

## PRIVACY POLICY

The Cherry Lets privacy policy provides information on how Cherry Lets Limited (also referred to as Cherry Lets) collect, use, secure, transfer and share your personal data. Cherry Lets understands that your privacy is important to you and that you care about how your personal data is used and shared. The privacy policy provides important information on which personal data we collect about you, the reasons why we use and share such data, how long we keep it, what your rights are and how you can exercise them.

This Privacy Policy applies only to your use of Our Site. Our Site may contain links to other websites. Please note that We have no control over how your data is collected, stored, or used by other websites and We advise you to check the privacy policies of any such websites before providing any data to them.

### 1. Definitions and Interpretation

In this Policy, the following terms shall have the following meanings:

**“personal data”** means any and all data that relates to an identifiable person who can be directly or indirectly identified from that data. This definition shall, where applicable, incorporate the definitions provided in the EU Regulation 2016/679 – the General Data Protection Regulation (“GDPR”) and

**“We/Us/Our”** Means Cherry Lets, a limited company registered in England under company number 8159167, whose registered office address is 2a Cope Road, Banbury Oxfordshire, OX16 2EH and whose main trading address is Manor Farm Cottage, Hempton Road, Deddington, OX15 0QG.

### 2. The data we collect about you

We may collect, use, store and transfer different kinds of personal data about you which may include the following types:

Types of information and Data Subject **	Landlord	Tenant	Permitted Occupier	Guarantor	Applicant	Contractor	Occupier (non-Cherry Lets' Tenant)
Full Name	✓	✓	✓	✓	✓	✓	✓
Marital Status		✓	✓	✓			
Previous Name	✓	✓	✓	✓			
Date of Birth		✓	✓	✓			
Present address	✓	✓	✓	✓	✓	✓	✓
Previous Addresses	✓	✓	✓	✓			

<b>Residential Status</b>		✓	✓	✓	✓		
<b>Employer's Name and contact details</b>		✓		✓			
<b>Employment Details (salary, position, status)</b>		✓		✓			
<b>Accountant Details</b>		✓		✓			
<b>Confirmation of savings</b>		✓		✓			
<b>Telephone Number/s</b>	✓	✓	✓	✓	✓	✓	✓
<b>Photographic ID *</b>	✓	✓	✓	✓	✓		
<b>Address ID*</b>	✓	✓	✓	✓	✓		
<b>Bank Account Validation Check</b>		✓	✓	✓			
<b>Current/Previous Landlord Details and Previous Tenancy Details</b>		✓					
<b>Email address</b>	✓	✓	✓	✓	✓	✓	✓
<b>IP Address</b>	✓	✓	✓	✓	✓	✓	✓
<b>Confirmation Property Ownership</b>	✓						
<b>Bank Account number</b>	✓					✓	
<b>Credit report</b>		✓	✓	✓			
<b>Right to Rent document/s*</b>		✓	✓				

\*copies held.

\*\*Landlords including current and potential and third parties acting on behalf of and Applicants including potential Tenants/Permitted Occupiers/Guarantors and third party acting on behalf of.

### **3. How is your personal data collected?**

We use different methods to collect data from and about you including via:

- Yourself
- Third Party Tenant Referencing Company

The information will generally be collected directly in person, via the internet, email, postally or through a telephone conversation with you. In addition you may choose to submit information to us via several methods including:

- Cherry Lets' website ([www.cherry-lets.co.uk](http://www.cherry-lets.co.uk)) by submitting an enquiry and/or requesting details are sent to you via registration for property alerts.
- Through social media

You may also agree to third parties disclosing information about you to us that those third parties have collected.

### **4. How we use your personal data**

We will only use your personal data when the law allows us to (the legal basis) and typically this will be:

- Where a contract is entered into or about to be entered into with you. We would need to process your information as part of this contract. For example:
  - Responding to an enquiry.
  - Arranging to view a property.
  - Facilitating referencing with our nominated third party referencing company.
  - Arranging a property inspection.
  - Arranging the checkout.
  - Processing payments/transactions.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. For example:
  - Passing new occupier details and landlord details to utility companies to facilitate and enable their opening and closing of an account and provision of services.
  - Arranging for maintenance works to a property.
  - Security of staff and in line with lone working protocols.
  - Confirming health in line with government guidance during the Covid 19 pandemic.
- Where we need to comply with a legal or regulatory obligation. For example:
  - Completion of the Right to Rent checks for all occupiers.
  - To meet HMRC requirements, for example Non Resident Landlord information.
  - To meet statutory deposit requirements.
- Where we process under consent we will seek your clear and specific consent prior to processing your data. Generally we do not rely on consent as a legal basis for processing your personal data.

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with an answer to an enquiry).

## **5. Disclosures of your personal data**

We may have to share your personal data with the parties set out below:

- External Third Parties including contractors (including inventory companies);
- Call Answering Service Companies;
- Credit; Debt Collection and Referencing Agencies; Financial Institutions;
- Council Tax offices; Utility companies; Utilities Notification Service; Council Tax Notification Service
- Statutory Deposit Scheme providers; Her Majesty's Revenue and Customs (HMRC); The Home Office and other relevant regulatory bodies
- Prospective Landlords requesting references via your written consent.

**We will only pass on your details on a lawful basis and we will not divulge personal contact details to any other third party organisation for marketing purposes without prior approval.**

We require contractors to safeguard the privacy and security of personal information they process on our behalf and authorise them to use or disclose the information only as necessary to perform services on our behalf or comply with legal requirements. For other third parties, where appropriate we hold a copy of the privacy policy of these organisations on file.

Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

## **6. Change of purpose**

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 you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

## **7. Data security**

The security of your personal information is very important and Cherry Lets is committed to protecting the information we collect. We maintain administrative, technical and physical safeguards designed to protect the personal information you provide or we collect against accidental, unlawful or unauthorised destruction, loss, alteration, access, disclosure or use.

Our emails are transmitted securely over SSL and stored securely. Our data is stored securely and encrypted with 256AES standard or equivalent. Data is held in the EEA and also outside of the EEA. Where outside of the EEA, not unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data and is on the EU Commission's list of countries or territories providing adequate protection for the rights and freedoms of data subjects in connection with the processing of their personal data.

## **8. Data retention - how long will you use my personal data for?**

Cherry Lets stores personal information only for as long as it is necessary for the fulfilment of the purpose for which the personal information was collected, unless otherwise required or authorised by applicable law

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. We generally keep personal information for 7 years after last contact with you. However, Cherry Lets reserves the right to keep information for longer if we feel that this is in the legitimate interests of Cherry Lets.

## **9. Your legal rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data:

- Request access to your personal data.

The right of access, commonly referred to as subject access, gives individuals the right to obtain a copy of their personal data as well as other supplementary information. It helps individuals to understand how and why we are using their data, and check that we are doing it lawfully.

- Request correction of your personal data.

Individuals have the right to have inaccurate personal data rectified. An individual may also be able to have incomplete personal data completed – although this will depend on the purposes for the processing.

- Request erasure of your personal data.

Individuals have the right to have personal data erased. This is also known as the ‘right to be forgotten’. The right is not absolute and only applies in certain circumstances.

- Object to processing of your personal data.

Individuals have the right to object to the processing of their personal data. This effectively allows individuals to ask us to stop processing their personal data. The right to object only applies in certain circumstances. Whether it applies depends on the purposes for processing and your lawful basis for processing.

- Request restriction of processing your personal data.

Individuals have the right to restrict the processing of their personal data in certain circumstances. This means that an individual can limit the way that we use their data. This is an alternative to requesting the erasure of their data.

- Request transfer of your personal data.

The right to data portability gives individuals the right to receive personal data they have provided to a controller in a structured, commonly used and machine readable format. It also gives the right to request that a controller transmits this data directly to another controller. The right to data portability only applies when the lawful basis for processing this information is consent or for the performance of a contract; and we are carrying out the processing by automated means.

- Right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact us. You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

#### What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

#### **10. Updating this privacy policy**

We will update this policy from time to time and so we suggest that you review this policy at regular intervals. Where we undergo substantial changes to our privacy policy we will endeavour to inform you directly about these changes. This version was last updated on **30 September 2022**. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

#### **11. How to Contact Us**

If you have any questions or complaints about this privacy notice, including any requests to exercise your legal rights, please email [annabelle@cherry-lets.co.uk](mailto:annabelle@cherry-lets.co.uk) or write to us at:

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