

## Privacy Policy

Version of the 1<sup>st</sup> June 2018

### 1. Introduction

The terms and conditions of this privacy policy (hereinafter the “**Privacy Policy**”) apply to the Service and its Users under the conditions set out in Nexvia’s General Terms and Conditions (available above or at: <http://www.nexvia.lu>) (hereinafter the “**Terms and Conditions**”).

Notwithstanding the foregoing, in this Privacy Policy, all capitalized terms shall have the same meaning as set forth in the Terms and Conditions, unless otherwise stated.

For the purpose of providing the Service, Nexvia collects personal data within the following conditions.

**The Users expressly agree that they have read this Privacy Policy carefully, that they have understood its meaning and are thus perfectly informed of and expressly accept its content.**

### 2. Data Collected

When the Users use the Service, Nexvia may ask the Users to provide, *inter alia*:

- Contact information such as name, first name, telephone number, e-mail address, etc.;
- Information regarding a User’s property or property it intends to acquire or rent, such as its location, surface area, number of rooms, etc.;
- Information regarding a User’s status, such as its marital status, number of children, etc.;
- Information regarding a User’s financial position including net revenues, marginal income tax rate, down payment available to contract a loan, etc.;
- Information regarding a User’s willingness to sell or acquire a property.
- Information regarding a User’s opening and reading of an email or its attachments.
- If Nexvia is engaging with the User in discussions related to its real estate brokerage, management or investment services, all information provided by the Users may be stored.

Nexvia may also collect personal data of users surfing on Nexvia’s website, such as these users’ IP addresses or information regarding the Users’ mobile device. For the purpose of this Privacy Policy, it is understood that such users are referred to as “Users” when relevant.

In this Privacy Policy, the personal data as mentioned above are referred to as the “**Personal Data**”.

### 3. Use of Data

### *3.1 Purpose*

Nexvia uses the Personal Data collected for the following purposes:

- Identification and authentication of the Users when such Users access the Service;
- Providing the Service to the Users as well as customer support;
- Respond to your requests, resolve disputes and/or troubleshoot problems;
- Improving the quality of the Service provided;
- Market research purposes, e.g., measurements of traffic and usage trends;
- Marketing and advertising Nexvia's products and services (and those of third parties) to you that Nexvia believes may be of interest to you. If you prefer that we do not send you these messages, please see articles 5 and 6 below on your choices regarding your Personal Data to learn how to opt-out. Nexvia requires explicit consent before sending any general marketing email.
- Improve financial models or make predictive analytics, all of which may or may not be disclosed to third party or publicly.
- Billing purposes, if applicable.
- Platform and user security.
- Generate Anonymized Data to support later purposes. Anonymized Data shall not contain any information making the User directly identifiable.

Nexvia's Service may provide URL links towards third-party websites. Nexvia is not responsible for the manner in which these third-party websites handle any personal data that may be disclosed to them. The Users are invited to refer to the appropriate third-party website's privacy policy in order to verify how their personal data are used by such third-party website.

### *3.2 Disclosure of Data*

Although we currently do not have a parent company, any subsidiaries, joint ventures, or other companies under a common control (collectively, "Affiliates"), we may in the future. We may share some or all of your Personal Data with these Affiliates, in which case we will require our Affiliates to honor this Privacy Policy.

We may disclose your Personal Data to third parties:

- In the event that we sell or buy any business or assets, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets;
- If we or substantially all of our assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets.

We may share Anonymized Data with selected third parties including:

- business partners, suppliers and sub-contractors for the performance of any contract we enter into with them or you, and of any marketing and advertising purposes;
- advertisers and advertising networks that require the data to select and serve relevant adverts to you and others; and
- analytics and search engine providers that assist us in the improvement and optimisation of our site.

Such disclosures do not affect your rights.

### *3.3 Storage of Data*

The data that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area ("EEA"). It may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. By submitting your personal data, you agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy policy.

Where we have given you (or where you have chosen) a password or an activation code, which enables you to access certain parts of our site, you are responsible for keeping this password or activation code confidential. You shall not share a password or activation code with anyone. Your access to the Platform is strictly personal, you shall not share this access.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

### *3.4 Retention duration*

In order to maintain a high quality Service the data retention duration is not limited.

### *3.5 Data origin*

As a general principle, the Data is provided by the Users explicitly or implicitly through their interactions with Nexvia, such interactions can be, inter alia, online browsing, emails, oral or written communication. Nexvia might also complete this Data with publicly available information about the Users when such information is relevant to the Service, or with information it has received mandates by the Users to retrieve.

## **4. Cookies**

Cookies are small amounts of data sent on the Users' and any Nexvia website user's browser and stored on their hard drive that may not allow identification of the party receiving the cookies, unless such party has already provided Nexvia with personal information allowing such identification.

Nexvia may use cookies in order to provide the Users with a tailored experience while using the Platform.

In this regard, Nexvia may use:

- Session cookies that enable Nexvia to process and memorise the Users' usage and requests during a given session on the Platform. These cookies are necessary in order to use the Service;
- Persistent cookies that enable Nexvia to remember the Users' information in order to provide easier and more convenient access to the Service, tailored information, web content and promotional messages to the Users, and that are used for market research purposes.
- Third Party cookies to support analytics, that may or may not be used for advertising targeting purpose.

Any information collected via these cookies may be shared by Nexvia with selected third parties in accordance with article 3.2 for the purpose of providing the Service.

The Users or any user of Nexvia's website may set their browser parameters in order to select the types of cookies they wish to receive or not receive from Nexvia.

Nexvia specifically warns about the potential failure of the Service without cookies.

## **5. Marketing Preferences**

Nexvia may use the Users' Personal Data to contact the Users to discuss the Service or to contact the Users or send the Users information concerning Nexvia and/or its products and services and/or promotional activities via newsletters, messages, calls and letters to the e-mail address, telephone number or postal address provided by the Users.

By accepting this Privacy Policy, the Users thus expressly accept that Nexvia uses the e-mail address, telephone number or postal address provided by the Users in order to contact the Users for the purposes above.

The Users may opt out of being contacted by Nexvia through automatized systems at any time by using the opt-out link provided in any newsletter sent to the Users or by contacting Nexvia in this regard at the following e-mail address: [hello@nexvia.lu](mailto:hello@nexvia.lu).

## **6. Rights of the Users**

You are entitled to:

- Ask us not to process your Personal Data. We may retain your data on legitimate grounds, e.g. to ensure our contractual rights in the event of a mandate.
- Request Nexvia to provide the Users, free of charge, with all of the Users' Personal Data stored by Nexvia.
- Update your records at Nexvia to keep their information accurate.
- Know the processing applied to the Data as disclosed above.

Nexvia undertakes to provide the Users with such list within a reasonable timeframe of maximum one month when the data is easily recoverable.

You can also exercise those rights at any time by contacting us at [hello@nexvia.lu](mailto:hello@nexvia.lu).

Users are warned that they must provide Nexvia with proper identification means ensuring that their claims over the Data are legitimate. Preferably use the email address you used on Nexvia to contact us, or identity documents for contractual information.

## **7. Contact**

The Users can contact Nexvia for any questions concerning this Privacy Policy at [hello@nexvia.lu](mailto:hello@nexvia.lu) or by postal mail at Nexvia S.A. - 4, boulevard Royal L-2449 Luxembourg.

## **8. Miscellaneous**

This Privacy Policy shall be governed and construed in accordance with the laws of the Grand-Duchy of Luxembourg. The courts of the judicial district of Luxembourg-City have exclusive jurisdiction in relation to any dispute arising out of or in relation with this Privacy Policy.

The Users are informed that they have the right to lodge a complaint to the Supervisory Authority , the Commission Nationale de Protection des Données at <https://cnpd.public.lu/en/particuliers/faire-valoir/formulaire-plainte.html>.