

## Data Protection Information of the TAG Wohnen & Service GmbH for Clients and Other Data Subjects

This information provided in compliance with Article 13, 14 and 21 of the **General Data Protection Regulation** (hereinafter: “**GDPR**”) offers an overview of the processing of your personal data by the TAG Wohnen & Service GmbH (hereinafter: “**TAG Wohnen**”) and of your rights under the EU General Data Protection Regulation which came into force on 25 May 2018. Which specific data is processed and how this data is used depends on the business relationship and the agreements concluded with us. Therefore, not all parts of this data protection information may apply to you.

### 1. Who is the data processing controller and whom may I contact?

The data processing controller is the:

TAG Wohnen & Service GmbH  
Steckelhörn 5, 20457 Hamburg, Germany.

You may contact our company data protection officer at:

TAG Wohnen & Service GmbH  
Datenschutzbeauftragter  
Kreuzstraße 7 c, 04103 Leipzig, Germany  
Email: [datenschutz@tag-ag.com](mailto:datenschutz@tag-ag.com)

These contact details of TAG Wohnen’s data protection officer also apply to affiliated companies of the TAG Immobilien AG (hereinafter: “**TAG**”) under corporate law, i.e., all subsidiaries of the TAG Group.

### 2. When does data protection apply to me and when am I a data subject?

This data protection information is aimed at **prospective tenants, visitors to the TAG Wohnen website, tenants, users and other clients** whose personal data is collected by TAG Wohnen in its own name or on behalf of other subsidiaries of the TAG Group. The TAG Group includes all affiliated companies of the TAG Immobilien AG (hereinafter: “**TAG**”). TAG Wohnen normally acts as an authorized representative of TAG companies that own its properties and apartments (hereinafter also: “**property company**”) and have no branches of their own. Within the TAG Group, TAG Wohnen is especially responsible for the operative rental business which it performs centrally. TAG Wohnen will contact you as a tenant or prospective tenant and collect and process your personal data.

In accordance with the GDPR’s terminology, tenants, prospective tenants and persons whose personal data is collected will also be referred to as “**data subjects**.” Data subjects especially include authorized representatives, advisors and third-party collateral providers, such as guarantors.

### 3. What sources and data do we use?

We process personal data we receive from our clients or other data subjects through our business relationship. If necessary for the performance of our services and business activities, we may also process personal data legitimately obtained from publicly accessible sources (e.g., land registers, debtor registers or commercial registers) or legitimately transferred to us by other TAG Group subsidiaries or other third parties (e.g., credit agencies).

Relevant personal data includes personal details (name, address and other contact details, date and place of birth and nationality), legitimation data (e.g., ID data) and authentication data (e.g., signature samples). Such data may also include order data (e.g., payment orders), data obtained from the performance of our contractual obligations, information about your financial situation (e.g., creditworthiness data), marketing and distribution data, incl. advertisement scores, documentation data, data on your use of telemedia offered by us (e.g., opening our website at [www.tag-wohnen.de](http://www.tag-wohnen.de), apps and/or newsletters, pages and entries clicked on and other data comparable to the stated categories).

### 4. For which purposes and on what legal basis do we process your data (processing purpose)?

#### a) For the performance of a contract (Article 6(1) Letter b GDPR)

Data is processed for the initiation and conclusion of rental and usage agreements related to the management of the properties and apartments owned by the TAG Group’s property companies. The processing purposes are primarily determined by the specific agreement and product and may also include requirement analyses, consultation as part of contract initiation and the performance of purchases and sales. For further specifics about data processing purposes, please see the respective contractual documents and General Terms and Conditions.

#### b) For the purpose of legitimate interests (Article 6(1) Letter f GDPR)

If necessary, we will process your data for purposes that exceed the contractual performance to safeguard our or third parties’ legitimate interests, especially:

- Consulting and exchanging data with credit agencies (e.g., SCHUFA) to prevent credit and default risks in the rental business
- Assessing and optimizing requirements analysis procedures to address clients and, especially, tenants directly
- Exercising and defending legal claims in case of legal disputes
- Safeguarding TAG Wohnen’s IT security and IT operations
- Measures for building and system security (e.g., access controls),
- Measures for safeguarding domiciliary rights
- Measures for business management and further development of services and products offered by TAG Wohnen and other subsidiaries of the TAG Group

#### c) Based on your consent (Article 6(1) Letter a GDPR)

If you consent to our processing of personal data for certain purposes (e.g., transfers to third parties, assessment of data for marketing

purposes, shipping of offers, etc.), the lawfulness of this processing will be based on your consent. Consent may be withdrawn at any time. This also applies to the withdrawal of declarations of consent issued to us before the GDPR came into force, i.e., before 25 May 2018. Withdrawal of consent will only be effective for the future and will not affect the lawfulness of data processing performed prior to the withdrawal.

#### d) For compliance with legal obligations (Article 6(1) Letter c GDPR) or in the public interest (Article 6(1) Letter e GDPR)

In addition, TAG and, therefore, TAG Wohnen and the other TAG Group subsidiaries are subject to various legal obligations. The TAG Immobilien AG is a publicly traded company and must therefore comply with legal securities trading and other capital market regulations, especially instructions by the German Federal Financial Supervisory Authority. Processing purposes also include identity checks, compliance with monitoring and reporting obligations under tax law and assessing and managing risks of TAG Wohnen at the TAG Group.

#### 5. Who will receive my data?

Within TAG Wohnen and the TAG Group, your data will be provided to the bodies that require your data for the performance of our contractual and legal obligations. Service providers and vicarious agents used by us may also receive data for these purposes, e.g., craftsmen for the performance of repair orders, external brokers for visitations and the contract preparation (rental and purchase agreements) and meter-reading companies, billing agents, supply companies, cable companies, banks and home owners’ association administrators, if necessary. If required, third parties may receive and process such personal data as part of commissioned processing which is expressly permitted by law. In such cases, TAG Wohnen will remain responsible for the protection of your data. Processors in the sense of Article 28 GDPR commissioned by us are, e.g., companies providing IT services, print services, telecommunications, debt collection, distribution, marketing and address research.

For data transfers to recipients outside of the TAG Group, please note that we are bound to secrecy for all client-related matters and evaluations of which we learn (confidentiality). We may only transfer information concerning you if permitted by law, with your consent or if we are authorized for such disclosure. Under these conditions, recipients of personal data may especially include:

- Public authorities and institutions (e.g., the German Federal Financial Supervisory Authority or tax authorities) in case of legal or official obligations
- Other institutes or comparable institutions to which we transfer personal data (e.g., credit agencies) if necessary for the performance of the business relationship with you

Other data recipients may include the bodies for which you grant your consent for us to transfer your data or which you specify as recipients of your data.

Under Article 6(1) Letter f GDPR, the landlord will check information concerning the tenant’s address data (if applicable, first name, last name, address, email address and telephone number) and creditworthiness to safeguard the landlord’s legitimate interests. For this, the landlord works with, e.g., the Creditreform Boniversum GmbH, Hellersbergstraße 11, 41460 Neuss, Germany, and the Regis24 GmbH, Wallstr. 58, 10179 Berlin, Germany. For this purpose, the Landlord will transfer the tenant’s name and contact details to the Creditreform Boniversum GmbH or the Regis24 GmbH from whom the landlord obtains or to whom the landlord will transfer data for these purposes. The information under Article 14 GDPR on data processing performed by the Creditreform Boniversum GmbH and the der Regis24 GmbH may be found at <https://www.boniversum.de/eu-dsgvo/?lang=en> and [www.regis24.de/informationen](http://www.regis24.de/informationen) (German).

#### 6. Will data be transferred to a third country or to an international organization?

Except for your anonymized IP address and the use of website service providers, as described above, your personal data will not be transferred to third parties outside of the EU.

#### 7. How long will my data be saved?

We will process and save your personal data for as long as necessary for the performance of our contractual and legal obligations. Please note that our business relationships under concluded rental agreements represent continuing obligations and are established indefinitely.

When no longer necessary for the performance of contractual or legal obligations, data will be regularly erased, unless its—temporary—further processing is necessary for the following purposes:

- Compliance with storage obligations under commercial or tax law, e.g., under the German Commercial Code [Handelsgesetzbuch, HGB], the German Fiscal Code [Abgabenordnung, AO] or the German Securities Trading Act [Wertpapierhandelsgesetz, WpHG]. Such storage or documentation periods normally last between 2 and 10 years.
- Maintenance of evidence under legal limitation obligations. Under Section 195 *et seq.* of the German Civil Code [Bürgerliches Gesetzbuch, BGB], limitation periods may last up to 30 years, but normally last 3 years.

#### 8. What data protection rights do I have?

Every data subject has the right of access under Article 15 GDPR, the right to rectification under Article 16 GDPR, the right to erasure under Article 17 GDPR, the right to restriction of processing under Article 18 GDPR, the right to object under Article 21 GDPR and the right to data portability under Article 20 GDPR. The limitations of Section 34 and 35 of the German Federal Data Protection Act [Bundesdatenschutzgesetz, BDSG] apply additionally to the right of access and the right to erasure. This means that erasure claims aim to restrict the processing of personal data, since TAG is required to produce backups to secure its automated data processing systems and erasing personal data from these systems requires unreasonable and disproportionate expenditure. Finally, data subjects have

the right to lodge a complaint with a competent data protection supervisory authority (Article 77 GDPR pursuant to Section 19 of the German Federal Data Protection Act).

You may withdraw any consent granted to us for the processing of your personal data. This also applies to the withdrawal of declarations of consent issued to us before the GDPR came into force, i.e., before 25 May 2018. Withdrawal of consent will only be effective for the future and will not affect the lawfulness of data processing performed prior to the withdrawal.

These data protection rights may be exercised and, especially, withdrawal may be declared by email to:

[datenschutz@tag-ag.com](mailto:datenschutz@tag-ag.com)

or in writing by mail to the data protection officer:

TAG Wohnen & Service GmbH  
Datenschutzbeauftragter  
Kreuzstraße 7 c, 04103 Leipzig, Germany

These rights may be exercised free of charge.

#### **9. Am I required to provide data?**

Under our General Terms and Conditions, you are required to provide the personal data necessary for the initiation, performance and termination of a business relationship and for the fulfillment of related contractual obligations or which we are required to collect by law. Without this data, we will normally not be able to conclude, perform or terminate a contract with you.

#### **10. Is automated decision-making or “profiling” performed?**

We do not use fully automated decision-making under Article 22 GDPR for the establishment or performance of business relationships.

In exceptions, we may process your data automatically to evaluate personal aspects (profiling). However, such profiling will only be considered to provide consultation and targeted information about products. For this, we use assessment instruments that enable need-based communication and advertisements, including market and opinion research.

#### **11. What measures for safeguarding data protection are observed by TAG Wohnen and the TAG Group?**

Within their area of responsibility, TAG Wohnen and the TAG Immobilien AG structured their internal organization to take the special requirements of data protection, the GDPR and of the German Federal Data Protection Act into account. Technical and organizational measures for data protection that comply with these requirements have been implemented. TAG Wohnen and TAG are convinced that the implemented measures provide adequate protection against the risks related to the processing of personal data. These companies comply with the principle of data minimization, i.e., only data necessary for contract performance or that must be stored based on consent and/or by law is collected, processed and stored. Personal data is only received or transferred (e.g., in case of buying or selling) on the basis of strict confidentiality agreements and if necessary for transaction performance.

When contacting us through our websites, e.g., for information about rental offers, the privacy notices for opening and which may be found on and downloaded from the respective website (<https://tag-wohnen.de> (German) or <https://www.tag-ag.com/en/>) will apply in addition to this data protection information.

TAG Wohnen and TAG reserve the right to make additions to and regularly update this data protection information due to technical developments and unknown practices of supervisory authorities. Updated data protection information will become effective upon its publication on the website.

#### **12. Your right to object under Article 21 GDPR**

##### **Case-based right to object**

You have the right to object at any time on grounds relating to your particular situation to processing of personal data concerning you that is processed under Article 6(1) Letter e GDPR (data processing in the public interest) or Article 6(1) Letter f GDPR (data processing for the purpose of legitimate interests); this also applies to “profiling” in the sense of Article 4(4) GDPR based on this regulation.

If you object, we will no longer process your personal data, unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defense of legal claims.

##### **Right to object to data processing for direct marketing purposes**

In individual cases, we may process your personal data for direct marketing purposes. You have the right to object at any time to processing of personal data concerning you for such marketing; this also applies to “profiling” to the extent that it is related to such direct marketing.

If you object to processing for direct marketing purposes, we will no longer process your personal data for these purposes.

##### **Objections recipient**

Objections may be submitted informally with the subject line “Objection” and stating your name, address and date of birth to:

TAG Wohnen & Service GmbH  
Kreuzstraße 7 c, 04103 Leipzig  
Email: [widerspruch@tag-ag.com](mailto:widerspruch@tag-ag.com)

Hamburg, 24 May 2018

TAG Wohnen & Service GmbH