

# BUILDER TRADE IN PRIVACY POLICY

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National Builder Trade In Program TM. and its affiliates, which include but are not limited to, Builder Trade In Program, BTIP. all of which are based in the United States (collectively, “**Builder Trade In**,” “**we**,” or “**us**”), want you to be familiar with how we collect, use and disclose information. This Privacy Policy describes our practices in connection with information that we collect about consumers (“**you**”) through:

- our website at <https://www.buildertradein.com> and other websites and Builder Trade In -branded web-based applications we operate from which you are accessing this Privacy Policy (collectively, the “**BTIP Websites**”),
- the Builder Trade In mobile application and other Builder Trade In branded mobile applications made available by us on or through mobile devices (collectively, the “**BTIP Apps**”),
- HTML-formatted email messages that we send to you that link to this Privacy Policy, and
- offline interactions you have with us.

Collectively, we refer to the BTIP Websites, the BTIP Apps, our emails, and offline interactions as the “**Services**.”

## PERSONAL INFORMATION

“**Personal Information**” is information that identifies you as an individual or relates to an identifiable individual. We collect Personal Information including:

- Name
- Postal and email address
- Telephone number
- IP address (we may also derive your approximate location from your IP address)
- Your real estate buying/selling interests, when you choose to share them with us
- Photos when uploaded to our website

## COLLECTION OF PERSONAL INFORMATION

We and our service providers collect Personal Information in a variety of ways, including:

- **Through the Services**
  - We collect Personal Information through the Services, for example, when you fill out a user profile when using our Services, register an account to access the Services, request a market analysis of your home, or contact us by telephone.
- **From Other Sources**
  - We receive your Personal Information from other sources, for example:
    - publicly available databases;

- joint marketing partners, when they share the information with us.

We need to collect Personal Information in order to provide the requested Services to you. If you do not provide the information requested, we may not be able to provide the Services. If you disclose any Personal Information relating to other people, such as your friends or family, to us or to our service providers in connection with the Services, you represent that you have the authority to do so and to permit us to use the information in accordance with this Privacy Policy.

## USE OF PERSONAL INFORMATION

We and our service providers use Personal Information for legitimate business purposes including:

- **Providing the functionality of the Services and fulfilling your requests.**
  - To provide the Services' functionality to you, such as arranging access to your registered account and providing you with related user support services.
  - To respond to your inquiries and fulfill your requests, when you contact us via one of our online contact forms or otherwise, for example, when you send us questions or comments, or when you request other information about our Services.
  - To send administrative information to you, such as changes to our terms, conditions and policies.
  - To allow you to send messages to another person through the Services if you choose to do so.

We will engage in these activities to manage our contractual relationship with you and/or to comply with a legal obligation.

- **Providing you with marketing materials and facilitating social sharing**
  - To send you marketing related emails with information about our services, new products, and other news about our company.
  - To facilitate social sharing functionality that you choose to use.

We will engage in this activity with your consent or where we have a legitimate interest.

- **Analysis of Personal Information for business reporting and providing personalized services.**
  - To analyze or predict our users' preferences in order to prepare aggregated trend reports, so we can improve our Services.
  - To better understand your interests and preferences, so that we can personalize our interactions with you and provide you with information and/or offers tailored to your interests.
  - To better understand your preferences so that we can deliver content via our Services that we believe will be relevant and interesting to you.

We will provide personalized services based on our legitimate interests, and with your consent to the extent required by applicable law.

- **Allowing you to participate in sweepstakes, contests or other promotions.**
  - We may offer you the opportunity to participate in a sweepstakes, contest or other promotion.
  - Some of these promotions have additional rules containing information about how we will use and disclose your Personal Information. Please read those additional rules before choosing to participate.

We use this information to manage our contractual relationship with you.

- **Aggregating and/or anonymizing Personal Information.**
  - We may aggregate and/or anonymize Personal Information so that it will no longer be considered Personal Information. We do so to generate other data for our use, which we may use and disclose for any purpose, as it no longer identifies you or any other individual.
- **Accomplishing our business purposes.**
  - For data analysis, for example, to improve the efficiency of our Services;
  - For audits, to verify that our internal processes function as intended and to address legal, regulatory or contractual requirements;
  - For fraud and security monitoring purposes, for example, to detect and prevent cyberattacks or attempts to commit identity theft;
  - For developing new products and services;
  - For enhancing, improving, or modifying our current products and services;
  - For identifying usage trends, for example, understanding which parts of our Services are of most interest to users;
  - For determining the effectiveness of our promotional campaigns, so that we can adapt our campaigns to the needs and interests of our users; and
  - For operating and expanding our business activities, for example, understanding which parts of our Services are of most interest to our users so we can focus our energies on meeting our users' interests.

We engage in these activities to manage our contractual relationship with you, to comply with a legal obligation, and/or based on our legitimate interests.

## **DISCLOSURE OF PERSONAL INFORMATION**

We disclose Personal Information:

- **To our affiliates for the purposes described in this Privacy Policy.**
- **To our third-party service providers, to facilitate services they provide to us.**
  - These can include providers of services such as data analysis, payment processing, order fulfillment, information technology and related infrastructure provision, user support service, email delivery, auditing, and other services.
- **To our Builder Trade In agents, brokers, and market centers where you have requested such sharing or inquired about a property.**
- **To third party sponsors of sweepstakes, contests, and similar promotions.**
- **To our third-party business partners.**
  - We may share your Personal Information with selected third-party business partners for our partners' own business purposes, including to enable them to send information about products and services that may be of interest to you, consistent with your choices. Please refer to "Choices and Access" below, for information about the choices we offer concerning such sharing.
- **By using the Services, you may elect to disclose Personal Information.**

- On message boards, chat, blogs, and other services to which you are able to post information and content. Please note that any information you post or disclose through these services will become public and may be available to other users and the general public.

## OTHER USES AND DISCLOSURES

We also use and disclose your Personal Information as necessary or appropriate, in particular when we have a legal obligation or legitimate interest to do so:

- **To comply with applicable law and regulations.**
  - This may include laws outside your country of residence.
- **To cooperate with public and government authorities.**
  - To respond to a request or to provide information we believe is important.
  - These can include authorities outside your country of residence.
- **To cooperate with law enforcement.**
  - For example, when we respond to law enforcement requests and orders or provide information we believe is necessary or appropriate.
- **For other legal reasons.**
  - To enforce our terms and conditions; and
  - To protect our rights, privacy, safety or property, and/or that of our affiliates, you or others.
- **In connection with a sale or business transaction.**
  - We have a legitimate interest in disclosing or transferring your Personal Information to a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceedings).

## OTHER INFORMATION

“Other Information” is any information that does not reveal your specific identity or does not directly relate to an identifiable individual. The Services collect Other Information such as:

- Browser and device information
- App usage data
- Information collected through cookies, pixel tags and other technologies
- Demographic information and other information provided by you that does not reveal your specific identity
- Information that has been aggregated in a manner such that it no longer reveals your specific identity

## COLLECTION OF OTHER INFORMATION

We and our service providers may collect Other Information in a variety of ways, including:

- **Through your browser or device**
  - Certain information is collected by most browsers or automatically through your device, such as your Media Access Control (MAC) address, computer type (Windows or Mac), screen resolution, operating system name and version, device manufacturer and model, language, Internet browser type and version and the name and version of the Services (such as the App) you are using. We use this information to ensure that the Services function properly.
- **Through your use of BTIP Apps**

- When you download and use BTIP Apps, we and our service providers may track and collect App usage data, such as the date and time the App on your device accesses our servers and what information and files have been downloaded to the App based on your device number.
- **Using cookies**
  - Cookies are pieces of information stored directly on the computer that you are using. Cookies allow us to collect information such as browser type, time spent on the Services, pages visited, language preferences, and other traffic data. We and our service providers use the information for security purposes, to facilitate navigation, to display information more effectively, and to personalize your experience. We also gather statistical information about use of the Services in order to continually improve their design and functionality, understand how they are used and assist us with resolving questions regarding them. Cookies further allow us to select which of our advertisements or offers are most likely to appeal to you and display them while you are on the Services. We may also use cookies or other technologies in online advertising to track responses to our ads. We do not currently respond to browser do-not-track signals. If you do not want information collected through the use of cookies, most browsers allow you to automatically decline cookies or be given the choice of declining or accepting a particular cookie (or cookies) from a particular website. You may also wish to refer to <http://www.allaboutcookies.org/manage-cookies/index.html>. If, however, you do not accept cookies, you may experience some inconvenience in your use of the Services. You also may not receive advertising or other offers from us that are relevant to your interests and needs. You can learn more about our cookie policy here: <http://www.buildertradein.com/cookie-policy>
- **Using pixel tags and other similar technologies**
- **Pixel tags.** Pixel tags (also known as web beacons and clear GIFs) may be used to, among other things, track the actions of users of the Services (including email recipients), measure the success of our marketing campaigns, and compile statistics about usage of the Services and response rates.
- **Analytics.** We use Google Analytics, which uses cookies and similar technologies to collect and analyze information about use of the Services and report on activities and trends. This service may also collect information regarding the use of other websites, apps and online resources. You can learn about Google's practices by going to [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/), and exercise the opt-out provided by Google by downloading the Google Analytics opt-out browser add-on, available at <https://tools.google.com/dlpage/gaoptout>
- **Physical Location**
  - We may collect the physical location of your device by, for example, using satellite, cell phone tower or WiFi signals. We may use your device's physical location to provide you with personalized location-based services and content. We may also share your device's physical location, combined with information about what advertisements you viewed and other information we collect, with our marketing partners to enable them to provide you with more personalized content and to study the effectiveness of advertising campaigns. In some instances, you may be permitted to allow or deny such uses and/or sharing of your device's location, but if you do, we and/or our marketing partners may not be able to provide you with the applicable personalized services and content.

## USES AND DISCLOSURES OF OTHER INFORMATION

We may use and disclose Other Information for any purpose, except where we are required to do otherwise under applicable law. If we are required to treat Other Information as Personal Information under applicable law, then we may use and disclose it for the purposes for which we use and disclose Personal Information as detailed in this Policy. In some instances, we may combine Other Information with Personal Information. If we do, we will treat the combined information as Personal Information as long as it is combined.

## SECURITY

We seek to use reasonable organizational, technical and administrative measures to protect Personal Information within our organization. Unfortunately, no data transmission or storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure, please immediately notify us in accordance with the "Contacting Us" section below.

## CHOICES AND ACCESS

### Your choices regarding our use and disclosure of your Personal Information

We give you choices regarding our use and disclosure of your Personal Information for marketing purposes. You may opt-out from:

- **Receiving marketing-related emails from us:** If you no longer want to receive marketing-related emails from us on a going-forward basis, you may opt out
- **Our sharing of your Personal Information with our affiliates for their direct marketing purposes:** If you would prefer that we discontinue sharing your Personal Information on a going-forward basis with our affiliates for their direct marketing purposes, you may opt out.
- **Our sharing of your Personal Information with our third-party business partners for their direct marketing purposes:** If you would prefer that we discontinue sharing your Personal Information on a going-forward basis with our business partners for their direct marketing purposes, you may opt out.

**TO OPT OUT** – Please contact us at [rhonda@buildertradein.com](mailto:rhonda@buildertradein.com) for assistance with the above. We will try to comply with your request(s) as soon as reasonably practicable. Please note that if you opt-out of receiving marketing-related emails from us, we may still send you important administrative messages, from which you cannot opt-out.

## HOW YOU CAN ACCESS, CHANGE OR DELETE YOUR PERSONAL INFORMATION

If you would like to request to review, correct, update, suppress, restrict or delete Personal Information, object to the processing of Personal Information, or if you would like to request to receive an electronic copy of your Personal Information for purposes of transmitting it to another company (to the extent this right to data portability is provided to you by applicable law), you may update your information by emailing us at [rhonda@buildertradein.com](mailto:rhonda@buildertradein.com). We will respond to your request consistent with applicable law. If you are a California resident, please refer to the “California Consumer Privacy Notice” at the end of this Policy for more information about the requests you may make under California law.

In your request, please make clear what Personal Information you would like to have changed, whether you would like to have your Personal Information suppressed from our database. For your protection, we may only implement requests with respect to the Personal Information associated with the particular email address that you use to send us your request, and we may need to verify your identity before implementing your request. We will try to comply with your request as soon as reasonably practicable.

Please note that we may need to retain certain information for recordkeeping purposes and/or to complete any transactions that you began prior to requesting a change or deletion (e.g., when you make a purchase, you may not be able to change or delete the Personal Information provided until after the completion of such purchase).

If you are a resident of California, under 18 and a registered user of the Services, you may ask us to remove content or information that you have posted to the Services by contacting us in accordance with the “Contact Us” section below. Please note that your request does not ensure complete or comprehensive removal of the content or information, as, for example, some of your content may have been reposted by another user.

## **RETENTION PERIOD**

We retain Personal Information for as long as needed or permitted in light of the purpose(s) for which it was obtained and consistent with applicable law.

The criteria used to determine our retention periods include:

- The length of time we have an ongoing relationship with you and provide the Services to you (for example, for as long as you have an account with us or keep using the Services);
- Whether there is a legal obligation to which we are subject (for example, certain laws require us to keep records of your transactions for a certain period of time before we can delete them); or
- Whether retention is advisable in light of our legal position (such as in regard to applicable statutes of limitations, litigation or regulatory investigations).

## **THIRD PARTY SERVICES**

This Privacy Policy does not address, and we are not responsible for, the privacy, information or other practices of any third parties, including any third party operating any website or service to which the Services link. The inclusion of a link on the Services does not imply endorsement of the linked site or service by us or by our affiliates.

In addition, we are not responsible for the information collection, use, disclosure or security policies or practices of other organizations, such as Apple, Google, Microsoft, RIM or any other app developer, app provider, operating system provider, wireless service provider or device manufacturer, including with respect to any Personal Information you disclose to other organizations through or in connection with the Services.

## **USE OF SERVICES BY MINORS**

The Services are not directed to individuals under the age of sixteen (16), and we do not knowingly collect Personal Information from individuals under 16.

## **JURISDICTION AND CROSS-BORDER TRANSFER**

Your Personal Information may be stored and processed in any country where we have facilities or in which we engage service providers, and by using the Services you understand that your information will be transferred to countries outside of your country of residence, including the United States, which may have data protection rules that are different from those of your country. In certain circumstances, courts, law enforcement agencies, regulatory agencies or security authorities in those other countries may be entitled to access your Personal Information.

ADDITIONAL INFORMATION REGARDING THE EUROPEAN ECONOMIC AREA (EEA): Some of the non-EEA countries are recognized by the European Commission as providing an adequate level of data protection according to EEA standards (the full list of these countries is available here: [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en)). For transfers from the EEA to countries not considered adequate by the European Commission, we have put in place adequate measures, such as certification to the EU-U.S. Privacy Shield Framework, to protect your Personal Information (please see our EU-U.S. Privacy Shield Statement at the end of this policy). You may obtain a copy of these measures by contacting us in accordance with the “Contact Us” section below.

## **SENSITIVE INFORMATION**

Unless we request it, we ask that you not send us, and you not disclose, any sensitive Personal Information (e.g., social security numbers, payment card or account information, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometrics or genetic characteristics, criminal background or trade union membership) on or through the Services or otherwise to us.

## **UPDATES TO THIS PRIVACY POLICY**

The “*Last Updated*” legend at the top of this Privacy Policy indicates when this Privacy Policy was last revised. Any changes will become effective when we post the revised Privacy Policy on the Services. Your use of the Services following these changes means that you accept the revised Privacy Policy.



## CONTACTING US

Builder Trade In Program, located at 12911 E Corrine Dr Phoenix Arizona 85259 USA , is the company responsible for collection, use and disclosure of your Personal Information under this Privacy Policy.

If you have any questions about this Privacy Policy, please contact us at **rhonda@buildertradein.com** or:

Because email communications are not always secure, please do not include credit card or other sensitive information in your emails to us.

## ADDITIONAL INFORMATION REGARDING THE EEA

You may lodge a complaint with an EU/EEA data protection authority for your country or region or where an alleged infringement of applicable data protection law occurs. A list of data protection authorities is available at:

[https://edpb.europa.eu/about-edpb/about-edpb/members\\_en](https://edpb.europa.eu/about-edpb/about-edpb/members_en)

## EU-U.S. PRIVACY SHIELD STATEMENT

Builder Trade In Program,™ complies with the EU-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information from European Union member countries. Builder Trade In Program have certified that they adhere to the Privacy Shield Principles of Notice, Choice, Accountability for Onward Transfer, Security, Data Integrity and Purpose Limitation, Access, and Recourse, Enforcement and Liability. If there is any conflict between the policies in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification pages, please visit: <https://www.privacyshield.gov/>.

In compliance with the Privacy Shield Principles, Builder Trade In Program™ commit to resolve complaints about our collection or use of your personal information. European Union and Swiss individuals with inquiries or complaints regarding our Privacy Shield policy should first contact **rhonda@buildertradein.com**.

Builder Trade In Program has further committed to refer unresolved Privacy Shield complaints to BBB EU PRIVACY SHIELD, an alternative dispute resolution provider located in the United States. If you do not receive timely acknowledgment of your complaint from us, or if we have not addressed your complaint to your satisfaction, please visit

[www.bbb.org/EU-privacy-shield/for-eu-consumers/](http://www.bbb.org/EU-privacy-shield/for-eu-consumers/) for more information or to file a complaint. The services of BBB EU PRIVACY SHIELD are provided at no cost to you.

Builder Trade In TM is subject to the investigatory and enforcement powers of The Federal Trade Commission (FTC). It is possible, under certain conditions, for individuals to invoke binding arbitration.

## **CALIFORNIA CONSUMER PRIVACY ACT NOTICE**

### **ADDENDUM TO NATIONAL BUILDER TRADE IN PROGRAM PRIVACY POLICY**

Pursuant to the California Consumer Privacy Act of 2018 (“**CCPA**”), National Builder Trade In Program TM, and its affiliates (“**Builder Trade In**,” “**we**” or “**us**”) are providing the following details regarding the categories of Personal Information that we collect, use, and disclose about California residents. This CCPA Notice does not apply to our job applicants, employees, contractors, owners, directors, or officers where the Personal Information we collect about those individuals relates to their current, former, or potential role at Builder Trade In. Under the CCPA, “**Personal Information**” is information that identifies, relates to, or could reasonably be linked with a particular California resident or household.

### **SOURCES OF PERSONAL INFORMATION**

We collect Personal Information from:

- Our interactions with you, such as when you use our websites or applications, contact us online or on the phone, sign up for a newsletter, register an account, purchase a product or service, or attend one of our events; and

### **CATEGORIES OF PERSONAL INFORMATION COLLECTED**

We may collect, and may have collected within the preceding 12 months, the following categories of Personal Information as listed in the CCPA:

- **Category A.** Identifiers, such as name, contact information, IP address and other online identifiers;
- **Category B.** Personal information, as defined in the California customer records law, such as name, contact information, payment card number, financial information, employment information, insurance information, and government-issued ID numbers;
- **Category C.** Characteristics of protected classifications under California or federal law, such as marital status;
- **Category D.** Commercial information, such as transaction information and purchase history;
- **Category F.** Internet or network activity information, such as browsing history and interactions with our website;
- **Category H.** Geolocation data, such as device location;
- **Category G.** Professional or employment-related information; and

- **Category K.** Inferences drawn from any of the Personal Information listed above to create a profile about, for example, an individual's preferences and characteristics.

## USE OF PERSONAL INFORMATION

We use these categories of Personal Information for the purposes of operating, managing, and maintaining our business, providing our products and services, and accomplishing our business purposes and objectives, including using Personal Information to:

- Fulfill your requests, respond to your inquiries, and process your transactions;
- Provide, develop, improve, repair, and maintain our products and services;
- Provide tools and services to our franchisees and agents;
- Personalize, advertise, and market our products and services;
- Conduct research, analytics, and data analysis;
- Maintain our property and our records, and undertake quality and safety assurance measures;
- Conduct risk and security control and monitoring, and detect and prevent fraud;
- Perform identity verification, accounting, audit, and other internal functions, such as internal investigations and record-keeping;
- Carry out corporate transactions, such as mergers, joint ventures or acquisitions; and
- Comply with law, legal process, and internal policies, and exercise and defend legal claims.

## DISCLOSURE OF PERSONAL INFORMATION

We have disclosed the following categories of Personal Information as listed in the CCPA to third parties for our operational business purposes within the preceding 12 months:

- **Category A.** Identifiers, such as name, contact information, IP address and other online identifiers;
- **Category B.** Personal information, as defined in the California customer records law, such as name, contact information, payment card number, financial information, employment information,
- **Category C.** Characteristics of protected classifications under California or federal law, such as marital status;
- **Category D.** Commercial information, such as transaction information and purchase history;
- **Category F.** Internet or network activity information, such as browsing history and interactions with our website;
- **Category G.** Geolocation data, such as device location;
- **Category I.** Professional or employment-related information; and
- **Category K.** Inferences drawn from any of the Personal Information listed above to create a profile about, for example, an individual's preferences and characteristics.

We have disclosed these categories of Personal Information to our affiliated entities, trusted third-party service providers, licensed franchisees, and business partners, as well as to our agents, brokers, and market centers where you have requested such sharing.

We have not sold Personal Information, as "sale" is defined in the CCPA.

## INDIVIDUAL RIGHTS AND REQUESTS

If you are a California resident, you may request that we:

- Disclose to you the following information covering the 12 months preceding your request:
  - The categories of Personal Information we collected about you and the categories of sources from which we collected such Personal Information;
  - The specific pieces of Personal Information we collected about you;
  - The business or commercial purpose for collecting (if applicable) Personal Information about you; and
  - The categories of Personal Information about you that we otherwise shared or disclosed, and the categories of third parties with whom we shared or to whom we disclosed such Personal Information (if applicable).
- Delete Personal Information we collected from you.

To make a request for the disclosures or deletion described above, please contact us at **rhonda@buildertradein.com** or (480) 219-4480 We will respond to your request consistent with applicable law.

You have the right to be free from unlawful discrimination for exercising your rights under the CCPA.

## **CHANGES TO THIS CCPA NOTICE**

We may change or update this CCPA Notice from time to time. When we do, we will post the revised CCPA Notice on this page with a new “Last Updated” date.

## **CONTACT US**

If you have any questions regarding this CCPA Notice, please contact us at **rhonda@buildertradein.com**.