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## PRIVACY NOTICE FOR TENANTS, RESIDENTS AND GUARANTORS

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**Data controller:** Property Link Estates Limited

### 1. Introduction

Property Link Estates Ltd is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you.

Property Link Estates Ltd (“The Agent”) collects, stores and processes personal data relating to tenants, residents and guarantors in order to provide rental accommodation. This privacy notice sets down how the Agent collects and uses personal information about you before, during and after a tenancy.

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

#### Information About Us

We are a limited company registered in England under company number 06483124.

Registered address: 30 Charles Street Bath BA1 1HU.

Office Address: 30 Charles Street Bath BA1 1HU.

VAT number: GB 929 5544 86.

We are a member of

Association of Residential Letting Agents (ARLA)

National Association of Estate Agents (NAEA)

National Approved Letting Scheme (NALS)

The Property Redress Scheme (PRS)

#### Data Protection Registration

Information Commissioners Office (ICO) reference: Z1214933

### 2. Data Protection Principles

The Agent 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 the Agent collect and process?

The Agent 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 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.

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

In some cases, the Agent 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 the Agent's IT systems (including the Agent's email system).

#### **4. Why does the Agent process personal data?**

The Agent needs to process data to consider applications for tenancy agreements and manage tenancies.

In addition, the Agent 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, the Agent has a legitimate interest in processing personal data before, during and after the end of the Agent/landlord/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 the Agent'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 the landlord, Agent 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 prove certain information when requested, the landlord may not be able to proceed with the grant of a tenancy agreement.

## **7. Change of purpose**

The Agent 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?**

The Agent 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 financial staff and negotiators.

The Agent 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;
- Letting/managing agents;
- Owner/landlord
- Freeholder and/or their managing agent (for property in block of flats);
- Existing or previous agents;
- 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 trades people providing services at the property;
- Prospective purchasers of property;
- Other landlord/agents including where you apply to another landlord/agency for a tenancy

Your data may be transferred to countries outside the European Economic Area (EEA) in order to store data in an electronic format. Data is transferred outside the EEA on the basis of a declaration of adequacy, binding corporate rules or other safeguards. If you require further information, it is available on request.

### **11. How does the Agent protect data?**

The Agent takes the security of your data seriously. The Agent 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 the Agent 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 the Agent to change incorrect or incomplete data;
- request erasure of your personal information. This enables you to ask the Agent 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 the Agent is relying on its legitimate interests as the legal ground for processing; and
- ask the Agent 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 believe that the Agent has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner’s Office.

### **14. How can I access my personal Data?**

If you want to know what personal data the Agent has about you, you can ask the Agent for details of that personal data and for a copy of it (where any such personal data is held). This is known as a “subject access request”.

All subject access requests should be made in writing and sent to the email or postal addresses shown in Part 15.

There is not normally any charge for a subject access request. If your request is ‘manifestly unfounded or excessive’ (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

The Agent will respond to your subject access request within 21 business days and, in any case, not more than one month of receiving it. Normally, The Agent aims to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date the Agent receives your request. You will be kept fully informed of our progress.

## **15. How do I contact you?**

To contact the Agent about anything to do with your personal data and data protection, including to make a subject access request, please use the following details:

Email address: [bath@propertylinkstates.com](mailto:bath@propertylinkstates.com).

Telephone number: 01225 447440.

Postal Address: 30 Charles Street Bath BA1 1HU.

## **16. Changes to this Privacy Notice**

The Agent may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if the Agent changes its business in a way that affects personal data protection.

Any changes will be made available through the Agent’s website at [www.propertylinkstates.com](http://www.propertylinkstates.com)

**I have had the opportunity to read this Privacy Notice before signing below**

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