

## Privacy Notice for California Residents

**Effective Date:** January 1, 2020

**Last Updated on:** March 28, 2024

This **Privacy Notice for California Residents** supplements the information contained in our Privacy Policy (<https://www.primelending.com/PrivacyPolicy.pdf?v=4>) and applies solely to all visitors, users, and others who reside in the State of California ("consumers" or "you"). It explains what personal information we collect, where we collect it from, what we use it for, who we disclose it to, how long we keep it, the rights California residents may have, and how to exercise them.

Please note that the California Consumer Privacy Act of 2018, as amended ("CCPA"), and this Notice do not apply to information covered by other federal and state privacy laws, including the Gramm-Leach-Bliley Act, the Fair Credit Reporting Act and certain other laws. If you have any questions or concerns, please contact us at 1-800-294-1499.

This Notice does not apply to employment-related personal information collected from California-based employees, job applicants, contractors, or similar individuals. Our privacy practices with respect to our employees and contractors are addressed through internal policies and are outside the scope of this Notice.

### Introduction

Under the CCPA, 'personal information' is information that identifies, relates to, describes, is reasonably capable of being associated with, or could be reasonably linked, directly or indirectly, with you or a household. The CCPA, however, does not apply to certain information, such as information subject to the Gramm-Leach-Bliley Act ("GLBA").

The specific personal information that we collect, use, and disclose relating to a California resident covered by the CCPA will vary based on our relationship or interaction with that individual. For example, this Notice does not apply with respect to information that we collect about California residents who apply for or obtain our financial products and services for personal, family, or household purposes. For more information about how we collect, disclose, and secure information relating to these customers, please refer to our Privacy Policy (<https://www.primelending.com/PrivacyPolicy.pdf?v=4>).

### Information We Collect

In the past 12 months, we have collected, and disclosed to third parties for our business purposes, the following categories of personal information:

#### *Categories of Personal Information*

Category	Examples	Collected
Identifiers.	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

Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, 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	YES
	financial information. Some personal information included in this category may overlap with other categories.	
Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, marital status, sex (including gender), or veteran or military status.	YES
Commercial information.	Records of personal property, products or services purchased, obtained, or considered.	YES
Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO
Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
Geolocation data.	Physical location or movements.	YES
Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
Professional or employment-related information.	Current or past job history.	YES
Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	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
Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO
Sensitive Personal Information	Certain government identifiers (such as SSN, driver's license, passport number); an account log-in, financial account, debit or credit card number with any required security code, password, or credentials allowing access to an account; precise geolocation (which means within 1,850 feet of a particular person); contents of	Yes

	mail, email, and text messages; genetic data; biometric information processed to identify an individual; information concerning an individual's health, sex life; sexual orientation; or information about racial or ethnic origin, religious or philosophical beliefs, or union membership	
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### ***Sources of Personal Information***

We collected the personal information listed above from the following categories of sources:

- *Directly from you or your agents*, when you provide it to us digitally or physically (e.g. where you or your agent contacts us via email or telephone, or by any other means, or when you or your agent provide documents to us related to the services for which you engage us).
- As well as from:
- Your visit to any of our apps or websites or use of any features or resources available to you on or through our apps or websites. For example, from submissions through our website portal or website usage details collected automatically.
- Service providers and third-parties who provide it to us.
- Our affiliates in order to provide services to you.
- Third-party data aggregators.
- Public sources, when you choose to make it public (e.g. we may collect information from social media).

### **Business and Commercial Purposes for the Collection, Disclosure and Use of Personal Information**

We collect and use personal information from or about California residents for the following business and/or commercial purposes:

- *Responding to you*: fulfilling or meeting 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.
- *Marketing/Prospecting*: communicating with you by any means (including via email, telephone, text message, online, post or in person) subject to ensuring that such communications are provided to you in compliance with applicable law; and maintaining and updating your contact information where appropriate.

*Servicing your Account and Operating our Apps and Websites*: performing services, including, without limitation, creating, maintaining, customizing or servicing your accounts, providing our websites and ensuring their functionality, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing advertising or marketing services, providing analytic services, providing similar services, providing support, personalizing our services, and developing and improving our products and services.

- *Improving our products and services*: identifying issues with existing products and services; planning improvements to existing products and services; and creating new products and services.

- *Research*: conducting market or customer satisfaction research; and engaging with you for the purposes of obtaining your views on our products and services
- *Security*: physical security of our premises (including records of visits to our premises and CCTV recordings); and electronic security (including login records and access details, where you access our electronic systems)
- *IT operations*: management of our communications systems; operation of information technology (IT) systems; and IT security audits.
- *Investigations and Fraud Prevention*: detecting and investigating fraud, security incidents, protecting against malicious, deceptive, or illegal activity, and prosecute those responsible for that activity.
- *Quality assurance*: assuring the quality and safety of our service or products.
- *Risk Management*: Audit, compliance, controls and other risk management.
- *Legal Compliance*: compliance with our legal and regulatory obligations under applicable policies, standards, and laws.
- *Legal Proceedings*: establishing, exercising and defending legal rights, and responding to law enforcement requests and as required by applicable law, court order, governmental regulations, or our own internal policies based on or reflecting legal or regulatory guidance.
- *Transactions*: evaluating or conducting 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 you is among the assets transferred.
- *Providing our products and services* in ways not already described in the categories above.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

### **Disclosure of Personal Information**

In the past 12 months we have disclosed the categories of California residents' personal information to some or all of the following categories of recipients:

- You and, where appropriate, your family, your associates and your representatives
- Our Affiliates
- Service providers, who provide services such as website hosting, data analytics, marketing, information technology and related infrastructure, customer service, legal, audit or accounting services.
- Governmental entities.

- Credit reporting agencies
- Other third parties to comply with legal requirements such as the demands of applicable subpoenas and court orders; or otherwise to protect the rights, property or security of our customers or third parties.
- Any relevant third party acquirer(s), in the event that we sell or transfer all or any relevant portion of our business or assets (including in the event of a reorganization, dissolution or liquidation).
- Other parties, if you specifically direct or expressly consent to us disclosing your personal information to them.

### ***Retention of Personal Information***

We process your personal information only as long as necessary for the purposes mentioned in this Notice. Our retention period is generally determined by:

- Our ongoing relationship with you (e.g., while you are receiving our services);
- The necessity of the information for the purposes outlined in this Notice; and
- Any applicable legal requirements and policies for retention.

After the retention period ends, depending on applicable law, we will:

- Delete or destroy the information permanently.
- Archive the information to prevent its use.
- Anonymize the information.

### **Your Rights and Choices**

As a California resident, you have the following rights:

- Right to **LIMIT** the use and disclosure of sensitive personal information collected about you.
- Right to **OPT-OUT** of the sale of your personal information and the sharing of your personal information for cross-context behavioral advertising (e.g., targeted advertising).
- Right to **CORRECT** inaccurate personal information that we have about you.
- Right to **KNOW** what personal information we have collected about you and how we use and share it.
- Right to **EQUAL** treatment. We cannot discriminate against you for exercising your rights.
- Right to **DELETE** personal information that we have collected from you (subject to some exceptions).

If you want to learn more, you can visit <https://privacy.ca.gov/california-privacy-rights/your-right-to-privacy/>.

## ***How to Exercise Your Rights***

If you are a California resident, you or someone else authorized by you may submit a request by:

1. Completing this [Personal Information Request Form](#)
2. Calling 1-800-294-1499

## ***Response Timing and Format***

We will acknowledge receipt of your request and advise you how long we expect it will take to respond if we are able to verify your identity. Requests for specific pieces of personal information will require additional information to verify your identity.

If you submit a request on behalf of another person, we may require proof of authorization and verification of identity directly from the person for whom you are submitting a request.

Depending on the circumstances, we may not be able to honor your request. For example, we will not be able to honor your request if we cannot verify your identity or if we cannot verify that you have the authority to make a request on behalf of another individual. Additionally, we will not be able to honor your request where an exception applies, such as where the disclosure of personal information would adversely affect the rights and freedoms of another consumer or where the personal information that we maintain about you is not subject to the CCPA's access or deletion rights.

We will advise you in our response if we are not able to honor your request. We will not provide specific pieces of information if the disclosure presents the possibility of unauthorized access that could result in identity theft or fraud or unreasonable risk to data or systems and network security.

We will work to process all verified requests within 45 days pursuant to the CCPA. If we need an extension for up to an additional 45 days in order to process your request, we will provide you with an explanation for the delay.

## ***Sales of Personal Information***

We do not offer an opt-out from the sale of personal information because we do not sell personal information as defined by the CCPA (and have not done so in the last 12 months).

## ***Sharing Personal Information***

We may sometimes share personal information (specifically, identifiers and internet or other electronic network activity information) with our marketing partners for cross-contextual behavioral advertising purposes. California residents may have a right to opt out of this sharing. To facilitate this right, we recognize Global Privacy Control (GPC) opt-out preference signals. GPC is a setting available in some browsers that notifies our websites of a California resident's decision to opt out of the sharing of their personal information for cross-contextual behavioral advertising purposes. You can learn how to enable GPC on your browser [here](#).

Other means of communicating your behavioral advertising preferences include opting out through the cross-industry Self-Regulatory Program for Online Behavioral Advertising managed by the Digital Advertising Alliance (DAA). Please click [here](#) and follow the instructions.

Note that opt out mechanisms are specific to a browser or device. Therefore, you will need to opt out from each browser on each of the devices that you use. Even if you opt out, you may still receive advertisements from us, they just won't be customized based.

### ***Use and Disclosure of Sensitive Personal Information***

We do not offer a right to limit our use and disclosure of Sensitive Personal Information because we do not use or disclose Sensitive Personal Information in such a manner as to require provision of the right (specifically, for purposes of inferring characteristics about an individual).

### **Changes to This Notice**

We may change or update this Notice from time to time. When we do, we will post the revised Notice on this page with a new "Last Updated" date. Any changes to this disclosure will become effective when posted unless indicated otherwise.

### **Contact Information**

If you have any questions or comments about this notice, the ways in which we collect and use your information described here, 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:** 1-800-294-1499

**Website:** [www.primelending.com/ccpa](http://www.primelending.com/ccpa)

**Email:** [ConsumerFeedback@primelending.com](mailto:ConsumerFeedback@primelending.com)

**Postal Address:**

PrimeLending, A PlainsCapital Company

C/O EVP Compliance

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