

---

## PRIVACY NOTICE FOR TENANTS, RESIDENTS AND GUARANTORS

---

**Data controller:** First Option Estate Agents Limited

### 1. Introduction

First Option Estate Agents Limited is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you.

First Option Estate Agents Limited (“First Option”) collects, stores and processes personal data relating to tenants, residents and guarantors in order to provide rental accommodation. This privacy notice sets down how First Option collects and uses personal information about you before, during and after a tenancy.

First Option is committed to protecting the privacy and security of your personal information. First Option is committed to being clear and transparent about how it collects and uses that data and to meeting its data protection obligations.

### 2. Data Protection Principles

First Option will comply with data protection law. This means that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that we have explained to you clearly and not used in any way that is incompatible with these purposes;
- Relevant to the purposes we have told you about and limited to those purposes only;
- Accurate and kept up to date;
- Kept only for such time as is necessary for the purposes we have told you about; and
- Kept securely.

### 3. What information does First Option collect and process?

First Option collects and processes a range of personal information (personal data) about you. Personal data means any information about an individual from which the person can be identified. This includes:

- Identity and personal contact details, such as your name, title, address, email address, telephone number, date of birth, national insurance number, car registration;
- Background information such as previous landlord details, employer details, accountant details, next of kin, dependants and emergency contacts;
- Bank account details, bank references and credit check results;
- Tenancy details including renewals, joint tenants, other residents and guarantors;
- Tenancy deposit information (if any) including return on tenancy termination;
- Immigration/right to rent checks (*England only*);
- Rent and utilities payment records;
- Recovery of arrears, claims or possession proceedings;
- Repair and health and safety records;
- Breach of tenancy terms/complaints

- Council Tax and utilities records;
- Universal credit/housing benefit records;
- Notices and correspondence regarding termination of tenancy;
- CCTV and audio and telephone recordings (if any); and
- General correspondence in all formats (letters, emails, text messages etc).

We may also collect, store and use the following special categories of more sensitive personal information:

- Information about medical or health conditions, including whether or not you have a disability for which the Landlord needs to make adaptations; and
- Equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

First Option collects this information in a variety of ways. For example, data is collected through the tenancy application process and through correspondence during the tenancy. First Option also generates its own records such as rent payment records.

In some cases, First Option collects personal data about you from third parties, such as:

- References supplied by former landlords, employers and personal referees;
- Information from credit reference agencies;
- Other tenants, residents or neighbours;
- Guarantors;
- Local authorities;
- The police or other law enforcement agencies;
- Department for Work and Pensions
- Utility companies or service providers;
- Letting/managing agents; and
- Websites or online rental portals such as Rightmove.

Data is stored in a range of different places, including in paper files and in First Option's IT systems (including First Option's email system).

#### **4. Why does First Option process personal data?**

First Option needs to process data to consider applications for tenancy agreements and manage tenancies.

In addition, First Option needs to process data to ensure that we are complying with our legal obligations, for example, we are required to check a tenant's "right to rent" for properties in England.

In other cases, First Option has a legitimate interest in processing personal data before, during and after the end of First Option/tenant relationship.

#### **5. Situations in which we will use your personal information**

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

- To verify the identity of a proposed tenant/resident;

- To decide on the suitability of a proposed tenant/resident;
- To assess the financial standing/suitability of a proposed tenant/resident;
- To check immigration status/right to rent;
- To deal with joint tenants and residents who are linked to the tenancy;
- To enter into a tenancy agreement
- To secure payment of rent and performance of tenant obligations;
- To collect rent and other payments;
- To manage the tenancy and the property;
- To keep accurate records relating to First Option's rental business;
- To arrange repairs and maintenance of the property;
- To monitor and enforce performance of tenant's obligations;
- To recover debts and/or obtain possession of a property;
- To ensure Council Tax and utilities charges are billed and paid appropriately;
- To ensure that welfare benefits (such as Universal Credit and housing benefit) are paid to First Option or tenant where appropriate;
- To handle tenancy termination and the return of any tenancy deposit;
- To handle complaints;
- To address health and disability issues relating to tenants/residents;
- To create and keep audio and CCTV recordings;
- To provide information to public or local authorities who are legally entitled to require this information;
- To contact next of kin or close relatives in case of emergency;
- To store of emails, records of calls and other communications;
- To comply with legal and regulatory requirements;
- To bring and defend legal claims; and
- To prevent, detect and investigate crime and anti-social behaviour.

## 6. **If you fail to provide personal information**

If you do not provide certain information when requested, First Option may not be able to proceed with the grant of a tenancy agreement.

## 7. **Change of purpose**

First Option will only use your personal information for the purpose for which it was collected unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will advise you of this and explain the legal basis which allows us to do so.

You should be aware that we may process your personal information without your knowledge or consent where this is required or permitted by law.

## 8. **Use of sensitive personal information**

Some special categories of personal data, such as information about health or medical conditions, are processed to comply with legal obligations (for example, in relation to tenants/residents with disabilities and for health and safety purposes).

## 9. **For how long do you keep data?**

First Option will only hold your personal data for as long as is necessary to fulfil the purposes we collected it for, including any legal, accounting or reporting requirements. The period for which your data is held after the end of a tenancy is

seven years. The period for which your data is held following an unsuccessful tenancy application is one year.

#### 10. **Who is data shared with?**

Your information will be shared internally, including with the finance, property management and administration staff.

First Option also shares your data with third parties where required by law, where it is necessary in order to administer the relationship with you or where we have another legitimate interest in doing so. Information can be shared with:

- Professional advisers, including solicitors and accountants;
- Landlord/Owners of your property;
- Freeholder and/or their managing agent (for property in block of flats);
- Existing or previous landlords;
- Existing or previous employers;
- Credit referencing agencies;
- Debt collectors and tracing services;
- Local authorities and government/public bodies;
- Ombudsman/redress schemes;
- Professional body/regulator;
- Courts/Tribunals;
- Police/enforcement agencies;
- Internet service providers;
- Banks/building societies;
- Tenant's/resident's next of kin or close relatives in case of emergency;
- Joint tenants and other residents;
- Guarantors;
- Tenancy Deposit Schemes;
- Universal Credit/housing benefit/other benefit administrator;
- H M Revenue and Customs;
- Council Tax authority;
- Contractors and tradespeople providing services at the property;
- Prospective purchasers of property;
- Other landlords including where you apply to another landlord for a tenancy;
- and
- Tradesmen and Contractors.
- Utility companies and

Your data may be transferred to countries outside the European Economic Area (EEA) by our email and cloud storage provider (Google). Data is transferred outside the EEA on the basis of ISO 27001 (Information Security Management)

ISO 27001 is one of the most widely recognized, internationally accepted independent security standards. Google has earned ISO 27001 certification for the systems, applications, people, technology, processes, and data centers that make up our shared Common Infrastructure as well as for G Suite and Google Cloud Platform products.

ISO 27017 (Cloud Security)

ISO 27017 is an international standard of practice for information security controls based on ISO/IEC 27002, specifically for Cloud Services. Google has been certified compliant with ISO 27017 for G Suite and Google Cloud Platform.

ISO 27018 (Cloud Privacy)

ISO 27018 is an international standard of practice for protection of personally identifiable information (PII) in Public Cloud Services. Google has been certified compliant with ISO 27018 for G Suite and Google Cloud Platform. If you require further information, it is available on request.

#### 11. **How does First Option protect data?**

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

When First Option engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

#### 12. **Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. Please be sure to keep us informed if your personal information changes during the tenancy application process or during the course of a tenancy.

#### 13. **Your Rights**

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

- access and obtain a copy of your data on request (known as a “data subject access request”);
- require First Option to change incorrect or incomplete data;
- request erasure of your personal information. This enables you to ask First Option to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where First Option is relying on its legitimate interests as the legal ground for processing; and
- ask First Option to suspend the processing of your personal data for a period of time if data is inaccurate or there is a dispute about its accuracy or the reason for processing it.

If you would like to exercise any of these rights, or you have any questions about the privacy notice, please contact Amer Hameed.

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