



**OLIVER BURN**  
**Privacy Policy**

Oliver Burn Residential Ltd (“We”) are committed to protecting and respecting your privacy when you use our online, telephone and email services (“Services”).

This policy (together with our Terms and Conditions / Terms of Business / Terms of Service /Property Reservation Form and any other documents referred to) set out why we collect your information and how it will be processed by us.

Please read this Privacy Policy carefully and ensure that you understand it. Your acceptance of Our Privacy Policy is deemed to occur upon e.g. Your first use of Our Service or use of Our Website. Please keep Us informed if Your Personal Data changes during Your relationship with Us as it is important that the information we hold is accurate.

We have the right to update this Privacy Notice from time-to-time. We will provide you with an updated Privacy Notice if We make substantial changes. In the meantime, We will notify You about any minor changes to the processing of Your Personal Data.

## 1. Important information

<b>“Controller”</b>	A controller determines the purposes and means of processing personal data. Oliver Burn Residential Ltd is the Controller and responsible for your Personal Data (referred to as “We”, “Us” or “Our” in this Privacy Policy)
<b>“Data Protection Laws”</b>	means any and all applicable legislation regarding the protection of Personal Data in England and Wales
<b>“Data Protection Office”</b>	A Data Protection Officer oversees compliance of the Data Protection Laws. If you have any questions or concerns about this Privacy Notice please contact our designated Data Protection Officer Ms Diana Burn on 0207 622 1121.
<b>“Landlord”</b>	Anyone owning the Property in accordance with the Land Registry.
<b>“Personal Data”</b>	Means any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.
<b>“Processor”</b>	A processor is responsible for processing personal data on behalf of a controller.
<b>“Sensitive Personal Data”</b>	There are special categories of personal data, these specifically include genetic data and biometric data. They require higher levels of protection.
<b>“Tenant”</b>	One or more individuals or corporate entities named as Tenant in the Tenancy Agreement.
<b>“Tenancy Agreement”</b>	The contract entered into between the Landlord and the Tenant. This term includes all variations of tenancy agreement included both lease and licences.
<b>“Third Parties”</b>	This includes service providers (e.g. contractors and certain agents).

## 2. What Personal Data We collect

2.1 We collect, use and store the following kinds of Personal Data:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Gender.
- Marital status and dependants.
- Next of kin and emergency contact information.
- National Insurance number.
- Bank account details and tax status information.
- Start date and, if different, the date of your continuous tenancy.
- Leaving date and your reason for leaving.
- Copy of driving licence and/or passport.

**OLIVER BURN RESIDENTIAL LTD**  
SALES AND LETTINGS

362 Clapham Road, Clapham, London SW9 9AR Tel 020 7622 1121 Fax 020 7627 8889

5 Half Moon Lane, Herne Hill, London SE24 9JU Tel 020 7274 3333 Fax 020 7274 0220

E-Mail [info@oliverburn.com](mailto:info@oliverburn.com) Web [www.oliverburn.com](http://www.oliverburn.com)

Registered in England Registered No. 3574320

Page 1 of 4

Initials .....

*External purpose*

Document prepared on 31st May 2018



2.2 We collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data may be derived from Your Personal Data but is not considered Personal Data in law as this data does not directly or indirectly reveal your identity. If we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

3. **How Personal Data is collected**

We collect Personal Data through various means, as follows:

3.1.1 We receive personal information about You through the application and assessment process, either directly from You or sometimes from a referencing agency or background check provider.

3.1.2 We may sometimes collect additional information from Third Parties including former landlords/tenants, credit reference agencies or other background check agencies.

3.1.3 We will collect additional personal information in the course of our relationship.

4. **How We use Your Personal Data**

4.1 We use Your Personal Data in accordance with Data Protection Laws. Usually this is in the following circumstances:

4.1.1 When We receive Your consent that You have freely given;

4.1.2 When We must fulfil Our contractual obligations to You or if You have asked for Us to do something before entering into the contract e.g. providing a quote;

4.1.3 When We must comply with common law or a statutory obligation;

4.1.4 When there is a vital interest for Us to process the Personal Data, the interest is necessary and reasonable i.e. to protect a life;

4.1.5 When We are to perform a specific task that is in the public interest;

4.1.6 When it is necessary for Our legitimate interests, the interests of a third party and/or Your interests.

4.2 Please contact the Information Commissioner’s Office for more information about the lawful basis upon which We may use Your Personal Data.

4.3 We have set out the ways which we plan to use Your Personal Data and, where possible, We have provided our legitimate interests.

Activity	Type of Personal Data	Lawful basis for processing
To process and complete Our contract: (a) collect your rent; (b) perform Property inspections; (c) instruct contractors to complete Property repairs	Bank account details Contact number Photographs of the property	Performance of a contract with the Tenant Necessary for our legitimate interests
Advertising properties	Photographs of the property We may use the landlord’s name and contact number to arrange viewings	Performance of a contract with the Landlord
Sourcing suitable and reliable tenants	Contact numbers of prospective tenants Photographs of the property Checking Tenant’s credit history	Performance of a contract with the Landlord Necessary for Our legitimate interests, the interests of a Third Party and Your interests
Providing information on the latest safety regulations	Tenants contact number and address	Performance of a contract with the Landlord Performance of a contract with the Tenant Compliance with common law and/or statutory obligations



## OLIVER BURN

Preparing tenancy agreements and notices	Copy of tenant's identification i.e. passport, driving licence etc. Landlord's name and address Tenant's name and contact details including previous address Start date of tenancy If applicable the name and contact details of guarantor	Performance of a contract with the Landlord Performance of a contract with the Tenant Compliance with common law and/or statutory obligations
Dealing with legal aspects of the tenancy and property i.e. evictions, non-payment, harassment, squatters	Proof of any harassment i.e. emails, call logs, text messages, letters, photographs Personal contact details i.e. name, address etc	Performance of a contract with the Landlord Performance of a contract with the Tenant Compliance with common law and/or statutory obligations
Managing and arranging necessary repairs	Tenant's name and address and contact number	Performance of a contract with the Landlord Performance of a contract with the Tenant Compliance with common law and/or statutory obligations
Inspecting the property periodically	Tenant contact details	Performance of a contract with the Landlord Performance of a contract with the Tenant Necessary for Our legitimate interests

- 4.4 Some of the above grounds for processing will overlap and there may be several grounds which justify Our use of your personal information.
- 4.5 We will do Our best to provide you with the choice as to whether You would like Your Personal Data to be used for activities such as Marketing and/or Advertising.
- 4.6 If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as completing required maintenance work on the property), or we may be prevented from complying with our legal obligations (such as to ensure your health and safety).
- 4.7 We will only use your Personal Data for the purposes for which we collected it, 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 notify you and we will explain the legal basis which allows us to do so.
- 4.8 Please note that we may process your Personal Data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 5 How and Where We store Personal Data

- 5.1 We store your Personal Data in the UK.
- 5.2 We store Your Personal Data on a server and on an internal database

## 6 Sharing Your Personal Data

- 6.1 We may have to share Your Personal Data with Third Parties, including Third Party service providers and other entities in the group.
- 6.2 We require Third Parties to respect the security of Your Personal Data and to treat it in accordance with the law and Our policies. We only allowed Third Parties to process Your Personal Data for specific purposes.
- 6.3 We may share information in the following circumstances:
- 6.3.1 When it is required by law;
  - 6.3.2 When it is necessary for Our working relationship;
  - 6.3.3 Where We have a legitimate interest in doing so.
- 6.4 The following activities will be carried out by the listed Third Parties:
- 6.4.1 Property inspections Inventory Live and/or Mint Inventories;
  - 6.4.2 Inventories Inventory Live and/or Mint Inventories;
  - 6.4.3 Deposit collection and protection Tenancy Deposit Scheme;
  - 6.4.4 Electrical repairs Acme Electricals; and Gas Inspections Gas Safe Heating and Plumbing
  - 6.4.5 Rent collection Oliver Burn Residential Ltd.

### OLIVER BURN RESIDENTIAL LTD SALES AND LETTINGS

362 Clapham Road, Clapham, London SW9 9AR Tel 020 7622 1121 Fax 020 7627 8889  
5 Half Moon Lane, Herne Hill, London SE24 9JU Tel 020 7274 3333 Fax 020 7274 0220  
E-Mail [info@oliverburn.com](mailto:info@oliverburn.com) Web [www.oliverburn.com](http://www.oliverburn.com)

Registered in England Registered No. 3574320



## OLIVER BURN

6.5 We may be required to share Your Personal Data with other Third Parties that are not listed above, for example if the company is sold or restructured. In these circumstances, We will do Our best to keep the information anonymised until the transaction is completed, at which point it will be shared under terms of the transaction.

### 7 When Personal Data is transferred outside the European Economic Area (EEA)

We will not transfer Your Personal Data outside the UK.

### 8 How long Personal Data is kept

We keep Your Personal Data for a long as We need it in order to use it as described in section 4, and/or for as long as We have Your permission to keep it. When determining the retention period for Your Personal Data, We consider the amount, nature and sensitivity of the information along with the risk of disclosure to unauthorised persons/organisations.

### 9 Your rights

9.1 As a Data Subject, you have the following rights under the GDPR, which this Policy, Our Company procedures and Our use of Your Personal Data is designed to uphold:

- 9.1.1 The right to be informed about the collection and use of Your Personal Data;
- 9.1.2 The right of access to the Personal Data We hold about You (commonly referred to as 'subject access');
- 9.1.3 The right to rectification of any inaccurate Personal Data We hold or for the Personal Data to be completed if it is incomplete;
- 9.1.4 The right to erasure i.e. for Us to erase the Personal Data We hold about You (commonly referred to as the 'right to be forgotten');
- 9.1.5 The right to request the restriction or suppression of Your Personal Data;
- 9.1.6 The right to data portability allowing You to obtain and reuse Your Personal Data for Your own purposes across different services;
- 9.1.7 The right to object to the processing of Your Personal Data in certain circumstances;
- 9.1.8 Rights in relation to automated decision making and profiling.

9.2 In some circumstances You have the right to withdraw your consent. When We receive the withdrawal of Your consent, We will no longer process Your information for the purpose or purposes You originally agreed to, unless We have another legitimate basis for doing so in law.

9.3 Please contact Us directly, using the contact information provided in this Privacy Notice, if you want to exercise any of the above rights.

9.4 Please contact the Information Commissioner's Office or your local Citizens Advice Bureau for further information about Your rights.

9.5 Please contact Us directly, using the contact information provided in this Privacy Policy if you have any complaints. You have the right to lodge a complaint with the Information Commissioner's Office if We are unable to resolve the matter.