

## **CODA Estates Limited – Privacy Notice**

**This Privacy Notice explains how we intend to make use of your personal data for the purposes of providing Services.**

For Job Applicants and Employees, please click to read our respective Privacy Policies;

- **[Job Applicants](#)**
- **[Employees](#)**

We are CODA Estates Limited have an appointed Data Protection Officer who may be contacted us on the following details:

Email: **[enquiries@codaestates.co.uk](mailto:enquiries@codaestates.co.uk)**

Post: The DPO, 2-4 Heath Avenue, Lenzie, Glasgow, G66 4LG

We use data we have collected about people for the following permitted purposes under the General Data Protection Regulation:

- To fulfil contractual obligations, we have toward them (where appropriate);
- To protect our legitimate interests and the legitimate interests of clients (landlords or property sellers);
- To allow our clients to fulfil their own contractual obligations to you (e.g. by carrying out repairs and property maintenance);
- To fulfil our obligations under the law.

Where we have obtained proper consent to do so we will also use your contact data:

- To allow us to send you property alerts and information;
- To allow us to market our services;
- To allow us to market relevant services by other third parties.
- We may also anonymise data and then use it for statistical analysis of the property market.

### **How is your Personal Data Collected?**

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

#### **Direct interactions**

You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- apply for our Estate and Letting Agency services (including applying for a tenancy);
- create a mailing list account;
- subscribe to our service or publications;
- request property details, send us an enquiry or request a valuation by visiting our branch offices, telephoning us or sending us an email or online enquiry;
- enter a competition, promotion or survey; or
- contact us through social media;
- give us some feedback.

## Third parties or publicly available source

We may receive personal data about you from various third parties and public sources as set out below:

Identity and Contact Data from data brokers or aggregators such as:

- Rightmove Plc (based inside the EU)
- Zoopla Property Group Plc (based inside the EU)
- OnTheMarket Plc (based inside the EU)
- All Agents (based inside the UK)
- S1Homes (based inside the EU)
- Facebook/Instagram/Twitter (based outside the EU)

Identity and Contact Data from publicly available sources within the UK such as:

- The Registers of Scotland – Land Register
- The Scottish Landlord Register
- Companies House
- Electoral Register

Identity and contact data from other sources in the UK such as:

- Department of work and pensions
- Local Authorities

## General data uses

Our IT services and our business management software are provided by **Arrow Communications Scotland (T/A PCR IT Ltd)**. They may have occasional access to personal data that we hold as a side-effect of their access to our computer systems for maintenance, trouble-shooting and testing purposes. They will not make any use of personal data from our systems at all. We have a contract with them to protect your data privacy.

We will use **Microsoft Outlook** to process email communications sent by staff and **Microsoft Sharepoint** to share files within the office. They process data within the European Economic Area (EEA) and maintain GDPR compliance.

Where we have been given your consent to use your data for marketing purposes such as emailing you property alerts when a property is listed for sale or let that matches your criteria or is updated to match your criteria, we will only do so to the extent that your consent was given and only to the organisations or categories of organisations we identified when seeking that consent. We will use **Jupix** a cloud based property software system part of the **Zoopla Group** to send automated email communications generated and sent by our management software system. They process data within the EEA and we have a contract with them to protect your data privacy.

Through our IT services provider **Arrow Business Communications (T/A Arrow Communications)** we use Arrow Communication to securely store data within the UK. They will not make any use of personal data stored with them at all.

We use **79 Creative** as our property marketing and creative design services provider. **79 Creative** also manage our social media accounts. They do not have access to personal data from our IT systems. They process data within the EEA and we have a contract with them to protect your data privacy.

Our website is provided by **Easy Websites Ltd.** They process data within the European Economic Area (EEA) and we have a contract with them to protect data privacy. We use **Easy Websites Ltd** to securely store our website data within the UK. They will not make any use of personal data stored with them at all.

We will pass identity and financial information to legal advisors and debt collectors to protect our and our client's legitimate interests by assisting in the collection of debts owed to ourselves or our clients or to take legal advice about claims that may be advanced against us or our clients.

### **Specific data uses – Sales Vendors, Purchasers & Viewers**

We will securely pass identity information about Sales Vendors to **Adobe Systems Software Ireland Limited (Adobe Ireland) (T/A Adobe)** when instructed by you to appoint us as your Selling Agent for the purpose of signing our electronic Sole Selling Rights Agreement. They process data within the EEA and we have a contract with them to protect your data privacy.

We may also make reports to government agencies where we have a reasonable suspicion of money laundering or terrorist or criminal financing in line with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017.

We will securely pass identity information about Sales Vendors to **Shepherd Chartered Surveyors (T/A J&E Shepherd) or D M Hall LLP Chartered Surveyors** when instructed by you to book your Home Report. They process data within the EEA and we have a contract with them to protect your data privacy.

We will securely pass identity information about Sales Vendors to **Roddy Scott Photography Ltd** to produce property videography and photography for marketing purposes. They process data within the EEA and we have a contract with them to protect your data privacy.

We will place details of properties on our own and other websites, on social media and in the press to market them for sale or letting.

Where we have been given your consent to securely pass your identity information to third party Solicitor firms and Mortgage Brokers we will only do so to the extent that your consent was given and only to the organisations or categories of organisations we identified when seeking that consent.

### **Retention**

We will retain data no longer than necessary. Where a property is viewed and/or offers are made and/or a purchase takes place we will retain the information about that property transaction for 6 years from the end of the Sole Selling Rights Agreement in place with the Sales Vendor (the sale date or withdrawal date) to comply with our statutory duties to retain information for money laundering purposes, to comply with The Property Ombudsman Code of Practice for Residential Estate Agents in Scotland as well as to protect our legitimate interests and those of our clients in defending possible legal claims.

### **Specific data uses – Landlords & Tenants**

We will place details of properties on our own and other websites, on social media and in the press to market them for sale or letting.

On occasion we will securely pass identity and financial information about prospective Tenants to our referencing agency, **UKtenantdata**. Our referencing agency will access your credit records held with a credit referencing agency as part of the referencing process. Our referencing agency will also use identity information, banking, employment, and past residence information to obtain references from previous landlords, banks, or employers as to the suitability of a prospective tenant for a property and their ability to afford the rent. This may include telling those organisations or individuals the rent that the proposed tenancy is being marketed at. Our referencing agency may process parts of your credit

records and other data they obtain to process your data automatically to produce a score which will determine whether or not you will be offered a tenancy. This is to protect the legitimate interests of our Landlord clients in having tenants who will not misuse their property and will pay the rent on time. If you refuse to give us this information or seek to try to prevent us making use of it then we will not be able to offer you a tenancy.

For fully managed tenancies, we will securely pass identity information we collect about Tenants and Landlords clients who enter into tenancies to **SafeDeposit Scotland**. This is to fulfil our Landlord clients' legal obligations under the Housing (Scotland) Act 2006 and the Tenancy Deposit Schemes (Scotland) Regulations 2011 to register a tenants deposit with an approved tenancy deposit scheme in Scotland. This also allows us to fulfil our contractual obligation to our Landlord clients by registering a tenants deposit on behalf of our Landlord client.

We will pass the name, address, and telephone details of new Tenants to utility providers and local authority tax collection agencies to allow utility and tax accounts to be placed in the correct names to protect the legitimate interests of our Landlord clients.

We will pass the name, address and telephone details of Landlord clients to utility providers and local authority tax collection agencies to allow utility and tax accounts to be placed in the correct names to protect the legitimate interests of outgoing Tenants.

We will use a repair management software provided by **My Property File** via **Jupix** part of the **Zoopla Group**. They may have occasional access to data for maintenance and trouble-shooting purposes. They process data using a cloud-based system within the EEA. We have a contract with them to protect data privacy.

We will use an inventory and inspection software provided by **Findlay Letting Services (T/A FLS)**. They may have occasional access to data for maintenance and trouble-shooting purposes. They process data using a cloud-based system within the EEA. We have a contract with them to protect data privacy.

We will pass personal contact information of Tenants and property details to our approved contractors to allow our Landlord clients to fulfil their contractual obligation to organise tenancies and maintain tenanted property and to meet their legitimate interest in protecting their property. We will take steps to require maintenance contractors to comply with their data protection obligations.

We will pass identity and financial information of our Landlord clients to the **Royal Bank of Scotland Group Plc (T/A RBS)** to fulfil our contractual obligation to facilitate the transfer of net rent receipts received from Tenants or other sums owed to our Landlord clients.

We will pass identity and financial information of our Landlord clients to **HM Revenue & Customs** to fulfil our legal obligations in respect of receiving a Notice under Paragraph 1, Schedule 23 to the Finance Act 2011 and with the Non-resident Landlord Scheme.

## **Retention**

We will retain data no longer than necessary. Where offers are made by a Tenant applicant and/or a tenancy is entered into with a Landlord client, we will retain the information about that tenancy for 6 years after it ends to comply with our statutory duties to retain information for tax authorities, to comply with The Property Ombudsman Code of Practice for Residential Letting Agents in Scotland as well as to protect our legitimate interests and those of our Landlord clients in defending possible legal claims.

## **Specific data uses – Sales and Letting Property Valuations (that do not come to market with us)**

Where we have been given your consent to securely pass your identity information to third party Solicitor firms and Mortgage Brokers we will only do so to the extent that your consent was given and only to the organisations or categories of organisations we identified when seeking that consent.

## **Retention**

We will retain data no longer than necessary. Where we value a property for you, for sales and/or let, but you decide not to appoint us a Sales Vendor client or a Landlord client, we will retain the information about that valuation for 6 years from the date of valuation to comply with The Property Ombudsman Code of Practice for Residential Estate Agents in Scotland and The Property Ombudsman Code of Practice for Residential Letting Agents in Scotland, as well as to protect our legitimate interests in defending possible legal claims and for statistical and management information purposes.

### **Specific data uses – Property Enquires (that do not progress further than the enquiry)**

Where we have been given your consent to securely pass your identity information to third party Solicitor firms and Mortgage Brokers we will only do so to the extent that your consent was given and only to the organisations or categories of organisations we identified when seeking that consent.

### **Retention**

We will retain data no longer than necessary. We will retain information about enquiries that do not progress to viewing, valuation, offering, purchase or let for 12 months from the date the enquiry was received for statistical and management information purposes.

### **Your Rights**

Where we have asked your consent for the use of your data you may withdraw it at any time. We may only then process your data if we can establish a need to do so.

You have the right to ask us to delete or stop processing your data. We may only then continue to do so if we can establish a need to do so.

If you are unhappy with how we have handled your data, you may complain to us at any time by contacting the Data Protection Officer named above. You also have the right to complain to the Information Commission whose details can be found (along with more information on your rights) at (<https://ico.org.uk>).

### **Access to Personal Information**

You have the right to ask for a copy of any of your personal data held by us (where such data is held). This is known as a “subject access request”. Under the GDPR, no fee is payable and we will provide any and all information in response to your request free of charge.

Please contact the Data Protection Officer on the above contact details contained at the start of this Privacy Notice.

### **Our use of Cookies**

Our website uses cookies to distinguish you from other users of our website. This helps us to optimise your experience of our website and services and also allows to improve our site. For detailed information on the cookies we use, the purposes for which we use them and our [Cookie Policy](#). Our website and applications may collect anonymous data about how you use our services in order to help us improve future functionality.

We use Google Analytics, which is a web analysis service provided by Google. No data that personally identifies an individual (such as a name, email address or billing information) is tracked, collected or uploaded. We may collect and report on the adoption and usage of specific features, crashes and exceptions and other useful, anonymous metrics.

More about [Googles Privacy Policy](#).

Opting out:

View our [Cookie Policy](#) to learn about our use of cookies, and how to manage or remove them.

### **Links to other Websites**

This privacy notice does not cover the links within this site linking to other websites. We encourage you to read the privacy statements on the other websites you visit.

### **Changes to this Privacy Notice**

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection.

This privacy notice was last updated on November 2019.