

## Data protection information for tenants

Dear tenants,

We would like to inform you about how your data is handled with the following data protection information.

If you have any **questions, comments or criticism**, please contact our data protection officer. You will find their contact details under "Controller".

### **Information on the handling of your data and your rights in accordance with Art. 13 and 14 of the General Data Protection Regulation (GDPR)**

In the following, you will be informed about the processing of your personal data by the property company managing the contract as landlord and Dawonia Management GmbH as property manager and the claims and rights to which you are entitled under the data protection regulations. This data protection information explains in particular which personal data is processed and to what extent this processing occurs in connection with the conclusion, execution and termination of the rental agreement.

If your personal data is processed for other reasons, processing is also governed by the separate data protection notices applicable to these other purposes.

#### **1. Who is responsible for data processing and who can I contact?**

Responsible for the processing of your personal data as a tenant<sup>1</sup> is the property company managing the contract whose property portfolio includes the advertised rental flat / commercial rental space or the advertised garage / parking space. Please check your tenancy agreement to see with which property company you have concluded it.

In addition to this property company managing your contract as your landlord, the Dawonia companies responsible for human resources (Dawonia Real Estate GmbH & Co. KG, Dawonia Management GmbH and Dawonia Gebäudemanagement GmbH) may be "joint controllers" within the meaning of Art. 4 No. 7 in conjunction with Art. 26 GDPR for the processing of your data in individual cases, insofar as they determine the purposes and means of certain processing activities together with the property company.

The company managing the contract is represented by Dawonia Management GmbH, which is commissioned by the property companies managing the contract to manage their residential portfolios.

You can reach Dawonia Management GmbH, the contact point for data protection enquiries to the controller, using the following contact details:

#### **Dawonia Management GmbH**

Dom-Pedro-Straße 19  
80637 Munich  
T +49 89 306 17-0  
[info@dawonia.de](mailto:info@dawonia.de)

Or address your questions about data protection directly to the data protection officer, Mr Mümtaz Kilic, in-house lawyer:

Dawonia Management GmbH

#### **- Data protection -**

Dom-Pedro-Straße 19  
80637 Munich  
T +49 89 306 17-0  
[datenschutz@dawonia.de](mailto:datenschutz@dawonia.de)

Please note that if you use this e-mail address, the content will not be viewed exclusively by the data protection officer. For confidential matters, please send an enquiry to this address with a request for personal feedback.

## **2. Why is your data processed (purposes of processing) and on what legal basis?**

Your data is processed in accordance with the provisions of the General Data Protection Regulation (GDPR), the Federal Data Protection Act (BDSG) and other relevant provisions and laws to be observed when processing personal data.

### **2.1 Processing within the scope of the contractual relationship**

If a tenancy agreement is concluded, the following data will be processed in addition to the data collected from you as a prospective tenant for the purpose of implementing and managing the tenancy, managing the tenancy agreement, processing tenant concerns, documenting business transactions, communicating with you as a tenant, internal quality assurance and ensuring compliance with legal and business requirements and compliance regulations:

- Personal details (e.g. title, names, addresses, telephone (landline/mobile), fax, e-mail, date of birth)
- Bank data (IBAN, BIC, bank, account holder), payment information, information on payment history, billing data
- Consumption data and consumption costs (e.g. electricity, gas, heat, water, etc.)
- Information about the condition of the rental property (e.g. damage)
- Information on rental behaviour
- Other information that tenants provide to the controller or its service providers (e.g. property management, tradespeople, service staff)
- Data on the living situation (e.g. flatmates, subtenants, other people living in the household, pets)

In addition, further data (e.g. applications for authorisation) that you provide in the course of the contractual relationship will be processed.

Besides your details as a tenant, the controller will, if necessary, also process data from other tenants, guarantors, carers or legal representatives and, if applicable, subtenants. In this case, the tenant must inform the aforementioned data subjects of this data protection information.

If relevant, official notifications regarding your benefits will also be stored. Submitted salary statements will be checked when the tenancy agreement is concluded or upon request. A verification statement will be created about this and about the check of your identity card or – if applicable in your case – your residence permit, which will also be stored. The legal basis for the processing of the data is Art. 6 para. 1 sentence 1 lit. b) GDPR. To implement and process your tenancy agreement, in particular for the purpose of billing your rent and ancillary costs (such as heating, water, waste and other operating costs), receivables management including the administration of the rent and deposit account, modernisation and development of the properties, which may also include maintenance and refurbishment, rent adjustment and the handling of (tenant) communication, the names of tenants, residents, guarantors, carers and legal representatives, their contact details, bank and payment data, consumption data for ancillary cost billing, apartment-related information for determining comparative rents, communication content and, if applicable personal or business-related information on the economic situation in the context of hardship checks will be processed. The legal basis for the processing of the data is Art. 6 para. 1 sentence 1 lit. b) GDPR.

For the processing of tenant concerns, quality assurance and internal legal advice, the legitimate interest of the controller or a third party pursuant to Art. 6 para. 1 sentence 1 lit. f) GDPR may also come into consideration. In this respect, the legitimate interests of the controller may also include the processing of claims and reporting to insurers, ensuring the quality of processes in the company and the exercise of rights and fulfilment of obligations in the context of the balancing of interests to be carried out in individual cases.

## **2.2 Processing activities for other reasons**

### **2.2.1 My Dawonia tenant app**

As a tenant, you can register as a user for the "My Dawonia" tenant app provided by Dawonia Management GmbH. This tenant app gives you the opportunity to view, change and add information about the tenancy, such as details of your tenancy agreement, communication data and other data stored as part of the execution of the tenancy agreement. You can also use the tenant app to report damage and repairs. In the event of damage to the rental property, the case will be recorded so that appropriate repair measures can be carried out and the incident reported to the insurance companies.

Depending on the purpose of use, your personal data as a tenant and user of the tenant app may be processed, among other things, for the execution of the tenancy agreement with you on the basis of Art. 6 para. 1 sentence 1 lit. b) GDPR, due to the legal obligation of the letting property company, as the controller, to maintain the rental property on the basis of Art. 6 para. 1 sentence 1 lit. c) GDPR in conjunction with Art. 535 para. 1 of the German Civil Code (BGB). In addition, processing may be carried out on the basis of the legitimate interests of the controller to maintain and modernise its real estate properties and to handle claims via its insurance policies in accordance with Art. 6 para. 1 sentence 1 lit. f) GDPR.

Further information on the handling of your data as a user of the "My Dawonia" tenant app can be found in the data protection information for the tenant app, which you can access in the app.

### **2.2.2 Portfolio management and property valuation**

Tenancy agreement data is pseudonymised for property development and rent adjustments in order to facilitate portfolio management and make the data available for property valuation. Here, data on the tenancy agreement (living space, location, marital status, amount of rent paid and comparable data) is summarised (aggregated) for the entire residential complex and subsequently evaluated in pseudonymised or anonymised form, unless an evaluation of an individual rental property is required. The legitimate interest of the controller for processing lies in its right to value its property and further develop its business. The legal basis for the processing of the data is Art. 6 para. 1 sentence 1 lit. f) GDPR in order to obtain suitable key figures for the further development of the residential complex.

### **2.2.3 Further development and quality assurance of data processing systems**

In order to continuously improve the data processing systems and to eliminate errors, quality assurance measures, such as the development and testing of software in test development environments with test data, are used by the controller or developers commissioned by the controller. For this purpose, it may be necessary to collect and store personal data previously collected and stored in another database in a database set up for testing and troubleshooting purposes, if this further processing is compatible with the specific purposes for which the personal data was originally collected. Your data is processed on the basis of Art. 6 para. 1 sentence 1 lit. f) in conjunction with Art. 6 para. 4 GDPR.

### **2.2.4 Rent management and the processing of hardship cases**

Due to legal requirements, the controller is obliged to carry out a rent review. This involves the processing of tenants' personal data. Your personal data is processed to check whether the rent has been collected in accordance with the law and whether the respective property is occupied in accordance with the legal requirements. Your data is processed on the basis of Art. 6 para. 1 sentence 1 lit. c) GDPR.

If you apply for consideration as a hardship case, you will be required to provide personal data. This may include proof of income, pension statements, tax statements, documents from your job centre (Arbeitsamt) or social welfare office (Sozialamt). In addition, it may be necessary to request special categories of personal data from you, such as a medical certificate or certificates of loss of earnings. The processing is carried out to evaluate your hardship application on the basis of Art. 6 para. 1 sentence 1 lit. b) GDPR and, insofar as special categories of data are processed, on the basis of Art. 9

para. 2 lit. b) GDPR in conjunction with the statutory provisions for the grounds of hardship under tenancy law.

### **2.2.5 Consumption measurement and smoke alarms**

For the purpose of fire protection and electronic consumption measurement by means of wireless data transmission, information on the functional status of the appliances and consumption (e.g. water, heat) is processed. The legal basis for the processing is the fulfilment of contractual obligations pursuant to Art. 6 para. 1 sentence 1 lit. b) GDPR and legal obligations pursuant to Art. 6 para. 1 sentence 1 lit. c) GDPR (in particular the obligation under the state building regulations regarding the use of the installation and operation of smoke alarms and the energy law regulations on the use of wirelessly readable consumption meters).

### **2.2.6 Digital locking systems**

For the purpose of operating a digital locking system for front doors with radio transponders, the flat number, move-in and move-out dates and transponder numbers are processed for the purpose of issuing the transponders. The processing is carried out in accordance with Art. 6 para. 1 sentence 1 lit. b) GDPR. The transponders are only used to open the doors in the residential complexes and to the flats; locking logs are not created.

### **2.2.7 GRESB certification**

Since 2021, annual certification has been carried out by means of a GRESB rating process to assess the commitment of the controller to the sustainable management of its residential property portfolio. This is a recognised evaluation system for measuring the sustainability performance of real estate companies. To determine various key figures as part of this certification programme, the energy consumption values of the residential complexes – including heating and electricity consumption – are recorded. For this purpose, the consumption values determined for the heating cost billing of the respective residential complexes are used to measure the heating consumption. In addition to the annual reading of the general electricity of the residential complex, the electricity consumed by the residents is also read at the individual electricity meters of the residential units. The consumption values for electricity are summarised (aggregated) for the entire building and subsequently evaluated anonymously. Once the original data collected has been merged, it is deleted. This data processing is carried out on the basis of legitimate interests pursuant to Art. 6 para. 1 sentence 1 lit. f) GDPR in order to obtain suitable key figures for the energy consumption value of the residential complex.

### **2.2.8 Video surveillance**

At certain sensitive locations or particularly vulnerable areas of residential complexes, especially in and in front of entrances to underground car parks, areas of properties that are difficult or impossible to monitor, in and around construction sites and at the locations at Dom-Pedro-Straße 19 in Munich and Luise-Ullrich-Straße 2 in Grünwald, permanent or temporary video surveillance is used for the purpose of protecting tenants, employees and suppliers from acts of violence and threats, securing the property against burglary and damage to property, safeguarding domiciliary rights and detecting and prosecuting criminal offences. Moving images are processed in which people may be depicted, as well as the location and time of the recordings. The legal basis for the processing of the data is Art. 6 para. 1 sentence 1 lit. f) GDPR. The monitored areas are labelled accordingly with a pictogram and information on data protection.

In normal operation, image files are recorded in a self-overwriting memory. The regular storage period is a maximum of 72 hours. If an incident is to be investigated internally by the in-house security department, by contracted security companies or by police authorities, the relevant recordings are deleted as soon as they are no longer required for the purpose of reconstructing the recorded event.

The following groups of people are authorised to access the recordings: system administrators, selected employees from the specialist areas of corporate security, data protection and compliance as well as contracted security service providers.

In individual cases, the recordings may be passed on to law enforcement authorities as required.

### **2.2.9 Competitions and tenant surveys**

You have the opportunity to take part in competitions organised from time to time by Dawonia Management GmbH. For the purpose of organising the competition and contacting the winners, personal data (surnames, first names, contact or address data) of the participants will be processed in accordance with Art. 6 para. 1 lit. b) GDPR. In the event of a win, the postal address provided by the participant and, if applicable, the telephone number or e-mail address will also be processed for the purpose of sending the prize and, if necessary, contacting the winner. After final completion of the competition, the data will be deleted after expiry of the statutory retention periods.

In addition, Dawonia Management GmbH regularly conducts tenant surveys to measure and promote tenant satisfaction. If you have given your consent, an invitation to participate will be sent to you by e-mail or, if available, to your mailbox in the "My Dawonia" tenant app. The legal basis for the processing of the data is Art. 6 para. 1 sentence 1 lit. a) GDPR). Alternatively, if you have not objected, you may also be sent a request to participate by post on the basis of legitimate interests pursuant to Art. 6 para. 1 sentence 1 lit. f) GDPR.

### **2.2.10 Advertising contact for existing tenants**

After concluding your tenancy agreement, Dawonia Management GmbH may also send you, as an existing tenant, information e-mails to the e-mail address you have provided or information e-mails and push notifications, if you are a user of the "My Dawonia" tenant app, about similar properties of the letting companies and services of Dawonia Management GmbH unless you object. They process your data on the basis of their legitimate interests in advertising rental properties and services in accordance with Art. 6 para. 1 sentence 1 lit. f) GDPR and Section 7 para. 3 of the Act Against Unfair Competition (UWG).

## **3. Who receives my data?**

### **3.1 Companies within the Dawonia group of companies**

In order to carry out internal administrative activities efficiently and based on a division of labour for economic and organisational reasons, it is necessary for the controller, i.e. your landlord, to process personal data within the Dawonia group of companies. Data is only transferred within the group of companies if this can be based on legitimate interests within the meaning of Art. 6 para. 1 sentence 1 lit. f) GDPR and/or the necessary contracts for data processing in accordance with Art. 28 GDPR and/or for joint responsibility in accordance with Art. 26 GDPR have been concluded.

Within the Dawonia group of companies, access to your data is granted to those departments and employees who need it to fulfil their tasks in the context of the inspection, contract initiation, contract conclusion, contract fulfilment and the fulfilment of legal obligations ("need to know and least privilege principle").

Unless otherwise stated, Dawonia Management GmbH will process your enquiry, conclude the tenancy agreement and manage the tenancy agreement on behalf of the responsible property company.

In the event that a tenancy agreement is concluded, the surname, first name, telephone number, tenant number and address, for example, will also be processed by Dawonia Gebäudemanagement GmbH. Dawonia Gebäudemanagement GmbH provides caretaker services on behalf of the responsible property company (e.g. organising tenant consultations, flat handovers and inspections, and minor repairs).

Insofar as the following third parties are not themselves controllers in accordance with Art. 4 No. 7 GDPR when processing the transmitted data, they process your personal data as processors on behalf of the controller in accordance with Art. 28 GDPR. Otherwise, the Dawonia group of companies

act as joint controllers within the meaning of Art. 26 GDPR. Processors only act on the instructions of the controller and are contractually obliged to comply with the applicable data protection requirements.

### **3.2 External service providers**

Service providers and vicarious agents engaged by the controller may receive personal data from you in order to fulfil their activities commissioned by the controller. These are, for example, companies in the categories of construction services (e.g. property developers, manufacturers and tradespeople), IT services, logistics, printing services, telecommunications, consulting and advisory services as well as sales and marketing. The legal basis for the disclosure of your personal data, in particular your contact details for the purpose of making appointments with tradespeople, are the legitimate interests of the controller and the external service provider commissioned pursuant to Art. 6 para. 1 sentence 1 lit. f) GDPR.

### **3.3 Creditworthiness service providers**

In order to check your creditworthiness, your surname, first name and date of birth will be forwarded to SCHUFA Holding AG (in the case of commercial leases, also to Verband der Vereine Creditreform e.V.). The data transfer is based on the existence of the legitimate interests of the controller pursuant to Art. 6 para. 1 sentence 1 lit. f) GDPR.

In addition, personal data collected within the scope of this contractual relationship regarding the application, execution and termination of this business relationship as well as data regarding non-contractual behaviour or fraudulent behaviour may be transmitted to SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden, Germany.

The legal basis for these transfers is Art. 6 para. 1 sentence 1 lit. b) and Art. 6 para. 1 sentence 1 lit. f) GDPR. Transfers on the basis of Art. 6 para. 1 sentence 1 lit. f) GDPR may only take place insofar as necessary to safeguard the legitimate interests of the landlord or third parties and where these do not outweigh the interests or fundamental rights and freedoms of the data subject which require the protection of personal data. The exchange of data with SCHUFA also serves to fulfil legal obligations to carry out credit checks on customers (Sections 505 a and 506 BGB). SCHUFA processes the data received and also uses it for the purpose of profiling (scoring) in order to provide its contractual partners in the European Economic Area and Switzerland and, if applicable, other third countries (insofar as an adequacy decision of the European Commission exists or standard contractual clauses have been agreed, which can be found at [www.schufa.de](http://www.schufa.de)) with information for assessing the creditworthiness of natural persons.

Further information on SCHUFA's activities can be found online at [www.schufa.de/datenschutz](http://www.schufa.de/datenschutz) and on the Verband der Vereine Creditreform e.V. at <https://www.creditreform.de/datenschutz>.

### **3.4 Authorised occupants**

In the case of flats with occupancy rights (i.e. where a financial partner has provided a significant proportion of the financing for a building as the "authorised occupant"), your personal data will be processed for the initiation and, if applicable, for the conclusion of your tenancy agreement on the basis of Art. 6 para. 1 sentence 1 lit. b) GDPR. The authorised occupant will be informed of the first name and surname of the current tenant or new tenant and the property details, including the rent, as part of the new letting or termination. This applies both to tenants who have been assigned or nominated by the authorised occupant and to all other tenants of a released occupier flat ("third-party tenants"). The data transfer is based on the existence of the legitimate interests of the controller and the authorised occupant in accordance with Art. 6 para. 1 sentence 1 lit. f) GDPR.

### **3.5 Service providers for repairs and claims processing**

In the course of repair measures or the processing of claims, data such as name, address, location of the rental property, contact details and details of the damage or incident are transmitted to commissioned companies such as tradespeople, insurance companies or the service providers commissioned to coordinate the measures. The purpose of processing this data is to ensure that the

measures are carried out by the respective service provider(s) as quickly and smoothly as possible and to coordinate the scheduling of the activities to be carried out within the rental flat. This gives service providers the opportunity to contact you directly. The data transfer takes place on the basis of the legitimate interests of the controller and the commissioned companies in accordance with Art. 6 para. 1 sentence 1 lit. f) GDPR.

### **3.6 Subsidisation of housing**

In the case of publicly subsidised housing, the funding body may request personal data from the controller, i.e. the landlord. If a legal basis exists, the personal data will be passed on to the funding body for the legally regulated purposes on the basis of Art. 6 para. 1 sentence 1 lit. b) and lit. c) GDPR.

If you apply for a certificate of eligibility for housing, the controller will be asked by the housing office of the relevant city to fill out a corresponding form. The completed form will be sent back to the relevant housing office so that you can be issued with a certificate of eligibility for housing. Your personal data will be transmitted to fulfil the legal obligations of the controller on the basis of Art. 6 para. 1 sentence 1 lit. c) GDPR.

### **3.7 Care insurance funds**

Your personal data will be transmitted to care insurance companies (Pflegekassen) in the context of building cost subsidies. Your personal data will be transmitted on the basis of your declaration of assignment, with which you authorise the controller to apply for the subsidy from the care insurance fund, on the basis of Art. 6 para. 1 sentence 1 lit. b) GDPR.

### **3.8 Other recipients from public bodies**

Personal data may be transmitted to courts, supervisory authorities, tax authorities and other public bodies in accordance with Art. 6 para. 1 sentence 1 lit. c) or f) GDPR on the basis of statutory provisions.

### **3.9 Buyers and third parties involved in the sale**

Properties of the letting property companies may be offered for sale. If these are rented out, data on existing tenancy agreements for the respective property for sale are transmitted to the buyer of the property before the purchase agreement is concluded as part of due diligence (preparatory sales measures) and, after the purchase agreement is concluded, the tenant file for the respective property with the tenant data and a list of the credit balance of the deposit account are transmitted to the buyer of the property. In the context of property sales, your personal data may also be transmitted to estate agents, notaries and banks. Your personal data will be processed in accordance with Art. 6 para. 1 sentence 1 lit. c) GDPR in order to fulfil the legal obligations of the letting property companies towards the buyer when selling the properties, as well as on the basis of the legitimate interests of the letting companies in accordance with Art. 6 para. 1 sentence 1 lit. f) GDPR to sell rental properties and to carry out all measures necessary in connection with the sale.

### **3.10 Auditors, tax consultants, lawyers and other professionals**

Personal data will be transmitted to commissioned auditors, tax consultants, lawyers or other professional groups insofar as this is legally permissible and necessary in order to execute the tenancy agreement, comply with applicable law or assert, exercise and/or defend legal claims. The legal basis for this is Art. 6 para. 1 sentence 1 lit. f) GDPR.

### **3.11 Payment service providers, debt collection and factoring companies**

If you have issued a SEPA direct debit mandate for the collection of your rent including the ancillary costs under the tenancy agreement, your personal data will be transmitted to banks in order to collect the rent including the ancillary costs under the tenancy agreement. The transmission of your data is

carried out for the execution of your tenancy agreement on the basis of Art. 6 para. 1 sentence 1 lit. b) GDPR.

If you do not fulfil your contractual obligations (e.g. rent arrears despite reminders or improper use of the rental property) and in the context of legal disputes with you, your personal data may be transmitted to credit agencies, external lawyers and, under certain circumstances, to social managers (e.g. for official support) on the basis of Art. 6 para. 1 sentence 1 lit. b) GDPR in order to execute and process the tenancy agreement with you, as well as on the basis of the legitimate interests of the controller pursuant to Art. 6 para. 1 sentence 1 lit. f) GDPR in safeguarding, enforcing and/or defending its legal interests.

If you do not fulfil your payment obligations, a debt collection procedure will be initiated. Your personal data will be transmitted to debt collection service providers for the purposes of the debt collection procedure. Your personal data will be processed in accordance with Art. 6 para. 1 sentence 1 lit. b) GDPR in order to execute and process the contract with you and on the basis of the legitimate interests of the controller in enforcing its legal claims, including debt collection, in accordance with Art. 6 para. 1 sentence 1 lit. f) GDPR.

When selling outstanding receivables, personal data is transmitted to factoring companies for the purpose of fulfilling the contract with you on the basis of Art. 6 para. 1 sentence 1 lit. b) GDPR.

### **3.12 Water utilities, energy suppliers and telecommunications companies, etc.**

Insofar as the letting property company has to provide the supply of infrastructure and energy as part of its contractual obligations and works together with water utilities, energy suppliers, etc. in this context (e.g. in the installation and operation of measuring and recording devices such as heat cost allocators, water and heat meters, and systems technology), your personal data, such as your contact and consumption data, will be transmitted to the infrastructure companies and suppliers in accordance with Art. 6 para. 1 sentence 1 lit. b) GDPR. A corresponding transfer also takes place in the case of the fulfilment of continuing obligations with telecommunications providers, cable network operators or e-mobility providers when renting parking spaces with wallboxes (charging infrastructure systems).

In some cases, authorities, utilities and network operators also ask whether you are currently a tenant of the letting property company. If the relevant requirements are met, your personal data (surname, first name and default address) will be transmitted to the enquirer on the basis of the legitimate interests of the controller in answering the enquiries pursuant to Art. 6 para. 1 sentence 1 lit. f) GDPR.

### **3.13 Vacancy management**

As an existing and/or new tenant of a rental property, your personal data will be transmitted to the electricity supplier contractually connected to the residential complex so that it can fulfil its legal obligation within the framework of the replacement and basic supply (e.g. supply in the event of vacancy or if there is no registration by another supplier or in the event of supplier insolvency) and to enable consumption billing in the "pending period" between the old and new purchase of the rental property. Data processing during the "pending period" fulfils the contractual obligations arising from the tenancy agreement and the basic supply pursuant to Art. 6 para. 1 sentence 1 lit. b) GDPR and pursues the legitimate interests of the controller in efficient vacancy management pursuant to Art. 6 para. 1 sentence 1 lit. f) GDPR.

### **3.14 External property management**

Insofar as the property management of the rental property is carried out by third-party administrators (external property management companies not belonging to Dawonia), your personal data will be transmitted to the third-party administrator in accordance with Art. 6 para. 1 sentence 1 lit. b) GDPR, insofar as this is necessary for the performance of property management by the third-party administrator, for example for the preparation of the heating cost statement.

### **3.15 Other tenants**



At the request of other tenants, the controller is obliged to transmit to them certain data from operating and ancillary cost statements, which also contain consumption data of other tenants in cumulative form, in accordance with Art. 6 para. 1 sentence 1 lit. c) GDPR, insofar as they make use of their right to inspect the billing documents of the ancillary cost statements and anonymisation of the tenant data is not possible in exceptional cases.

### **3.16 Other third parties**

In addition to the bodies named in Section 3, your personal data will only be transferred to other third parties if the transfer is necessary for the fulfilment of the tenancy agreement pursuant to Art. 6 para. 1 sentence 1 lit. b) GDPR, if there is a legitimate interest of the controller or a third party pursuant to Art. 6 para. 1 sentence 1 lit. f) GDPR or if there is a legal obligation of the controller to transfer the data pursuant to Art. 6 para. 1 sentence 1 lit. c) GDPR.

### **4. Is data transferred to a third country or an international organisation?**

Data is only transferred to countries outside the EU or the EEA (third countries) if a legal authorisation exists or if you have expressly consented to the transfer and the special requirements for a transfer to a third country are met. This means in particular that an adequate level of data protection exists in the third country (Art. 45 GDPR) or that suitable guarantees (e.g. through EU standard data protection clauses specified by the European Commission or the supervisory authority) and enforceable rights and effective legal remedies are provided and, if necessary, a transfer impact assessment (TIA) has been carried out for the risk assessment of a third country transfer.

### **5. How long will my data be stored?**

Your personal data will be processed and stored for as long as necessary to fulfil the purpose for which it was collected. If the data is no longer required to fulfil the purpose for which it was collected, it will be deleted unless its (further) processing – for a limited period – is required for the following purposes:

With regard to the duration of the processing and storage of your personal data, the statutory retention and documentation obligations arising from the German Commercial Code (HGB), the German Fiscal Code (AO) and the German Anti-Money Laundering Act (GwG), among others, must be observed. The periods specified therein, for example in the event of a necessary audit for the prevention of money laundering, are up to five years and may also be up to ten years after the end of the contractual relationship where the retention periods under tax and commercial law apply.

Finally, the storage period is also assessed according to the statutory limitation periods, which, for example, according to Sections 195 et seq. BGB), are generally three years, but in certain cases can be up to thirty years.

In the case of data processing based on your consent, your personal data will be processed until you withdraw your consent. After such consent is withdrawn, the information on the consent given will be processed for a further three years for the purpose of securing evidence. If you object to processing in accordance with Art. 21 para. 2 GDPR, your data will be deleted within four weeks of your objection, provided that there are no other statutory retention periods to the contrary or the controller is obliged to block the data.

### **6. What data protection rights do I have?**

Every data subject has the right:

- to request information on the categories of data processed, the purposes of processing, any recipients of the data and the planned storage period in accordance with Art. 15 GDPR;
- to demand rectification and completion of incorrect or incomplete data in accordance with Art. 16 GDPR;
- to object to data processing based on a legitimate interest for reasons arising from your particular situation in accordance with Art. 21 para. 1 GDPR; if the data processing is carried

out for the purpose of direct marketing or profiling in connection with direct marketing, you may object to the processing at any time pursuant to Art. 21 para. 2 GDPR and request the deletion of data, provided that the requirements of Art. 17 GDPR are met; this applies in particular if the data is no longer required for the intended purpose or if you have declared an objection or withdrawn your consent;

- to demand the restriction of data if the requirements of Art. 18 GDPR are met, in particular if erasure is not possible or the obligation to erase is disputed;
- to receive the data concerning you, which you have provided to the controller, in a commonly used and machine-readable format in accordance with Art. 20 GDPR or to request the transmission to others; if the data processing is based on your consent or occurs within the framework of a contract, you have the right to transfer the data you have provided, provided that this does not adversely affect the rights and freedoms of other persons;
- to withdraw your consent at any time with effect for the future (Art. 7 para. 3 GDPR); the processing carried out before the withdrawal remains unaffected by the withdrawal.

To exercise the above rights, please contact Dawonia Management GmbH, Data Protection Department, Dom-Pedro-Straße 19, 80637 Munich.

You also have the right to lodge a complaint about data processing with a data protection supervisory authority. You can contact the Bayerisches Landesamt für Datenschutzaufsicht (Bavarian State Office for Data Protection Supervision, BayLDA), Promenade 18, 91522 Ansbach, or a data protection authority responsible for you.

## **7. Do I have an obligation to provide data?**

The provision of certain personal data (in particular name, address, bank details and consumption data) is necessary – unless expressly stated otherwise – for the conclusion of a contract, as this cannot be carried out without this personal data. If you do not provide this personal data or only provide it in part, the conclusion of a contract may be refused or contractual/legal rights may be asserted. If there is a legal obligation to process your personal data (e.g. to combat money laundering and terrorist financing (GwG) or for tax law reasons), you are legally obliged to provide this data to the controller. Otherwise, the controller may not be allowed to enter into a contractual relationship with you.

## **8. To what extent is there automated decision-making in individual cases?**

In principle, no fully automated decision-making pursuant to Art. 22 GDPR is used to establish and implement the business relationship. If these procedures are used in individual cases, you will be informed separately if this is required by law.

## **9. Information about your right to object in accordance with Art. 21 GDPR**

You have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you which is based on Art. 6 para. 1 sentence 1 lit. e) GDPR (data processing in the public interest) and Art. 6 para. 1 sentence 1 lit. f) GDPR (data processing on the basis of a balancing of interests).

If you object, your personal data will no longer be processed unless the controller demonstrates compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

In individual cases, Dawonia Management GmbH processes your personal data for direct marketing purposes. You have the right to object at any time to the processing of personal data concerning you for the purpose of such advertising.

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

The objection can be made informally and should preferably be addressed to:

Dawonia Management GmbH  
**- Data protection -**  
Dom-Pedro-Straße 19  
80637 Munich  
[datenschutz@dawonia.de](mailto:datenschutz@dawonia.de)

## **9. Status of and changes to the data protection information**

The data protection information in the version valid at the time applies.

Status: February 2024

We reserve the right to make changes and amendments to this data protection information. The updated information applies from the date of its validity (see status above).