act (the “**TDPSA**”). This Policy describes how certain information, called “consumer personal data,” may be used and disclosed by us and how you can exercise your rights with respect to this information. This Policy pertains to consumer personal data of Texas residents and individuals whose consumer personal data is collected in Texas. This Policy supplements our [Privacy Policy](#), and in the event of a conflict between our Privacy Policy and this Policy, this Policy will prevail as to consumer personal data under the TDPSA.

### **CONSUMER PERSONAL DATA WE PROCESS**

Personal data means any information, including sensitive data, that is linked or reasonably linked to an identified individual or an identifiable individual. Personal data includes pseudonymous data that is used by us in conjunction with additional information that links or reasonably links the data to an identified or identifiable individual. Personal data

does not include deidentified data, publicly available information, or information that is already protected under certain federal laws, such as the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”).

We process personal data from the following categories:

<b>Category</b>	<b>Examples</b>
Identifiers	Name, phone number, address, email, date of birth, driver’s license, online history, health-related information, use or purchase of medications, other identifiable information
Sensitive Data	Racial or ethnic origin, religious beliefs, mental or physical health diagnosis, sexuality, citizenship/immigration status, precise geolocation data

### **NO SALE OF PERSONAL DATA**

We do not sell any personal data, including sensitive personal data.

### **WHY WE COLLECT AND HOW WE USE PERSONAL DATA**

We may use the consumer personal data we collect in one or more of the following ways:

- To provide a product or service that you have requested from us.
- To further the purposes for which you provided consent in connection with collecting or sharing your consumer personal data.
- To provide you with customer service and to respond to your inquiries, including investigating and addressing any health-related concerns you may need our assistance with.
- To create, maintain, customize, and secure your profile information.
- To develop and administer life enrichment and health wellness

programs.

- To provide you with promotional materials, such as information about the services, programs, or events that may be relevant to you.
- To prevent, detect, protect against, or respond to security incidents, identity theft, fraud, harassment, malicious or deceptive activities, or any activity that is illegal under state law or federal law; preserve the integrity or security of systems; or investigate, report, or prosecute those responsible for any such action that is illegal under state law or federal law.
- To protect the confidentiality, integrity and accessibility of your consumer personal data.
- To perform data analytics and quality control.
- To perform research, product development, testing, and analysis, including to support resident safety programs, improve our website and services, and prepare incident reports.
- To conduct internal investigations and audits, investigate grievances and suspected violations of our internal policies.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- To comply with any applicable laws, regulations and statutory requirements (including any internal policy based on or reflecting legal or regulatory guidance, codes, or opinions).
- To exercise and defend our legal rights.
- To protect your safety or the safety of others.
- To evaluate or conduct a merger, acquisition, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which information held by us is among the assets transferred.

### **SHARING PERSONAL DATA**

We may share all categories of the personal data listed above with select trusted parties in order to provide you with the products and

services you requested from us, for any purpose for which you provided consent, or to comply with the law. We may share your personal data with the following categories of third parties:

- Between us as the management company, and related companies, and the specific community we manage and where you reside for operational purposes, including to provide you care and services;
- Healthcare providers, including therapy companies, for treatment purposes;
- Individuals, representatives and family members, as directed by you and your interactions with us;
- Other third parties, such as referral agencies, home health agencies, other long-term care providers, preferred pharmacy providers, state surveyors, State Long Term Care Ombudsman Representatives, mental health agencies, and other parties involved in providing care to our residents;
- Professional services providers (such as IT service providers, analytic service providers, advertising partners) where enabling access to data helps us provide our services and operate our business;
- Government, regulatory, and law enforcement agencies;
- Parties to litigation.

## **YOUR RIGHTS**

**Right to Confirm.** You have the right to confirm whether we are processing and/or accessing your personal data.

**Right to Correct.** You have the right to correct any inaccuracies in your personal data, taking into account the nature of the personal data and the purposes of processing the consumer's personal data.

**Right to Delete.** You have the right to request we delete your personal data.

**Right to Obtain a Copy.** If your personal data is available in digital

format, you have the right to obtain a copy of your personal data in a portable and, to the extent technically feasible, readily usable format.

**Right to Opt Out.** You have the right to opt out of the processing of personal data for purposes of targeted advertising and profiling. We do not sell any personal data.

## **EXERCISING YOUR RIGHTS**

**Making a Request.** To exercise your rights under the TDPSA, please submit a request by emailing us at [marketing@merrillgardens.com](mailto:marketing@merrillgardens.com) or contacting the General Manager of the community where you reside in person or by phone. We will provide you with a form to fill out in order to exercise your TDPSA rights. You will need to provide sufficient information to verify your identity and specify the right you wish to exercise. Only you, or a person that you authorize to act on your behalf, may submit a request to exercise your TDPSA rights.

**Responding to Requests.** We will respond to your request within forty-five (45) days of its receipt. If we require more time (up to a total of ninety (90) days), we will inform you of the reason and the extension period in writing. If we are unable to authenticate your request to exercise consumer rights using commercially reasonable efforts, we are not required to comply and we may request additional information from you.

You are entitled to receive information in response to your request free of charge, up to twice per year. In case of requests that are manifestly unfounded, excessive, or repetitive, we may charge a reasonable fee to cover the administrative costs of complying with the request or decline to act on the request.

**Authorized Agent.** You may authorize an agent to exercise your rights on your behalf. When a request is submitted by an authorized agent, we will require the requestor to: (i) provide the authorized agent's written permission to do so; and (ii) verify their own identity

directly with us. If we are unable to verify the identity of the requestor or if we do not receive proof from the authorized agent that the requestor authorized the agent to act on the requestor's behalf, we will refuse to take action on the request.

**Appeals Process.** If you wish to appeal our refusal to take action on a your request, please email us at [marketing@merrillgardens.com](mailto:marketing@merrillgardens.com). Within sixty (60) days of receipt of the appeal, we will inform you in writing of any action taken or not taken in response to the appeal, along with a written explanation of the reasons for our decisions. If the appeal is denied, we will provide you with an online mechanism (if available) or another method through which you may contact the Attorney General to submit a

## **15. NOTICE TO USERS LOCATED OUTSIDE OF THE UNITED STATES**

This Site and the services on this Site are targeted for users in the United States of America only. Any information you enter on this Site may be transferred outside of your home country to the United States of America, which may not offer an equivalent level of protection to that required of your home country's data protection laws. Please visit our separate China website regarding our Chinese communities – <https://merrillgardens.com.cn/>.

### **Contact Us**

If you have any questions regarding this Privacy Policy please contact us via email at [marketing@merrillgardens.com](mailto:marketing@merrillgardens.com) or by phone toll-free at 800-318-8652.