

Data protection information for prospective tenants

Dear prospective 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 his 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 respective 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 in connection with the initiation of a tenancy agreement and to what extent this occurs.

If your personal data is processed by the above-mentioned controllers for other reasons, the 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?

The controller within the meaning of Art. 4 No. 7 GDPR for the processing of your personal data as a prospective tenant⁽¹⁾ is the property company managing the contract whose property portfolio includes the advertised rental flat / commercial rental space or the advertised garage / parking space and with which the tenancy agreement is concluded as the contractual partner.

In addition to this property company managing the contract, the Dawonia human resources companies (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 jointly determine the purposes and means of certain processing activities.

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

You can reach Dawonia Management GmbH, as 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

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

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 If you would like to arrange a viewing appointment

If you are generally interested in advertised rental properties or would like to arrange a viewing appointment for one of the rental properties on offer, you can get in contact by telephone, e-mail, in writing or via the contact form on the company website using the property search function and submit a viewing request. Your personal data will be processed in order to arrange, prepare and carry out a viewing appointment with you on the basis of Art. 6 para. 1 sentence 1 lit. b) GDPR. The following personal data provided by you will be collected and stored:

- Title, first name and surname
- Address
- E-mail address
- Telephone number (landline/mobile)
- Search profile
- General remarks

2.2 If you want to rent a specific property

If you have decided to rent a specific property, further data will be requested from you as part of a tenant self-disclosure form for the purpose of processing your enquiry and the preparatory measures for the new letting. The data collected in the tenant self-disclosure includes the following data categories in particular:

- Names of prospective tenants and people moving in
- Contact details
- Date and place of birth
- Information on housing requirements
- Information on certain authorisations required to move into a flat

If the conclusion of a tenancy agreement with you depends solely on the result of a positive credit check, an enquiry about your creditworthiness will be submitted to SCHUFA Holding AG (in the case of commercial rental agreements to Verband der Vereine Creditreform e.V.). Information about you as a prospective tenant will only be obtained if the conclusion of the tenancy agreement with you depends solely on the positive result of this credit check.

In this case, the following data categories are requested:

- Information from public debtor and insolvency registers
- Other data on negative payment behaviour where either:
 - the claim underlying the respective entry is still outstanding; or,
 - the claim was settled no more than one year ago and at the same time a de minimis limit totalling EUR 1,500.00 is exceeded.

The assessment of your creditworthiness by this creditworthiness service provider is based on mathematical-statistical procedures known as scoring. For this purpose, your personal data required for the credit check will be transmitted to the latter. Your personal data will be processed for the purpose of a credit check in order to avoid non-payment. Based on the personal data transmitted, including the address data, a statistical probability of a credit default and therefore your solvency is calculated. The creditworthiness service provider then transmits your score value. In addition, as part

of the credit check, the services of address research companies may also be used to check the address you have provided. In the event that a tenancy agreement is concluded, the result of the credit check is recorded and stored. Further information on SCHUFA's activities can be found online at www.schufa.de/datenschutz and on Verband der Vereine Creditreform e.V. at <https://www.creditreform.de/datenschutz>.

The personal data from the tenant self-disclosure is processed for the implementation of pre-contractual measures at your request in accordance with Art. 6 para. 1 sentence 1 lit. b) GDPR and for the creditworthiness enquiry based on the legitimate interest of the controller in avoiding a payment default on your part in accordance with Art. 6 para. 1 sentence 1 lit. f) GDPR.

If relevant, official notifications regarding your benefits will also be stored by the controller. The controller will check salary statements received from you before the tenancy agreement is concluded. A verification note will be created about this and about the verification 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.

2.3 Processing activities for other reasons

2.3.1 Newsletter and advertising contact

If you are interested in rental properties or other projects, you have the option of registering for the Dawonia Management GmbH newsletter. Dawonia Management GmbH processes your e-mail address and information at the time of the order for the purpose of sending the newsletter and advertising, as well as proof of the order. For further personalisation of the newsletter, it collects, with your consent, your details about the desired rental property (size, location, facilities, etc.), whether you have opened the newsletter and which offers you have accessed from the newsletter. This enables it to record your interests and store them in relation to your identity or your e-mail address in order to better tailor the offers – such as the housing and property offers displayed in the newsletter – to your personal interests. The legal basis for sending the newsletter and advertising is your consent in accordance with Art. 6 para. 1 sentence 1 lit. a) GDPR and for processing the information at the time of the order in accordance with Art. 6 para. 1 sentence 1 lit. f) GDPR its legitimate interest in proving the subscription request. You can revoke your consent at any time with effect for future processing by sending a message to the contact options listed at the end or by clicking on the unsubscribe link at the end of the newsletter or advertising. To register to receive the newsletter and advertising, Dawonia Management GmbH uses the double opt-in procedure, by means of which it sends a confirmation link to the e-mail address you provided during the registration process. Only when you click on this confirmation link will the e-mail address you have provided be used to receive the newsletter and advertising.

2.3.2 Competitions

You have the opportunity to take part in competitions that Dawonia Management GmbH organises from time to time. For the purpose of organising the competition and contacting the winners, it processes personal data (surnames, first names, contact or address data) of the participants in accordance with Art. 6 para. 1 sentence 1 lit. b) GDPR. The participants' data will be processed exclusively for the purpose of carrying out the competition. In the event of a win, it will also process the postal address provided by the participant and, if applicable, the telephone number or e-mail address 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.

If you have given your consent to Dawonia Management GmbH, it will send you an invitation to participate by e-mail. 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 the legitimate interests of Dawonia Management GmbH pursuant to Art. 6 para. 1 sentence 1 lit. f) GDPR.

3. Who receives my data?

3.1 Companies within the Dawonia Group

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 personal data to be processed within the Dawonia Group. Data will only be transferred within the Group if this transfer can be based on legitimate interests within the scope of Art. 6 para. 1 sentence 1 lit. f) GDPR and/or the necessary contracts for data processing in accordance with Art. 26 GDPR and/or for joint responsibility in accordance with Art. 28 GDPR have been concluded.

Within the Dawonia Group, 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 and fulfilment of legal obligations ("need to know and least privilege principle").

Unless otherwise stated, your enquiry will be processed and the tenancy agreement concluded by Dawonia Management GmbH on behalf of the responsible property company.

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. Processors only act on the instructions of the controller and are contractually obliged to comply with the applicable data protection requirements vis-à-vis the controller.

3.2 Creditworthiness service providers

For the creditworthiness enquiry, the surname, first name and date of birth are forwarded to SCHUFA Holding AG (for commercial leases to the Verband der Vereine Creditreform e.V.). The data transfer is based on the existence of the legitimate interests of Dawonia pursuant to Art. 6 para. 1 sentence 1 lit. f) GDPR.

Dawonia Management GmbH, acting on behalf of the landlord, the respective property company managing the contract, may transmit personal data collected in the course of the contractual relationship to SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden, Germany, regarding the application, execution and termination of this business relationship as well as data regarding non-contractual behaviour or fraudulent behaviour. The legal basis for these transfers is Art. 6 para. 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 (German Civil Code)). 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) with information, among other things, for assessing the creditworthiness of natural persons.

Further information on SCHUFA's activities can be found online at www.schufa.de/datenschutz and on Creditreform at <https://www.creditreform.de/datenschutz>.

3.3 Subsidisation of housing

In the case of publicly subsidised housing, the funding body may request personal data from the controller. 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 c) GDPR.

If you apply for a certificate of eligibility for housing, the housing office of the relevant city will ask the property company managing the contract to complete 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.

3.4 Other recipients from public bodies

The controller may transmit personal data to courts, supervisory authorities, tax authorities and other public bodies on the basis of statutory provisions.

3.5 Auditors, tax consultants, lawyers and other professionals

The controller transmits personal data to auditors, tax consultants, lawyers or other professional groups commissioned by it, insofar as this is legally permissible and necessary in order to comply with applicable law or to assert, exercise and/or defend legal claims.

3.6 Other third parties

In addition to the bodies named in Section 3, the controller will only transfer your personal data if and to the extent that the transfer is necessary for the initiation of the tenancy agreement pursuant to Art. 6 para. 1 sentence 1 lit. b) GDPR, if the controller has a legitimate interest on its part or that of a third party pursuant to Art. 6 para. 1 sentence 1 lit. f) GDPR or if the controller is legally obliged 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?

No transfer of your personal data to third countries currently takes place. This is also not planned.

5. How long will my data be stored?

The controller processes and stores your personal data for as long as necessary to fulfil the purpose for which it was collected. After the respective purpose of processing and use no longer applies, the relevant statutory retention periods apply. Your data transmitted with the self-disclosure will be completely deleted six months after the last contact, unless you are still interested in the property offers of Dawonia Management GmbH and provided that there are no other statutory retention periods to the contrary or the retention of the data serves the purpose of legal prosecution.

Preservation of evidence within the scope of statutory limitation:

If it is necessary to preserve evidence, for example in the context of legal proceedings, please note that the limitation periods of the German Civil Code (BGB) can be up to 30 years if a legal title exists (Sections 195 et seq. BGB). If no legal title has been obtained against the data subject, the regular limitation period of three years applies.

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, in accordance with Art. 20 GDPR in a commonly used, machine-readable format or to request the transmission to others; if the data processing is based on your consent or 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 and data in the tenant self-disclosure) is necessary – unless expressly stated otherwise – for viewings and the initiation of a tenancy agreement, as otherwise you cannot be considered as a prospective tenant. If you do not provide this personal data or only provide it in part, the conclusion of a tenancy agreement may be refused or pre-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

10. 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).