



Avenue5 Privacy Notice | Last Updated June 26, 2024

Avenue5 respects the privacy of your information, and we appreciate that you trust us to use and share information about you in a careful and sensible manner. This notice describes our privacy policy. By visiting our property website, you are accepting the practices described in this privacy notice.

California Consumer Privacy Act

Please refer to Avenue5's Privacy Notice for California Residents (see below, in full) for a statement applicable to California residents pursuant to the California Consumer Privacy Act. Please [click here](#) to submit a request related to the California Consumer Privacy Act.

Information that We Collect

The information that we learn from and about you helps us personalize and improve your experience and improve the rentals, products, and services that we (or a third-party with whom we have a relationship) provide you. Although most personal information is collected by third-party websites that are beyond our control, you may provide personal information to us (which we may collect and save) when you fill out a form on our website or communicate with us. That information may include, among other things, your name, address, telephone number, e-mail address, date of birth, social security number, home demographics, and pet ownership. In addition, we may collect and save information about IP addresses, browsers, and pages viewed. The information that we collect may fall into the following categories:

Using, Sharing, or Disclosing Information

We use personal information to provide you with information on the Avenue5 rentals, products, and services in which you have expressed an interest and on other rentals, products or services in which we believe you may have an interest. We use personal information for a variety of purposes, including to: We generally do not disclose your personal information except in the following situations:

Use of Cookies

Cookies are information that we transfer to your device so that our systems recognize your device. Cookies make it easier for us to provide rentals, products, and services that are tailored to you. We use cookies to, among other things, understand and save user's preferences for future visits, keep track of advertisements, assess the technical function of our website, and compile aggregate data about site traffic and site interactions to offer better site experiences.

We may use persistent tracking cookies on our website which are cookies that stay in your web browser between visits. These cookies can also be used to show us which sites you have visited before entering our website and which websites you may go to if you leave. Our website may use cookies which allow us or third parties to advertise our rentals, goods, or services on websites that you access after you have visited our website. You may also see advertisements from us if other websites that you visit, such as google.com, use cookies to capture that you have been on our website.

Most browsers and many add-ons permit you to prevent your browser from accepting cookies or to be notified when you receive a new cookie. If you disable cookies, some of the features that improve your site experience may not be available and some aspects of our website may not function properly. Because cookies allow you to take full advantage of Avenue5's websites, we recommend that you leave cookies turned on while using Avenue5's websites.



Do Not Track Signals

Your device may be able to send web browser signals known as “Do Not Track” signals indicating your desire to disable tracking on a website. We do not respond to DNT signals, so we may not be aware of, or may be unable to respond to, such signals.

Third-Party Links

We may include or offer products or services of third-party vendors or we may utilize products or services of third-party vendors in our providing of rentals, products, and services to you. Sometimes, those products or services are obtained from a third-party’s website, in which case, the third-party websites will have separate and independent privacy policies. We are not responsible for those third-party websites, the third party’s privacy policies, or the actions of those third parties.

Security

We employ reasonable and current security methods to prevent unauthorized access, maintain data accuracy, and maintain correct use of information. When you voluntarily disclose personal information online, that information can be collected and used by others. No data transmission over the Internet or any wireless network can be guaranteed to be secure. As a result, while we try to protect your personal information, we cannot ensure or guarantee the security of any information you transmit to us, and you do so at your own risk. We limit access to personal information to employees who we believe reasonably need to receive such information to provide rentals, goods, or services or to complete their jobs. We take the precautions that we believe are reasonable to protect the security of your personal information, including advising employees to be aware of the sensitivity of the personal information and to be careful to protect the information from improper access by third parties.

Business Transitions

If Avenue5 goes through a business transition, such as a merger, acquisition, or sale, your personal information will likely be part of the assets transferred. By using the website and providing your personal information, you consent to this transfer.

Children under 13

We do not knowingly collect personal information from children under the age of 13. No part of our website is structured to attract anyone under 13. By using our website, you represent that you are not under 13 years of age. If you are a parent or guardian and you believe that your child under the age of 13 may have provided personal information through our website, please contact us by the means identified below.

Changes to Privacy Policy

If we decide to change our privacy policy, we will update the “Last Updated” date in the title.

Your Consent

By using our website, you consent to the collection, storage, use, and sharing of information in the manner we describe. By submitting your phone number, email address, or other contact means to us, you agree to be contacted by Avenue5 or a third-party vendor with whom we have a relationship to provide you with information and notices relating to the subject matter of your inquiry or request, the property where you reside, and rentals, products, and services that we believe may be of interest to you. You may choose to opt out of receiving future commercial email messages from us.

Contact Information



If you have any questions regarding this Privacy Notice, you may contact us by calling 833.391.0247, emailing dataprivacy@avenue5.com, or writing us at 901 5th Avenue, Suite 3000, Seattle, Washington, 98164, Attn.: Data Privacy Department.

Avenue5 Privacy Notice for California Residents

Effective on December 30, 2022

Last Reviewed on December 30, 2022

Please click [here](#) to submit a request related to the California Consumer Privacy Act of 2018, as modified by the California Privacy Rights Act of 2020 (the "California Privacy Act").

This Privacy Notice for California Residents supplements the information provided in our general privacy notice and applies to all consumers as that term is used under the California Privacy Act. Terms that are defined in the California Privacy Act have the same meaning when used in this notice.

Categories of Information Collected

- Within the last twelve months, the following categories of personal information have been collected by us or by vendors that provide services to us or to property owners for whom we manage:
- We do collect identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver's license number, passport number, or other similar identifiers
- We do collect personal information described in California Civil Code Section 1798.80(e), which could include name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information
- We do collect characteristics of protected classifications under California or federal law, such as age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information)
- We do not collect commercial information, including records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies
- We do collect biometric information, such as genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information such as imagery of the iris, retina, fingerprint, face, hand, palm, vein patterns, and voice recordings, from which an identifier template, such as a faceprint, a minutiae template, or a voiceprint, can be extracted, and keystroke patterns or rhythms, gait patterns or rhythms, and sleep, health, or exercise data that contain identifying information
- We do collect internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an internet website, application, or advertisement
- We do collect geolocation data that, among other things, tracks physical location or movements
- We do not collect sensory data, such as audio, electronic, visual, thermal, olfactory, or similar information



- We do collect professional or employment-related information, including current or past job history or performance evaluations
- We do not collect education information, defined as information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (20 U.S.C. section 1232g, 34 C.F.R. Part 99), which may include education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records
- We do not collect inferences drawn from any of the information identified in this table to create a profile about a consumer reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes
- We do collect sensitive personal information, which may include (a) a consumer's social security, driver's license, state identification card, or passport number; (b) a consumer's account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account; (c) a consumer's precise geolocation; (d) a consumer's racial or ethnic origin, religious or philosophical beliefs, or union membership; (e) the contents of a consumer's mail, email and text messages, unless the business is the intended recipient of the communication; (f) a consumer's genetic data; (g) the processing of biometric information for the purpose of uniquely identifying a consumer; (h) personal information collected and analyzed concerning a consumer's health; or (i) personal information collected and analyzed concerning a consumer's sex life or sexual orientation

References to personal information in this Notice also refer to sensitive personal information. Personal information does not include:

- Publicly available information from government records
- Deidentified or aggregated consumer information
- Information excluded from the California Privacy Act's scope, such as the following:

health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;

personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

Sources of Information Collected

Personal information is collected from the following sources:

- Directly from you. For example, from forms you complete or products and services you purchase.
- Indirectly from you, such as by observing your actions on our website. Examples include automated technologies, automated interactions, and cookies.
- From third parties with whom we have a contractual relationship with respect to the performance of a business function, such as third-party service providers, third-party advertising partners, Google Analytics, and third-party cookies.

Business and Commercial Purposes for Collecting, Selling, and/or Sharing Personal Information and Sensitive Personal Information

Personal information may be collected, sold, and/or shared for the following purposes:



- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to request a price quote or ask a question about our products or services, we will use that personal information to respond to your inquiry. If you provide your personal information to purchase a product or service, we will use that information to process your payment and facilitate delivery. We may also save your information to facilitate new product orders.
- To process rental applications, run credit checks in connection with your rental application, generate leases for tenants, manage properties, provide customer service to you, communicate with you, provide maintenance and repair services, obtain payment from you, and perform all other tasks that are customary in rendering property management services to tenants or applicants.
- To provide, support, personalize, and develop our website, products, and services.
- To create, maintain, customize, and secure your account with us.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To provide you with support and respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your website experience and deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our website, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our website, products and services, databases and other technology assets, and business.
- To advise you of product and service offerings by third parties that may be of interest to you.
- For testing, research, analysis, and product development, including to develop and improve our website, products, and services.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in California Privacy Act.
- To evaluate or conduct a merger, 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 personal information held by us about our website users is among the assets transferred.
- To effectuate other purposes disclosed to you at the time you provide your information.

Categories of Third Parties to Whom Personal Information is Disclosed

Personal information may be shared or disclosed to the following categories of third parties:

- Property owners for whom we manage or on whose behalf we may collect such information
- Service providers
- Contractors
- Third Parties
- Government and pseudo-government agencies
- Data aggregators
- Service providers.

Sharing Personal Information



When personal information is shared with a third party, that party is subject to a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

Length of Time Information Retained

The retention period for personal information and sensitive personal information varies depending on a variety of criteria including the following:

- Property owner requirements that property information be turned over to them and deleted within a set period after termination of our property management engagement;
- Property owner information retention policies;
- The property management database which is used to collect, store, or share personal information;
- Requirements of federal and state affordable compliance, brokerage, employment, and other laws regarding the retention of personal information and sensitive personal information;
- Whether the consumer continues to be our employee or a resident of a property managed by us and when the consumer stopped being our employee or a resident of a property managed by us;
- Whether the consumer continues to solicit goods, products, or services from us or a property managed by us; and
- Whether the consumer owes a debt to a property managed by us.

Personal Information Sales

We do not sell the personal information or sensitive personal information of consumers. As discussed above, properties that we manage share personal information and sensitive personal information under certain circumstances. As discussed above, sensitive personal information may be shared with, among others, service providers, contractors, or third parties.

Your Rights and Choices

The California Privacy Act provides consumers with specific rights regarding their personal information. This section describes your California Privacy Act rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that Avenue5 disclose certain information to you concerning your personal information, including the following:

- The categories of personal information collected, sold, or shared;
- The categories of sources for the personal information collected about you;
- The business or commercial purpose for collecting, selling, or sharing that personal information;
- The categories of third parties to whom personal information was disclosed, sold, or shared;
- The specific pieces of personal information that were collected about you; and
- The categories of personal information that were disclosed about you for a business purpose and the categories of persons to whom it was disclosed for a business purpose.

You have the right to request that Avenue5 delete personal information about you which has been collected from you or another source.

You have the right to request that Avenue5 not sell or share any of your personal information that we collected and retained, subject to certain exceptions.



You have the right to request that Avenue5 correct inaccurate personal information about you

You have the right to request that Avenue5 correct any of your personal information that we collected and retained, subject to certain exceptions.

You can submit a request related to the California Privacy Act by:

- Calling us at 206.693.6503
- Emailing us at dataprivacy@avenue5.com
- Mailing us at Avenue5, Attention: Data Privacy Department, 901 5th Avenue, Suite 3000, Seattle, Washington, 98164
- Visiting
<https://www.cognitoforms.com/Avenue5Residential3/RequestsRelatingToTheCaliforniaConsumerPrivacyAct>

Exercising Information, Access, Data Portability, and Deletion Rights

Please submit a verifiable consumer request to exercise the rights described above. You should describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it. Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. We may verify your identity by various methods, including using available data to confirm current or past residency at a property we manage or asking you to complete a verification form. The verification form may ask you for basic information such as your name, address, and telephone number and ask for responses to questions to which only you would know the answers. To verify that you have authorized someone to make a request on your behalf, we may require you to, among other things, provide evidence of signed permission for the authorized agent to act on your behalf, verify your identity directly to us, and/or directly confirm to us that you provided the authorized agent permission to submit the request. You may make a verifiable consumer request on behalf of your minor child.

Making a verifiable consumer request does not require you to create an account with us.

We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

Once we receive and confirm your verifiable consumer request, we will take steps to comply with that request, unless an exception applies. You may only make a verifiable consumer request for access or data portability twice within a 12-month period.

Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five days after its receipt. If we require more time, we will inform you of the reason and extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.



Non-Discrimination

We will not discriminate against you for exercising any of your California Privacy Act rights. Unless permitted by the California Privacy Act, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

However, we may offer you certain financial incentives permitted by California Privacy Act that can result in different prices, rates, or quality levels. Any California Privacy Act-permitted financial incentive we offer will reasonably relate to your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time.

Other California Privacy Rights

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to dataprivacy@avenue5.com or write us at Avenue5, Attention: Data Privacy Department, 901 5th Avenue, Suite 3000, Seattle, Washington, 98164.

Changes to Our Privacy Notice

Avenue5 reserves the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on the Website and update the notice's effective date. Your continued use of our website following the posting of changes constitutes your acceptance of such changes.

Contact Information

If you have any questions or comments about this notice, the ways in which Avenue5 collects and uses your information described below and in the Privacy Policy, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: 833.391.0247

Email: dataprivacy@avenue5.com

Postal Address: Avenue5, Attention: Data Privacy Department, 901 5th Avenue, Suite 3000, Seattle, Washington, 98164

Privacy Notice for Texas Residents

Effective on July 1, 2024

Last Reviewed on June 26, 2024



This Privacy Notice for Texas Residents (the "Privacy Notice") supplements the information provided in our general privacy notice and applies to all consumers as that term is used under the Texas Privacy Act. Terms that are defined in the Texas Privacy Act have the same meaning when used in this notice. The Texas Privacy Act is applicable to Avenue5 Residential LLC ("Avenue5" or "us" or "we"). Avenue5 is a "processor" and Avenue5 believes that the owners of properties managed by Avenue5 are "controllers" under the Texas Privacy Act. This Privacy Notice applies to Avenue5's corporate website (in the circumstances in which it may be a controller) and websites of the properties managed by Avenue5 (unless they have a separate privacy policy).

Categories of Information Processed

Property owners for whom we manage have collected or may collect and process the following categories of information.

Collected	Shared with a Third Party[1]	Category
Yes	Yes	Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver's license number, passport number, or other similar identifiers
Yes	Yes	Personal data, which means any information, including sensitive data, that is reasonably linkable to an identified or identifiable individual. This includes pseudonymous data when the data is used by a controller or processor in conjunction with additional information that reasonably links the data to an identified or identifiable individual. Personal data does not include deidentified data or publicly available information.
Yes	Yes	Characteristics of protected classifications under Texas or federal law, such as age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information)
No	Yes	Commercial information, including records of personal property, products or services purchased,



		obtained, or considered, or other purchasing or consuming histories or tendencies
[Yes/No]	[Yes/No]	Biometric data, which means data generated by automatic measurements of an individual's biological characteristics. The term includes a fingerprint, voiceprint, eye retina or iris, or other unique biological pattern or characteristic that is used to identify a specific individual. The term does not include a physical or digital photograph or data generated from a video or audio recording, or information collected, used, or stored for health care treatment, payment, operations under Health Insurance Portability and Accounting Act of 1996 (42 U.S.C. Section 1320d <i>et seq.</i>).[JG1]
Yes	Yes	Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an internet website, application, or advertisement
Yes	Yes	Precise geolocation data that means information derived from technology, including global positioning system level latitude and longitude coordinates or other mechanisms, that directly identifies the specific location of an individual with precise accuracy within a radius of 1,750 feet. This does not include the content of communications or any data generated by or connected to an advanced utility metering infrastructure system or to equipment for use by a utility.
No	No	Sensory data, such as audio, electronic, visual, thermal, olfactory, or similar information
Yes	Yes	Professional or employment-related information, including current or past job history or performance evaluations



No	No	Education information, defined as information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (20 U.S.C. section 1232g, 34 C.F.R. Part 99), which may include education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records
No	No	Inferences drawn from any of the information identified in this table to create a profile about a consumer reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes
Yes	Yes	Sensitive data is a category of personal data. This includes (a) personal data revealing racial or ethnic origin, religious beliefs, mental or physical health diagnosis, sexuality, or citizenship or immigration status; (b) genetic or biometric data that is processed for the purpose of uniquely identifying an individual; (c) personal data collected from a known child; or (d) precise geolocation data.

Sources of Information Collected

Information is collected from the following sources:

- Directly from you. For example, from forms you complete or products and services you purchase.
- Indirectly from you, such as by observing your actions on our website. Examples include automated technologies, automated interactions, and cookies.
- From third parties with whom we have a contractual relationship with respect to the performance of a business function, such as third-party service providers, third-party advertising partners, Google Analytics, and third-party cookies.

Business and Commercial Purposes for Collecting, Selling, and/or Sharing Personal Data and Sensitive Data

Personal data may be collected, sold, and/or shared for the following purposes:

- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to request a price quote or ask a question about our products or services, we will use



that personal data to respond to your inquiry. If you provide your personal data to purchase a product or service, we will use that information to process your payment and facilitate delivery. We may also save your information to facilitate new product orders.

- To process rental applications, run credit checks in connection with your rental application, generate leases for tenants, manage properties, provide customer service to you, communicate with you, provide maintenance and repair services, obtain payment from you, and perform all other tasks that are customary in rendering property management services to tenants or applicants.
- To provide, support, personalize, and develop our website, products, and services.
- To create, maintain, customize, and secure your account with us.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To provide you with support and respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your website experience and deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our website, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our website, products and services, databases and other technology assets, and business.
- To advise you of product and service offerings by third parties that may be of interest to you.
- For testing, research, analysis, and product development, including to develop and improve our website, products, and services.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal data or as otherwise set forth in Texas Privacy Act.
- To evaluate or conduct a merger, 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 personal data held by us about our website users is among the assets transferred.
- To effectuate other purposes disclosed to you at the time you provide your information.

Categories of Third Parties to Whom Personal Data is Disclosed

Personal information may be shared or disclosed to the following categories of third parties:

- Property owners for whom we manage or on whose behalf we may collect such information
- Service providers
- Contractors, third parties, and government and pseudo-government agencies
- Data aggregators
- Service providers.

No Personal Data and Sensitive Data Sales

We do not sell the personal data or sensitive data of consumers.

We do not sell personal data or sensitive data of consumers to third parties or process personal data for targeted advertising.



As discussed in this Privacy Notice, properties that we manage share personal data and sensitive data under certain circumstances. This sensitive data may also be shared with, among others, service providers, contractors, or third parties.

Your Rights and Choices

The Texas Privacy Act provides consumers with specific rights regarding their personal information. This section describes your Texas Privacy Act rights and explains how to exercise those rights.

Personal Data Rights and Requests to Exercise Rights

A consumer has the right to request that a controller disclose certain information to you concerning your personal data. A parent or legal guardian may request that a controller disclose the personal data for a known child.

You have the right to request that a controller confirm whether it is processing your personal data and/or has access to your personal data.

You have the right to request that a controller correct inaccuracies to the personal information about you, taking into account the nature of the personal data and the purposes of processing the personal data.

You have the right to request that a controller delete personal information about you which has been collected from you or another source.

If the data is available in a digital format, you have the right to request that a controller provide a copy of the of the personal data that you previously provided to a controller in a portable, and to the extent technically feasible, readily usable format that allows you to transmit the data to another controller without hindrance.

You have the right to request that a controller opt out of processing your personal data for the purposes of (a) targeted advertising; (b) the sale of personal data; or (c) profiling in furtherance of a decision that produces a legal or similarly significant effect concerning you as a consumer.

You can submit a request related to the Texas Privacy Act by:

- Calling us at 206.693.6503
- Emailing us at dataprivacy@avenue5.com
- Mailing us at Avenue5, Attention: Data Privacy Department, 901 5th Avenue, Suite 3000, Seattle, Washington, 98164

Exercising Information, Access, Data Portability, and Deletion Rights

Please submit a verifiable consumer request to exercise the rights described herein. You should describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it. Only you, or someone authorized to act as your agent, may make a verifiable consumer request related to your personal data, including to opt out of the processing of a consumer's data under sections 541.051(b)(5)(A) and (B) of the Texas Privacy Act. A consumer may designate an authorized agent using technology, including a link to internet website, an Internet browser setting or extension, or a global setting on an electronic device, that allows the consumer to indicate the consumer's intent to opt out of the processing.

The controller shall comply with an opt-out request received from an authorized agent, as described in applicable subsection 541.055 of the Texas Business and Commerce Code, if it is able to verify, with commercially reasonable effort, the identity of the consumer and the authorized agent's authority to act on the consumer's



behalf. The controller is not required to comply with an opt-out request received from an authorized agent under the applicable subsection if:

- The authorized agent does not communicate the request to the controller in a clear and unambiguous manner;
- The controller is not able to verify, with commercially reasonable effort, that the consumer is resident of Texas;
- The controller does not possess the ability to process the request; or
- The controller does not process similar or identical requests it receives from consumers for the purpose of complying with similar or identical laws or regulations of another state.

Response Timing and Format

The controller endeavors to respond to a verifiable consumer request within forty-five days after its receipt. If the controller requires more time, it may extend the response period once by an additional forty-five days when reasonably necessary, taking into account the complexity and number of the consumer's requests. The controller will inform you of the reason and extension period in writing before the expiration of the initial forty-five days.

If the controller declines to take action regarding a consumer request, it shall inform you without undue delay, which may not be later than the forty-fifth day after the receipt of the consumer request. The response will include the justification for declining to take action and will provide instructions on how to appeal the decision in accordance with the Texas Privacy Act. The appeal process is also noted below.

If the controller is unable to authenticate the request using commercially reasonable efforts, the controller is not required to comply with a consumer request submitted under section 541.051 of the Business and Commerce Code. The controller may request the consumer provide additional information reasonably necessary to authenticate the consumer and the consumer's request.

If the controller has obtained personal data about a consumer from a source other than the consumer and the consumer requests the controller delete that personal data pursuant to section 541.051(b)(3) of the Texas Privacy Act, the controller will be in compliance with the request by:

- Retaining a record of the deletion request and the minimum data necessary for the purpose of ensuring the consumer's personal data remains deleted from its records and not using the retained data for any other purpose under Chapter 541 of the Texas Business and Commerce Code; or
- Opting the consumer out of the processing of the personal data for any purpose other than a purpose that is exempt under the provisions of Chapter 541 of the Texas Business and Commerce Code.

The controller will not require you to create a new account with it to exercise your rights under Subchapter D of Chapter 541 of the Texas Business and Commerce Code. If you have an account with the controller, the controller will deliver its written response to that account. [JG6] If the consumer does not have an account with the controller, it will deliver the written response by mail or electronically, at your option.[JG7]

The controller does not charge a fee to process or respond to your verifiable consumer request at least twice annually per consumer. If a consumer request is excessive, repetitive, or manifestly unfounded, the controller may charge a reasonable fee to cover the administrative costs of complying with the request or the controller may decline to act on the request.

Non-Discrimination



A controller will not discriminate against you for exercising any of your Texas Privacy Act rights, including by:

- Denying you goods or services;
- Charging you different prices or rates for goods or services; or
- Providing a different level of quality of goods or services to the consumer.

Appeal Process

If a consumer submits a request, as described in the Texas Privacy Act, and a controller refuses to take action on a request, a consumer may appeal within a reasonable period of time after the consumer's receipt of the decision under Section 541.052 of the Texas Business and Commerce Code.

The consumer may submit their appeal by contacting the controller by the same manner they submitted the original request related to the Texas Privacy Act by:

- Calling us at 206.693.6503
- Emailing us at dataprivacy@avenue5.com
- Mailing us at Avenue5, Attention: Data Privacy Department, 901 5th Avenue, Suite 3000, Seattle, Washington, 98164

The controller shall inform the consumer in writing of any action taken in response to the appeal under Section 541.052 of the Texas Business and Commerce Code not later than the sixtieth day after the date of receipt of the appeal by the controller. This response will include a written explanation of the reason or reasons for the controller's decision.

If the controller denies an appeal, the controller shall provide the consumer with the online mechanism described in Section 541.152 of the Texas Business and Commerce Code, through which the consumer may contact the attorney general and submit a complaint.

Deidentified Data

To the extent Avenue5, as a controller, is in possession of deidentified data, it:

- Shall take reasonable measures to ensure that the data cannot be associated with an individual;
- Publicly commits to maintaining and using deidentified data to comply with the provisions of the Texas Privacy Act; and
- Shall contractually obligate any recipient of the deidentified data to comply with the provisions of the Texas Privacy Act.

Changes to the Privacy Notice

Avenue5 reserves the right to amend this Privacy Notice at our discretion and at any time. When we make changes to this Privacy Notice, we will post the updated notice on the website and update the notice's effective date. **Your continued use of our website following the posting of changes constitutes your acceptance of such changes.**

Contact Information

If you have any questions or comments about this notice, the ways in which Avenue5 collects and uses your information described below and in the Privacy Policy, your choices and rights regarding such use, or wish to exercise your rights under Texas law, please do not hesitate to contact us at:



Phone: 833.391.0247

Email: dataprivacy@avenue5.com

Postal Address: Avenue5, Attention: Data Privacy Department, 901 5th Avenue, Suite 3000, Seattle, Washington, 98164