**Dowling Real Estate (Raymond Terrace) Pty Ltd Privacy Policy**

**We respect your privacy**

In this policy, Dowling Property means Dowling Real Estate (Raymond Terrace) Pty Ltd ABN 29 101 237 281, trading as Dowling Property Raymond Terrace.

Dowling Property respects your right to privacy and is committed to safeguarding the privacy and the rights of individuals in relation to their personal information, including our principals, clients, tenants, landlords and website visitors.

By using our services, you consent to us collecting, maintaining, using and disclosing your personal information in the way described in this Privacy Policy.

As we are an Australian based business, you acknowledge that our primary obligation is to adhere to the Australian Privacy Principles (APPs) established by the *Privacy Act 1988* (Cth). We will also ensure that we comply with other privacy policies, laws or regulations where we are legally obliged to do so. This policy sets out how we collect and treat your personal information.

This Privacy Policy also applies to people in the European Union (EU), as required under the General Data Protection Regulation (GDPR).

**The purpose of this Privacy Policy is to generally inform people of:**

* how and when we collect personal information;
* how we use and disclose personal information;
* how we keep personal information secure, accurate and up-to-date;
* how an individual can access and correct their personal information; and
* how we will facilitate or resolve a privacy complaint.

If you have any concerns or complaints about the manner in which your personal information has been collected, used or disclosed by us, we have put in place an effective mechanism and procedure for you to contact us so that we can attempt to resolve the issue or complaint. Please see below for further details.

**Collection of personal information**

**What is personal information?**

The *Privacy Act 1988* (Cth) defines “personal information” to mean any information or an opinion about an identified individual, or an individual who is reasonably identifiable:

* whether the information or opinion is true or not; and
* whether the information or opinion is recorded in a material form or not.

We collect personal information about you in order to provide our services, and support. Our services, and support are provided through numerous platforms including but not limited to: websites, mobile applications, email, and telephone. The specific platform and product, service, or support you interact with may affect the personal data we collect.

Not all information requested, collected, and processed by us is "Personal Information" as it does not identify you as a specific natural person. This will include majority of "User Generated Content" that you provide us with the intention of sharing with other users as well as aggregated data or material which is desensitized or which has had personal identifiers removed. Such "Non-Personal Information" is not covered by this Privacy Policy. However, as non-personal information may be used in aggregate or be linked with existing personal information. When in this form it will be treated as personal information. As such, this Privacy Policy will list both types of information for the sake of transparency.

In some situations you may provide us with personal information inadvertently or without us asking for it. We will take reasonable steps to protect this data. However, if you have bypassed our systems, processes, and control, the information provided may not be governed by this Privacy Policy.

In some situations you may provide us with personal information over platforms that are outside our control or maintained by 3rd party providers, for example through social media or messaging services. Whilst any information collected by us is governed by this Privacy Policy, the platform will be governed by its own Privacy Policy.

We will only use or disclose your personal information for the primary purpose for which it was collected or as consented to by you.

At or around the time we collect personal information from you, we will endeavour to provide you with a notice which details how we will use and disclose that specific information.

**How we collect personal information**

**Information that you specifically give us**

In order to use our services you may be asked to provide certain types of personal information. This might happen through our website, mobile applications, apps/plugins, online chat systems, telephone, paper forms, or in-person meetings. Our Collection Notice will explain how we will use the personal information we collect. The notice may be written or verbal.

We may request, collect, or process various information, including but not limited to the following information:

* Contact Details - email address, phone number, mobile number.
* Location Details - physical address, billing address.
* Property Details – land title description and related information.
* Account Details – financial institution, account number.
* Utility Details – your property's utility providers.
* Identity Details – as required to establish your identity including for verification of identity.
* User Generated Content – which may include position details, company profiles, ACN, ABN and the like.

If you do not provide some of the information requested or any other information we require in order for us to provide our services to you, we may be unable to provide our services to you in an effective manner, or at all.

**Collection from you**

We will endeavour to collect personal information about you, directly from you. In some circumstances it may be necessary for us to verify the information which you provide to us and to:

* obtain copies of documents
* contact third parties to obtain documents or information

**How do we collect personal information from other sources?**

We may collect personal information about you from other sources where permitted by the Act. We will only collect personal information from other sources where it is reasonably necessary for us to do so in relation to, or in connection with, any services we are supplying in connection with our real estate businesses. Examples of such sources of personal information include:

* from agents, other owners, insurers and underwriters, contractors, legal, financial and other advisors in relation to or in connection with any tenancy, lease or contract for sale of a property;
* from public registers including those managed by the National tenant database (TICA);
* from 3rd parties such as other entities which have a rent roll we manage under contract and/or where we provide similar rental accommodation services, where such information is provided to us with your consent in order to undertake those services.

**Information we collect as you use our service**

How do we collect personal information from you?

We offer a range of services including, without limitation, providing appraisals of properties acting as a real estate agent for the buying, selling and management of properties, leasing properties, advertising properties, arranging and conducting inspections, arranging and completing maintenance, conducting auctions, acting as a credit assistance provider, business broking, residential, commercial and industrial property management, the sale of land and aggregation, connection and disconnection of utility services (Services).

The following circumstances in which we may collect personal information from you include:

* if you are a prospective or current vendor or landlord and you want us to sell or manage your property, then we will collect personal information from you in order to identify you and the property;
* if you are a prospective or current purchaser or tenant and/or you inspect any property, then we will collect personal information from you when you attend the property inspection;
* if you are a prospective or current tenant and you want to rent a property, then we will collect personal information from you, usually at the rental application stage from the rental application and supporting documentation that you supply. If you are the successful tenant then we may also collect personal information from you during the continuation of any tenancy or lease agreement with the landlord; and
* if you are a prospective purchaser or tenant who has enquired about a property listed by us, then we will collect personal information from you, usually at the enquiry stage whether that be by telephone, email or online enquiry, including prior to or at any property inspection or open home inspection.

We maintain records of the interactions we have with others. This includes the interactions our users have with our platform such as when a user has viewed a page or clicked a button.

When we are contacted we may collect personal information that is intrinsic to the communication. For example, if we are contacted via email, we will collect the email address used. Other examples may include:

* Metadata - IP address, computer and connection information, referring web page, standard web log information, language settings, time zone, etc.
* Device Information - device identifier, device type, device plugins, hardware capabilities, etc.
* Actions - pages viewed, buttons clicked, time spent viewing, search keywords, etc.

**Other Information We Collect**

We collect information that personally identifies you, which may include your full name, job status and title, company name, address, phone and fax numbers, email address, mobile number, date of birth, gender, property details, payment details, proof of identity (e.g. driver licence or passport number), interest areas and other preferences. We may collect additional personal information from time to time.

We may also collect credit-related personal information to assess your credit worthiness including credit liability information, repayment history information, court proceedings, insolvency actions and credit worthiness.

We may need to collect sensitive information about employees or prospective employees including ethnicity, criminal record, tax file number, disabilities and employment history.

We do not otherwise generally collect sensitive information about you, unless it is voluntarily provided to Dowling Property in the course of carrying out our services.

You don’t have to give us the information requested. However, if you do not provide us with some or all of the personal information requested, we may not be able to provide you with services or satisfy your request, to the requested standard or at all, and you may also miss out on receiving valuable information about Dowling Property. In some cases it is a legal requirement to obtain information inform you and if you do not provide that information we may need to cease acting or terminate our relationship.

**Cookies and IP Addresses**

If you use our website, we may utilise “cookies” which enable us to monitor traffic patterns, trends and to serve you more efficiently if you revisit our website. In most cases, a cookie does not identify you personally but may identify your internet service provider or computer.

We may gather your IP address as part of our business activities and to assist with any operational difficulties or support issues with our services. This information does not identify you personally.

However, in some cases, cookies may enable us to aggregate certain information with other personal information we collect and hold about you. We extend the same privacy protection to your personal information, whether gathered via cookies or from other sources, as detailed in this Privacy Policy.

You can set your browser to notify you, accept or reject, or disable cookies. However, if you do so, you may not be able to access certain areas of our website or take advantage of the improved web site experience that cookies offer.

**Data**

Where we obtain any data as a result of your use of our Website or through any information which you may provide to us, you acknowledge that we will own the data and all rights which may subsist in relation thereto. Such data will generally be collected and maintained in an aggregated form, without any personal details which would otherwise identify you.

**Links to other sites**

On our website, you will encounter links to third party websites. These links may be from us, or they may appear as content generated by other users. These linked sites are not under our

control and thus we are not responsible for their actions. Before providing your personal information via any other website, we advise you to examine the terms and conditions of using that website and its privacy policy.

**Personal information about other people**

If you give us personal information about any other person, including in relation to, or in connection with, the rental/lease or sale of any property:

* we are entitled to assume that you have sought their consent to the disclosure of such personal information to us;
* we have collected their personal information for the purposes set out in this Privacy Policy;
* we may exchange their personal information with other organisations for the purposes set out in this Privacy Policy;
* we will handle their personal information in the same way as set out in this Privacy Policy.

**Consent to Collection and Use**

By using the Dowling Property website and services, providing information to us via any medium (including engaging with us through any social media channel), applying for a job with us or entering into an arrangement or other agreement with us, you are consenting to the collection and use of your personal information in accordance with this Privacy Policy.

You consent to us collecting sensitive information which you provide to us voluntarily.

**How we hold your personal Information**

Once we collect your personal information, we will either hold it securely and store it on infrastructure owned or controlled by us or with a third-party service provider who has taken reasonable steps to ensure they comply with the *Privacy Act 1988* (Cth).

We provide some general information on our security measures below.

**How we use personal information**

The information we request, collect, and process is primarily used to provide users with the product or service they have requested. More specifically, we may use your personal information for the following purposes:

* to undertake our activities/services;
* to provide the service or product you have requested including to 3rd parties where requested or directed by you;
* to provide technical or other support to you;
* to answer enquiries about our services, or to respond to a complaint;
* to promote our other programs, products or services which may be of interest to you (unless you have opted out from such communications);
* to allow for debugging, testing and otherwise operate our platforms;
* to conduct data analysis, research and otherwise build and improve our platforms;
* for billing and debt collection purposes;
* to undertake market research;
* to comply with legal and regulatory obligations;
* if otherwise permitted or required by law; or
* for other purposes with your consent, unless you 'opt out' or withdraw your consent for these purposes.

You acknowledge that we may also use your personal information:

* to provide a product or service that you have requested, for example, if you have requested information from the Dowling Property website;
* to identify and/or verify the identity of any vendor, prospective vendor, landlord or tenant for any property we manage or propose to manage;
* to process and assess any application received in relation to a tenancy or lease of any property;
* to advertise, market and promote any sale, tenancy or lease of any property;
* to negotiate and prepare any sale or tenancy agreement, lease or any other document for any property;
* to liaise and exchange information with the vendor, landlord, purchaser or tenant as well as their agents, contractors, legal, financial and other advisors in connection with any sale, tenancy or lease of any property;
* to manage any sale, tenancy or lease agreement including the collection of rent and other amounts on behalf of the vendor or landlord and preparation of required statements of account;
* to ensure the safety and security of vendors, landlords and existing occupiers and each of their property in connection with the inspection of any property by prospective purchasers or tenants;
* to provide your insurer with information relating to or connected with any property;
* to comply with any applicable law in connection with the sale or tenancy agreement or lease;
* to exchange information with other agents in our other offices or who operate under the Dowling Property banner;
* to inform and conduct marketing activities including to promote other sale or rental property that we are managing or any other service that we provide, unless you tell us not to;
* because you work for us, or apply to us for a job, work experience or appointment as a franchisee or contractor agent or broker; and
* to maintain our records and comply with our legal obligations.

The 'lawful processing' grounds on which we will use personal information include (but are not limited to):

* when you have given consent;
* when necessary for the performance of a contract to which you are a party;
* processing is necessary for compliance with our legal obligations;
* processing is necessary in order to protect the interests of a natural person;
* processing is done in pursuing our legitimate interests, where these interests do not infringe on the rights of others.

**When we disclose personal information**

**Sharing personal information with third parties**

We may seek and use personal information about you from, and use or disclose personal information about you to, third parties in relation to or in connection with the potential or actual rental of a property, the sale and purchase of a property or other business or administrative functions for the real estate agency. These third parties may include:

* if you are a tenant, including any prospective tenant, your referees, including your employer or other individuals to confirm your identity and/or other details about you in any rental application that you submit;
* government and/or regulatory bodies including (without limitation) the NSW Land and Property Management Authority, Australian Taxation Office, the Revenue NSW. In many cases, these organisations may share information with foreign authorities;
* third party service providers including those which collect or aggregate data, which assist us to communicate with you;
* if we enter into, or propose to enter into, any agreement or arrangement with any party for the purpose of, or in connection with, the acquisition of our business (including any

part of our business that includes personal information), that party (including its legal, financial and other professional advisers) to provide personal information in relation to or in connection with those arrangements; and

* service providers including IT and data consultants, agents, contractors and advisers that assist us to conduct our business.

**Sharing personal information with related companies**

We may share personal information about you with our related companies for any of the purposes described above. Our related companies will be taken to include the various entities set out in page 1 of this policy and such other entities as we identify from time to time as forming part of the Dowling Property group.

**Our third-party service providers**

Your personal information may be held or processed on our behalf outside Australia, including 'in the cloud', by our third party service providers. Our third party service providers include an entity in the Philippines which undertakes administrative work under our direction and instruction. They are bound by contract to only use your personal information on our behalf, under our instructions.

Our third party service providers may also include:

* Companies with whom you may choose to deal (and their representatives);
* Delivery partners and/or contractors;
* Cloud hosting, storage, networking and related providers;
* Payment, banking and credit rating providers;
* Marketing and analytics providers;
* Security providers;
* Or professional advisors, including lawyers, accountants and auditors.

**Other disclosures and transfers**

We may also disclose your personal information to third parties for the following purposes:

* if necessary to provide the service or product you have requested including to 3rd parties;
* we receive court orders, subpoenas or other requests for information by law enforcement;
* if otherwise permitted or required by law; or
* for other purposes with your consent.

**Provision of informed consent**

By submitting your personal information to us, you expressly agree and consent to the use of your personal information for the purposes set out above, as well as for the disclosure, transfer, storing or processing of your personal information outside of Australia. In providing this consent, you understand and acknowledge that countries outside Australia do not always have the same privacy protection obligations as Australia in relation to personal information. However, we will take steps to ensure that your information is kept securely by any 3rd party and in accordance with the terms of this Privacy Policy.

The *Privacy Act 1988* requires us to take such steps as are reasonable in the circumstances to ensure that any recipients of your personal information outside of Australia do not breach the privacy principles contained within the *Privacy Act 1988*. By providing your consent, under the *Privacy Act 1988*, we are not required to take such steps as may be reasonable in the circumstances. However, despite this, we acknowledge the importance of protecting personal information and have taken reasonable steps to ensure that your information is used by third parties securely and in accordance with the terms of this Privacy Policy.

**If you do not consent**

If you do not agree to the disclosure of your personal information outside Australia by us, you should tell us that you do not consent. To do this, either elect not to submit the personal information to us or contact us via the details set out in this document.

**Accessing, correcting, or downloading your personal information**

You have the right to request access to the personal information Dowling Property holds about you. Unless an exception applies, we must allow you to see the personal information we hold about you, within a reasonable time period, and without unreasonable expense for no charge. Most personal information can be accessed by logging into your account. If you wish to access information that is not accessible through our website, or wish to download all personal information we hold on you in a portable data format, please contact our Privacy Officer.

You also have the right to request the correction of the personal information we hold about you. All your personal information can be updated through the user settings pages. If you require assistance please contact our customer support.

**Exercising your other rights**

You have a number of other rights in relation to the personal data Dowling Property holds about you. However, there may be restrictions on how you may exercise the rights. This is largely due to the nature of the products and services we provide. Much of the data we collect is in order to facilitate product/service enquiries, facilitate payments, and provide protection for the legitimate users of our Services – who are entitled to protection through the following:

* opt-out of direct marketing, and profiling for marketing
* erasure or deletion of personal information
* temporary restriction of processing

**Direct marketing and profiling**

You can also control what email or notifications you receive through your settings page.

**Express informed consent**

You give your express and informed consent to us using your personal information to provide you with information and to tell you about our products, services or events or any other direct marketing activity (including third party products, services, and events) which we consider may be of interest to you, whether by post, email, SMS, messaging applications and telephone (Direct Marketing Communications).

**Opt Out**

If at any time you do not wish to receive any further Direct Marketing Communications from us or others, you may ask us not to send you any further information about services and not to disclose your information to other organisations for that purpose. You may do this at any time by using the “unsubscribe” facility included in the Direct Marketing Communication or by contacting us via the details set out in this document.

**Anonymity and pseudo-anonymity**

We will endeavour to provide you with the option of dealing with us on an anonymous basis or through the use of a pseudonym. However, there may be circumstances in which it is no longer practicable for us to correspond with you in this manner and your personal information may be required in order to provide you with our services or to resolve any issue you may have.

**Erasure**

Most personal information and user generated content cannot be deleted as they are used to support contracts, document financial transactions, and are used in providing protecting other legitimate users of the marketplace. In the case of non-personal data that can be linked with personal data, it will either be erased or otherwise anonymised from the personal data.

Notwithstanding the above, we will take reasonable steps to:

1. make sure that the personal information we collect, use or disclose is accurate, complete and up to date;
2. protect your personal information from misuse, loss, unauthorised access, modification or disclosure both physically and through computer security methods; and
3. destroy or permanently de-identify personal information if it is no longer needed.

**Data Breach**

In the event that we become aware of any unauthorised access to our system which results in a genuine expectation that your personal information has been obtained by an unauthorised 3rd party, or in the event of any other breach or failure of our system which results in your personal information becoming available to, or being provided to any 3rd party then we will:

1. take all reasonable steps to recover or otherwise secure your personal information;
2. limit access to your personal information;
3. minimise the risk of harm; and
4. take such other steps as we may decide would be prudent for us to take in the circumstances.

We will also notify you of any breach in the event that we, acting reasonably, form the view that the breach cannot be reasonably contained and is likely to result in any serious harm.

**Temporary restriction to processing**

Under certain circumstances you may exercise this right, in particular if you believe that the personal data we have is not accurate, or you believe that we do not have legitimate grounds for processing your information. In either case you may exercise this right by contacting our Privacy Officer.

Unless stated above, users may exercise any of the above rights by contacting our Privacy Officer.

**To contact our Privacy Officer**

If you have an enquiry or a complaint about the way we handle your personal information, or to seek to exercise your privacy rights in relation to the personal information we hold about you, you may contact our Privacy Officer as follows:

**By Email**: [kate@dowlingterrace.com.au](mailto:kate@dowlingterrace.com.au)

**By Mail**:  
Attention: Kate Organ

16a William Street

RAYMOND TERRACE NSW 2324

For the purposes of the GDPR, our Privacy Officer is also our Data Protection Officer (DPO).

While we endeavour to resolve complaints quickly and informally, if you wish to proceed to a formal privacy complaint, we request that you make your complaint in writing to our Privacy

Officer, by mail or email as above. We will acknowledge your formal complaint within 10 working days of receipt.

If we do not resolve your privacy complaint to your satisfaction, you may lodge a complaint with the Office of the Australian Information Commissioner (OAIC) by calling them on 1300 363 992, making a complaint online at www.oaic.gov.au, or writing to them at:  
  
OAIC  
GPO Box 5218  
Sydney NSW 2001

**Consent, modifications and updates**

**Interaction of this Policy with contracts**

This Privacy Policy is a compliance document prescribed by law rather than a legal contract between two or more persons. However, we will ask for your consent, consistent with the terms of this policy and certain contracts may incorporate all, or part, of this Privacy Policy into the terms of that contract. In such instances, We may incorporate the terms of this policy such that:

1. certain sections or paragraphs in this policy are incorporated into that contract, but in such a way that they do not give rise to contractual obligations onto Us, but do create contractual obligations on the other party to the contract; and
2. the consents provided in this policy become terms of the contract

**Acknowledgement**

By using our website, or in otherwise obtaining a service from Us, where you have been provided with a copy of our Privacy Policy or had a copy of our Privacy Policy reasonably available to you, you acknowledge and agree:

1. to provide the consents given by you in this Privacy Policy; and
2. that you have been informed of all of the matters in this Privacy Policy

**Modification and Updates**

We operate in a dynamic business environment. We reserve the right to modify our Privacy Policy as our business needs require. We will take reasonable steps to notify you of such changes (whether by direct communication or by posting a notice on our website). If you do not agree to our continued use of your personal information due to the changes in our Privacy Policy, please cease providing us with your personal information and contact us via the details set out in this document.

**Credit Reporting Policy**

We may also be bound by the credit reporting provisions of the Privacy Act and the Credit Reporting Code registered under the Privacy Act. For instance, where we provide services to you on credit (that is, you will pay for those services after we start providing them to you), we are a credit provider for the purposes of the Privacy Act.

This Credit Reporting Policy describes how we manage credit-related information about individuals (credit information). It does not apply to the collection or use of credit related information about corporations.

We will ensure that all personal information (including credit information) which we handle is managed in accordance with the Privacy Act and other applicable laws protecting privacy.

**Collection of credit information**

We may collect, hold and use certain credit related information about you. We will generally only obtain this information from you. We will not routinely collect or exchange information with credit reporting bodies and other credit providers unless you authorise us to do so. We use credit related information to assist us in determining whether we will provide or continue to provide services to you on credit and to manage our relationship with you. Credit related information includes your name and contact details, your credit history (including any repayments or late repayments you have made), any credit rating or credit assessment score that we calculate; and details of any credit related court proceedings or insolvency applications that relate to you.

We will securely store all credit related information that we collect or hold about you.

**Disclosure of credit information**

Unless otherwise required by law, we will only disclose your credit related information to third parties in limited circumstances as permitted by the Privacy Act. We may disclose your credit related information to parties that provide credit related services to us such as debt collectors, credit management agencies and our agents. We may also disclose your credit related information to a third party that you or we request act as a guarantor in relation to any credit provided to you. We may also disclose credit information to credit reporting bodies where there has been a default in payment. We will provide at least 14 days’ notice of our intention to disclose default information to a credit reporting body before making any such disclosure. We will not directly disclose any credit information to any recipient located outside of Australia.

Other circumstances where we may disclose your credit related information include where required by law or the order of a court or tribunal and where you otherwise expressly consent to the use or disclosure.

**Access & Corrections**

Consistent with our Privacy Policy, you may request access to any credit related information that we hold about you.

If you request that we correct any credit related information that we hold about you, we will endeavour to respond to that request within 21 days (or such longer period as you may agree) and correct any credit related information that we hold about you that we are satisfied is inaccurate, out-of-date, incomplete, irrelevant or misleading.

**Complaints**

You may complain about any failure by us to comply with Part IIIA of the Privacy Act or the Credit Reporting Code. If your complaint relates to our failure to provide access to or to correct any credit related information that we hold about you, you may lodge a complaint directly with the Office of the Australian Information Commissioner (for more information, please see www.oaic.gov.au). If your complaint does not relate to these matters, you must first lodge a complaint with us in accordance with the procedure set out in our Privacy Policy, which sets out how we will deal with such complaints.

A complaint may be lodged by contacting us directly or by emailing kate@dowlingterrace.com.au