

This policy was last updated on July 28<sup>th</sup>, 2023.

The Dermot Company respects the privacy of all our Website visitors, residents and guests, and we are committed to protecting privacy through our compliance with this policy. This policy describes the type of information we may collect from our residents and guests, and our practices for collecting, using, maintaining, protecting, and disclosing that information.

This privacy policy applies to our personal information collection practices and collection via dermatocompany.com, 101westendnyc.com, 21westendnyc.com, 220east72.com, thelandonnyc.com, coloradonyc.com, thebuchanan.com, 250ehouston.com, arabella101.com, altalic.com, modaupgradedliving.com, 66rockwell.com, addisonbklyn.com, 316bergen.com, thelandingbk.com, thekestrel.com, thevitagraphbk.com, 535w43.com, seabourncove.com, cordobadoralaps.com, and areliajamesislandaptsfl.com website and digital services including mobile application (“Website” or “Digital Access”) and (“Property” or “Properties”).

By using any of our products or services you acknowledge and agree to the privacy terms contained in this privacy policy and related links in the context of the collection and use of personal information and/or registering for any of our product or services. Please note that this statement does not apply to our processing of personal information on behalf of and subject to the instructions and policies of third-parties such as investigative services, marketing partners, corporate customers and vendors, and other similar services providers.

## **1. CATEGORIES OF INFORMATION COLLECTED**

This privacy policy applies to information we collect off-line and via Websites, Digital Access, and our Properties, including, name, telephone, email address, home or business address, nationality, date of birth, gender, payment card information, private resident identification numbers, or footage captured property-based cameras, services purchased, special services, amenity requests, and other services provided by The Dermot Company.

## **2. CATEGORIES OF INFORMATION WE COLLECT THROUGH AUTOMATIC DATA COLLECTION TECHNOLOGIES**

As you navigate through and interact with our Website or use Digital Access, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions, and patterns, including:

- Details of your visit to our Website or use of Digital Access (“usage data”), including traffic data, location data, logs, and other communication data and resources that you access and use on the Website.
- Information about your computer and internet connection, including your IP address, operating system, unique device ID, referral URLs and browsing type.

The technologies we use for this automatic data collection may include.

- Cookies (or browser cookies). A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will use cookies when you direct your browser to our Website.

- Flash Cookies. Certain features of our Website may use local stored objects (Flash cookies) to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies are not managed by the same browser settings as are used for browser cookies.
- Web Beacons. Pages of our Website and our e-mails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit us, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

Our digital services may also host ads through third-party advertising technology. In the course of serving our advertisements to you, unique third-party persistent cookies, clear gifs or beacon gifs may be placed on your computer or device to help manage our online advertising, recognize when a device visits our Websites, learn which ads bring users to our Websites, and track whether a reservation is made. The information our ad-serving providers and we collect through this technology is not personally identifiable but is used to create an anonymous profile which allows the ad-serving provider to serve ads targeted towards you and your interests across the ad-serving network.

Our Websites do not currently respond to “Do Not Track” signals that may be sent by your device or browser. Our third-party platform service providers maintain tools that permit recognition of “opt-out preference signals.”

### 3. HOW WE COLLECT INFORMATION

- Through this Website, Registration at Properties and Digital Access
- Through automated business operations and customer experiences
- Through digital applications made available by us or our travel services partners for use on or through computers and mobile devices
- Through our social media pages that we control
- Through email messages that we send you

when you become a resident at one of our properties, we collect other information in addition to your Personal Information in accordance with the law, and to serve you better. This information may in personalized preferences such room choice and other personalized amenities.

### 4. WHY WE COLLECT AND HOW WE USE INFORMATION **NEED TO PROVIDE A LINK TO EACH SECTION**

We use your personal data to fulfill the business and operational purposes for which it was collected, or as otherwise set forth in this policy. This following chart provides a general overview of the business purposes for our collection of personal information and reasons for such collection:

How we may use your personal information	Our reasons
To process your applications, request and payment, contact you about your rent, lease or lease application, or to make requested changes to your services or lease or rent requirements.	For the performance of our services for you at your request

To send you information and respond to your inquiries and other communications	For the performance of our services for you at your request
To enroll you in and administer resident private programs	For the performance of our services for you at your request
To provide you with customer services and support, and personalized experience on our Websites and Properties	To provide you with a personalized experience on our Websites
To verify your identity	For our legitimate interests or those of a third party, i.e. to minimize fraud that could be damaging for us and for you
To prevent and detect fraud against you or us	For our legitimate interests or those of a third party, i.e. to minimize fraud that could be damaging for us and for you
Processing necessary to comply with professional, legal and regulatory obligations that apply to our business	To comply with our legal and regulatory obligations
Ensuring business policies are adhered to, e.g. policies covering security and property uses	For our legitimate interests or those of a third party, i.e. to make sure we are following our own internal procedures so we can deliver the best service to you
Statistical analysis to help us manage our business, e.g. in relation to our financial performance, customer base, product range or other efficiency measures	For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best service for you at the best price
Perform analytics in order to provide residents with personalized offers and content, and analytics to improve business operations	For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best service for you at the best price
Updating and enhancing customer records and share information across our brands and product and service lines of business	To comply with our legal and regulatory obligations; and for our legitimate interests or those of a third party, e.g. making sure that we can keep in touch with our customers about existing orders and new products
To register you to receive marketing/promotional e-mails or other information for which you've expressed an interest	For the performance of our services for you at your request
To process payments, process transactions with partners, including conducting strong customer authentication when required by law	For the performance of our services for you at your request
Comply with applicable laws that require us to collect this information in some jurisdictions	To comply with our legal and regulatory obligations; and for our legitimate interests or those of a third party, e.g. making sure that we can keep in touch with our customers about existing services and new products

You may opt out of receiving any promotional or marketing emails at any time by contacting us directly or by following the “opt out” or “unsubscribe” links in such emails. We may, however, continue to contact you with relevant information about your past or upcoming accommodations with us, open transactions, and status of resident accounts. We may use the usage data we collect for any reason we deem appropriate, including to improve, maintain, and operate our Websites and services.

## 5. ADDITIONAL PURPOSE OF COLLECTION

We collect the following categories of personal information:

- **Website and Digital Access** - Internet or other electronic network activity information, including information regarding your interaction with websites, applications, or advertisements, IP address, session ID, broker/booking engine.

We collect this type of information to provide you with targeted advertisements on marketing efforts including media, email, and chat, to optimized our Website and Digital Access properties, support marketing efforts and to perform analytics to improve business operations. We will retain this information the period of time consistent with browsing preference and as required to meet of business obligations,

- **Lease applications** - Name, additional names, telephone number, address, email address, preferred language, membership, and payment card information.

We collect this type of information to look up and verify your applications information, to send communications for marketing purposes and regarding your lease or property via text message, email or voice phone communications, send you marketing communication via email and direct mail, perform analytics in order to provide you with personalized offers and content, perform analytics to improve business operations, determine eligibility for promotional offers, process payments, process transactions with our business partners, share your information across or brand and product and service lines, optimize our services, provide premium services to you, and to detect and prevent fraud. We will retain this information the period of time consistent with leasing activities and preferences, and as required to meet of business obligations.

## 6. SHARING OF INFORMATION

We will not disclose any personal information that we collect from you to any external parties except as indicated below (for state law purposes, all of the below categories of data recipients are classified as Service Providers, Processors or Third Parties, as those terms are defined):

- **Our Affiliates.** We may disclose personal information to any of our subsidiaries and affiliates.
- **Service Providers.** We may disclose personal information to our service providers who perform certain services necessary to run our business (for example, data hosting and development, data analysis, customer service, auditing and other services), provided that these service providers have entered into legally binding agreements with us to protect the personal information shared, limit their use, retention, and disclosure of the personal information, and assist us with our compliance requirements.
- **Legal Request.** We may disclose personal information to comply with applicable law and our regulatory monitoring and reporting obligations (which may include laws outside your country of residence), to respond to requests from public and government authorities (which may include authorities outside your country of residence), to cooperate with law enforcement, or for other legal reasons.

- **Business Transfer.** We may disclose personal information to a buyer or successor in the event of 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, receivership, or similar proceeding in which personal information held by us are among the assets to be transferred.
- **Enforcement of Our or Others' Rights.** We may disclose personal information to external parties the extent that this is necessary to enforce or protect our rights, privacy, safety or property, and/or that of our affiliates, you, or others, including enforcing our Terms of Use and any other agreements (such as for billing and collection purposes and fraud prevention).

## 7. LINKS TO THIRD PARTY WEB SITES

Please be aware that third-party websites available through links on our Websites each have separate privacy and data collection practices. We have no control, responsibility or liability for these third-party websites or their applicable policies or content. We cannot ensure or warrant the security of any information you disclose on third-party sites.

## 8. WHERE PERSONAL INFORMATION IS PROCESSED

We is based in the United States, and personal data is collected worldwide (including within the European Economic Area, United Kingdom, and other regions around the world) and may be transferred to the United States for processing and storage.

## 9. RETENTION OF PERSONAL INFORMATION.

Generally, we will keep your personal information while you have an account with us or while we are providing services to you. Thereafter, we will keep your personal information for as long as is necessary:

- To ensure that we can complete transactions related to services;
- To respond to any questions, complaints or claims made by you or on your behalf;
- To improve our business operations;
- To show that we treated you fairly; or
- To keep records required by law.

We will not retain your personal information for longer than necessary for the purposes set out in this policy. Different retention periods apply for different types of personal information and the reasons for processing. In the event that your personal information is deidentified, or anonymized, we will not make any efforts to reidentify such information.

## 10. SECURITY OF PERSONAL DATA

We are committed to the security of your personal data. We use commercially reasonable technical measures to protect personal data in our possession, and our Website uses secure socket layer (SSL) encryption technology to help protect the privacy of credit card information, name, address, email and other sensitive information you provide to us.

## 11. CHILDREN UNDER THE AGE OF 18

Our Websites and services are not intended for children under 18 years of age, and we do not knowingly solicit or collect personal data from children. No one under age 18 may provide any Personal Information to us. If we are notified or discover that a child under the age of 18 has submitted Personal Information to us, we will not sell such information, and we will take reasonable steps to delete the information.

## 12. STATE DATA PROTECTION LAW COMPLIANCE

We do not sell or share personal information. Under several new state data protection laws, consumers have the following rights regarding personal data we have collected about you. For purposes of this section only, “personal data” means any information that is linked or reasonably linkable to an identified or identifiable natural person and excludes employment data, personal data that cannot be attributed to an individual without the use of additional information, and de-identified data or publicly available information. Under these laws consumers have the right to request any of the following information from us regarding personal information collected about you:

- The right to know (i.e., the right to confirm whether we are processing your personal data). This information includes:
  - o The categories of personal information collected about you.
  - o The categories of sources from which the personal information is collected.
  - o The business or commercial purpose for collecting or selling personal information.
  - o The categories of third parties with whom we share personal information, if any.
  - o The specific personal information collected about you.
  - o For personal information sold or disclosed to a third party for a business purpose, you have a right to know the categories of personal information about you that we sold and the categories of third parties to whom the personal information was sold; and the categories of personal information that we disclosed about you for a business purpose.
- The right to access (i.e., the right to access your personal data processed by us);
- The right to a copy (i.e., the right to obtain a copy of your personal data that you have previously provided to us in a portable and readily usable (if technically feasible) format);
- The right to correct inaccuracies (i.e., the right to correct inaccuracies in your personal data based on the nature of the data and the purposes of the processing);
- The right to deletion: (i.e., the right to request us to delete your personal data provided to us);
- The right to opt out of the: (1) sale or limit the use of sensitive personal information, (2) processing of your personal data for certain purposes, including, profiling in furtherance of a decision that produces a legal or similar significant effect concerning the consumer, or (3) targeted advertising.
- The right to appeal adverse decisions regarding your request exercise any of the foregoing rights.

We will provide this information free of charge up to two (2) times in any twelve (12) month period within 45 days of receiving your verifiable request (including verification of your identity

and your California residency), subject to delays and exclusions permitted by law. Specific personal information about you or your account that is categorized as sensitive or confidential may be redacted.

We will not discriminate against you if you choose to exercise any of these rights. You may exercise the rights described above by clicking “Personal Data Request” at the bottom of this page and following the instructions. We may require verification of your identity before further processing your request. In certain instances, we may be permitted by law to decline some or all of such request.

You or your agent may exercise your data privacy rights here: Emailing [inquiry@dermotcompany.com](mailto:inquiry@dermotcompany.com) or sending a letter to The Dermot Company, 729 7<sup>th</sup> Avenue, 15<sup>th</sup> Floor, New York, New York 10019.

### **13. EUROPEAN ECONOMIC AREA (EEA) RESIDENTS AND UNITED KINGDOM (UK), AND SIMILAR APPLICABLE JURISDICTIONS**

#### **Data Controller**

The data controller for the information you provide or that is collected by The Dermot Company or its affiliates is:

Dermot Corporate Office HQ |  
729 Seventh Avenue, 15th Floor, New York, NY 10019

#### **Legal Basis for Processing Personal Information**

By using this Website and Digital Properties and voluntarily providing us with your personal information you are consenting to the processing your personal. Our processing requirements are also based on contractual obligations and responsibilities related to the performance of agreements related to the service you purchase from us. Finally, we have regulatory and rules-based compliance obligations that require us to use your personal data during your engagements with us.

#### **Data Localizations and Consent to Transfer**

This Website and Digital Properties are hosted and operated in the United States. However, we and our service providers may store information about users and other individuals in the United States, or we may transfer it to, and store it within, other countries.

United States may not have data privacy laws that are deemed to afford an equal level of protection for your personal information as those laws legislated at the direction of the European Union or similar geopolitical, national, or regional legislative bodies. However, please be assured that we will continue to adhere to the principles stated in this Privacy Policy and will make reasonable efforts to comply with applicable international, national, regional, territorial, and provincial laws in connection with any information collected through the Website and Digital Properties.

For those users located EEA or UK, we advise you that your information may at times be accessible by individuals who are located worldwide, including in countries that the European Commission or other geopolitical regions have not deemed to provide the same level of data protection as in your country,

province, territory, or geopolitical region. By providing us with your personal information, you are consenting to our use of it in accordance with this Privacy Policy, including the transfer of your information across international boundaries to jurisdictions anywhere in the world as permitted by local law.

You or your agent may exercise your data privacy rights here: Emailing [inquiry@dermotcompany.com](mailto:inquiry@dermotcompany.com) or sending a letter to The Dermot Company, 729 7<sup>th</sup> Avenue, 15<sup>th</sup> Floor, New York, New York 10019.

### **Data Privacy Rights Statement**

If you reside in U.K. the European Economic Area (EEA) you may have the following additional rights under the GDPR as applicable:

- The right to access (i.e., the right to be provided with a copy of your personal information);
- The right to rectification (i.e., the right to require us to correct any mistakes in your personal information);
- The right to be forgotten (i.e., the right to require us to delete your personal information – in certain situations);
- The right to restriction of processing (i.e., the right to require us to restrict processing of your personal information – in certain circumstances, e.g., if you contest the accuracy of the data);
- The right to data portability (i.e., the right to receive the personal information you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party – in certain situations);
- The right to object (e.g., the right to object to your personal information being used for direct marketing, and in certain other situations, to object to our continued processing of your personal information, e.g., processing carried out for the purpose of our legitimate interests);
- The right to withdraw consent (i.e., where processing is based on your consent, you have the right to withdraw that consent – without affecting the lawfulness of processing based on consent before its withdrawal);
- The right to information regarding consent (i.e., to obtain information about the possibility or providing or denying your consent and the consequences of such consent or denial of consent); and
- The right not to be subject to automated individual decision-making (i.e., the right not to be subjected to a decision based solely on automated processing – including profiling – that produces legal effects concerning you or similarly significantly affects you).

You or your agent may exercise your data privacy rights here: Emailing [inquiry@dermotcompany.com](mailto:inquiry@dermotcompany.com) or sending a letter to The Dermot Company, 729 7<sup>th</sup> Avenue, 15<sup>th</sup> Floor, New York, New York 10019.

We will not discriminate against you if you choose to exercise any of these rights. You can exercise your rights under the U.K. GDPR or GDPR by contacting us as follows:

Email: [inquiry@dermotcompany.com](mailto:inquiry@dermotcompany.com) (please use “GDPR” or “U.K. GDPR” in the subject line as applicable)

**DERMOT** Corporate Office HQ |  
729 Seventh Avenue, 15th Floor, New York, NY 10019

### **Florida**

700 S. Rosemary Ave, Suite 204-152, West Palm Beach, FL 33401  
(212) 262-1220 | General Inquiries: [inquiry@dermotcompany.com](mailto:inquiry@dermotcompany.com)



The U.K. GDPR and GDPR also gives individuals the right to lodge a complaint with a supervisory authority, in the European Union (or European Economic Area) state where you work, normally live, or where any alleged infringement of data protection laws occurred.

#### **14. CHANGES TO THIS POLICY**

We may update this policy from time to time. We will always post the then-current version of this policy on our Websites, and will indicate at the top of the policy the date on which the latest version took effect. Please review this policy from time to time to stay updated on our privacy practices.

#### **15. CONTACT**

If you have any questions, comments and complaints about our data practices can be sent to our data protection office by sending an email to or writing us at: [inquiry@dermotcompany.com](mailto:inquiry@dermotcompany.com) Attention: Privacy Department, Dermot Corporate Office Headquarters 729 Seventh Avenue, 15th Floor, New York, NY 10019.