

Privacy Regulation

From: Board Foundation Klik voor Wonen
Concerning: Privacy Regulations
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Determined: In the board meeting of 22 November 2018

PRIVACY REGULATIONS

The foundation Klik voor Wonen (hereafter “Klik voor Wonen”) endeavours to process personal data of home seekers carefully. Its wish is to inform home seekers whose personal data is being processed.



1. Terminology

GDPR: General Data Protection Regulation (EU 2016/679).

Tenant: The tenant who rents housing of one of the affiliated landlords of Klik voor Wonen.

Recipient: Those to whom personal data is provided, by which we mean employees of Klik voor Wonen.

Personal data: any data concerning an identified or identifiable natural person. This regulation does not apply to anonymous data because that is not personal data.

Privacy Regulations: the present Privacy Regulations

Landlords: Landlords offering housing through Klik voor Wonen.

Controller: the natural person or legal person, who alone or together with others, establishes the goal and means for processing personal data.

Providing information: the disclosing of or making available of personal data.

Processor: A natural person or entity who processes personal data on behalf of the controller.

Processing: any operation or set of operations which is performed on personal data, among which, collection, recording, organisation, saving, adaptation, alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, merging, connecting, as well as restriction, erasure or destruction.

Website: The Klik voor Wonen website (www.klikvoorwonen.nl).

Website visitors: Visitors of the Klik voor Wonen website, whose Personal data is processed by Klik voor Wonen.

Home seekers: Those who are registered at Klik voor Wonen and are looking for housing

Klik voor Wonen: Klik voor Wonen foundation, Schorsmolenstraat 48, 4811 VP Breda



2. The processing of Personal data by Klik voor Wonen

2.1 Regular processing of Personal data by Klik voor Wonen is discussed in these Privacy Regulations. Website visitors and tenants will be separately informed, in accordance with article 12, 13 and 14 of the GDPR, if and so far as other processing of Personal data takes place.

2.2. Klik voor Wonen processes Personal data in the context of housing mediation. Klik voor Kamers strives to be a link between houseseekers and landlords of social housing, as well as between the private and care sector.

2.3. Housing mediation can be divided in the following three steps:

- i. registering at Klik voor Wonen;
- ii. The process of finding suitable living accommodations (this can mean social, private or care-related housing).
- iii. Viewing the accommodation and sometimes concluding a rental contract.

3. Role distribution of Data protection legislation

3.1. The Data protection legislation role distribution can be depicted as follows.

Step 1 Registration

- creating an account
- leaving behind your personal data
- controlling account data
- paying a registration fee

Step 2 The Search Process

- Klik voor Wonen filters the supply of appropriate houses
- Responding to appropriate housing
- Mutating by Landlords and Klik voor Wonen in the system of Klik voor Wonen

Step 3 Viewing / Rental contract

- invitation by the landlord for a viewing
- in case of social housing: a check by the housing corporation about appropriate allocation
- signing the rental contract

- = Klik voor Wonen is the controller
- = Klik voor Wonen/Landlords are joint controllers
- = Landlords are the controller

3.2. Klik voor Wonen is Controller with regard to Processing of data that takes place in step 1 and 2 and the Landlords are independent controllers for processing of data taking place in the course of step 3.

3.3. When Home seekers contact Landlords with questions about the search process and the Landlords describe this contact in the Klik voor Wonen system, then the Landlords and Klik voor Wonen together are the Controller.



4. Objectives of housing mediation

4.1. Article 2.3 shows that housing mediation can be divided into three steps. From these three steps the objectives will be distilled.

4.2. The first step (the registration) consists of the following objectives:

- offering a registration module;
- processing log in data (username and email address);
- saving log in data for future visits to the Platform;
- collecting the registration fee;
- requesting any other data relevant to deciding which housing is appropriate.

4.3. The second step (the search process) consists of the following objectives:

- offering housing on the Klik voor Wonen website;
- filtering appropriate housing supply (both for social housing as well as for private or care-related housing).
- making responses to appropriate housing possible
- answering questions and dealing with complaints about the housing mediation process.

4.4. The third step (viewing the accommodation and concluding a rental contract) consists of the following objectives:

- contacting the houseseecker about a viewing
- viewing an accommodation
- checking if the selection criteria (set up by the landlord) have been met (this is done by the landlord)
- (in case of a housing corporation) checking if the criteria for appropriate allocation (as meant in article 46 section 2 Housing Act jo. Article 54 section 1 Resolution Admitted Institutions Public Housing).
- concluding a rental contract between Landlord and House seeker/Tenant.

4.5. Klik voor Wonen processes Personal data from Website visitors solely for those objectives specified below.:

- making the number of unique visitors to the Website insightful

4.6. Klik voor Wonen does not process more personal data than necessary for the afore objectives.

4.7. The Klik voor Kamers website contains references to websites of third parties (such as hyperlinks, banners or buttons). Klik voor Kamers is not responsible for the enforcement of the current privacy law and regulation by third parties.



5. Personal data categories of Tenants and Website visitors

5.1. Klik voor Wonen processes the following Personal data for the performance of step 1, 2 and 3.

Step 1: Registration	Step 2: Search Process	Step 3: viewing/rental contract
Name and Address Data	Name and Address Data	Name and Address Data
Log in information	Log in information	Log in information
Date of birth	Date of birth	Date of birth
Email address	Email address	Email address
Telephone number	Telephone number	Telephone number
Family situation	Family situation	Family situation
Pay slips	Pay slips	Pay slips
IBAN-data	IBAN-data	IBAN-data
Income statement	Income statement	Income statement
Other data shared by the data subject and Klik voor Wonen on behalf of their search profile.	Other data shared by the data subject, Klik voor Wonen and the Landlords on behalf of their search profile.	Other data necessary for concluding a rental contract, such as a landlord statement and an extract from the PRD (Personal Records Database).

5.2. Klik voor Wonen only processes the IPaddress from Website visitors who are not registered at Klik voor Wonen.

6. Legal grounds for Processing Personal data

6.1. Personal data from Tenants and Website visitors will only be processed by Klik voor Wonen if:

- the processing of personal data is necessary for the performance of the contract between Klik voor Wonen and the houseseeker concerned.

- the processing of personal data is necessary for the purpose of legitimate interest pursued by Klik voor Wonen and its affiliated institutions and undertakings.

6.2. Landlords only process Personal data from Tenants if:

- the processing of personal data is necessary for the execution of the contract between Landlord and Tenant or to take measures before the contract has been concluded (by request from the Houseseeker). This would concern, among other things, Personal data necessary to conclude the rental contract.

- the processing of personal data is necessary for the legitimate interest of the Landlord or the (potential) Tenant, such as Processing Personal data to invite and give potential Tenants a viewing of the accommodation. In addition, Tenants can process Personal data to test if the (potential) Tenant meets the desired selection criteria. This can apply to income data or household composition.

- the landlord is also a housing corporation, then the Landlord can Process Personal Data to meet its legal obligation when checking if housing can be allotted appropriately. A housing corporation is required to do so based on article 46 section 2 Housing Act jo. Article 54 section 1 Resolution Admitted Institutions Public Housing.

6.3. Before any new Personal data is processed, Klik voor Wonen and/or the Landlords decide if any of the abovementioned principles are applicable. In addition, houseseekers are informed about new Processing.



7. Processing special Personal data

7.1. In principle, Klik voor Wonen does not process special Personal data in the course of housing mediation. Grounds of urgency measures from Landlords who are also housing corporations are not the concern of Klik voor Wonen. It is therefore not recommended that Houseseekers provide Klik voor Wonen with information concerning their urgency application.

7.2. Klik voor Wonen only Processes special Personal data of data subjects if a Landlord has formulated care-related selection criteria such as: suitable for home seekers looking for ground-level accommodation. These accommodations are often offered by Landlords who are also healthcare providers. Since only home seekers with care needs are eligible for such accommodations, Klik voor Wonen only processes health data in those instances.

7.3. Klik voor Wonen asks explicit consent of people/parties concerned prior to Processing any health care data, as meant in article 9, section 2 (a) GDPR. Klik voor Wonen ensures that the consent is given voluntarily, is specific and is based on information.

8. The selection criteria of Landlords

8.1. Landlords have the possibility to communicate selection criteria for potential Tenants. Klik voor Wonen then enters these selection criteria into the system, making it possible that only home seekers who meet these criteria and home seekers of which Klik voor Wonen is unable to determine whether or not they meet the selection criteria, are able to view the houses on offer.

8.2. The selection criteria of Landlords who are also housing corporations relate to the requirements for appropriate allocation, as meant in article 46 section 2 Housing Act jo. Article 54 section 1 Resolution Admitted Institutions Public Housing. Klik voor Wonen asks for information about income and household composition in order to make a selection between home seekers that are eligible for appropriate allocation and those that are not.

8.3. The selection criteria communicated by Landlords and integrated into the system by Klik voor Wonen, will make a preselection of potential Tenants but are not decisive. The Landlords ultimately decide which Tenants they choose. They will judge whether or not selection criteria have been met and they also have the possibility to deviate from their selection criteria and allocate housing to a Tenant that does not meet those selection criteria.

8.4. Home seekers have a right to inspect the selection criteria from different Landlords. Home seekers can direct such a request to: Klik voor Wonen via info@klikvoorwonen.nl and should specify from which Tenant(s) he/she would like to inspect the selection criteria. Klik voor Wonen will respond to such a request within 4 weeks.



9. Sharing personal data with third parties

9.1. Klik voor Wonen only shares Personal data with third parties if this is based on underlying agreements.

9.2. Klik voor Wonen will come to a Processing agreement with Processors prior to Processing. Klik voor Wonen solely solicits Processors that can give sufficient guarantees concerning the implementation of appropriate technical and organisational measures, ensuring that the Processing meets the provisions set by the GDPR and the rights of Home seekers and Website visitors are guaranteed.

9.3. Klik voor Wonen has set up agreements in its Privacy Protocol with the Landlords. You can contact Klik voor Wonen via info@klikvoorwonen.nl if you would like to consult the protocol.

9.4. Klik voor Wonen does not share information with third parties for commercial purposes.

9.5. Klik voor Wonen does not share more information for the purpose of Processing Personal data than necessary with the abovementioned third parties.

10. Security

10.1 Klik voor Wonen takes appropriate security measures, taking into account state of the art, implementation costs, the nature, scope, context and purposes of Processing as well as the risks of varying likelihood and severity for the rights and freedoms of Home seekers and Website Visitors and applies appropriate security procedures for protecting personal information.

10.2. The appropriate technical and organisational security measures include, among others, the following:

- a. The pseudonymisation and encryption of personal data (in the test environment of Klik voor Wonen);
- b. The ability to ensure the ongoing confidentiality, integrity, availability and resilience of the processing systems and services;
- c. The ability to restore the availability of and access to personal data in a timely manner in case of a physical or technical incident;
- d. A process for regularly testing, assessing and evaluating the effectiveness of the technical and organisational measures for ensuring the security of the processing.

10.3 Klik voor Wonen adheres to the principles of 'privacy by design and 'privacy by default'. This means that privacy is taken into account as much as possible in the design of processes and products (design) and as little as possible when processing personal data (default).



11. Retention Periods

11.1. Klik voor Wonen does not save Personal data from parties/people involved longer than is necessary for the objectives for which it has Processed the personal data.

11.2. In the following instances Klik voor Wonen will remove an account from a data subject:

- at the request of a data subject;
- in case a data subject has not extended his/her registration after one year;

11.3. If Klik voor Wonen deletes an account then, in principle, all information about a data subject will be removed, unless there is a lawful obligation to retention certain information for a longer period of time.

12. Obligations of Secrecy

12.1. All persons working at or for Klik voor Wonen who consult Personal data are obliged to secrecy, unless their job or a legal requirement obliges them to communicate this. In addition, use of Personal data of Home seekers by employees of Klik voor Wonen is only allowed when necessary for the performance of their tasks.

13. Rights of Home seekers and Website visitors

13.1 Home seekers can contact Klik voor Wonen about requests made for Personal data which has been Processed in the course of step 1 (the registration) or step 2 (the search process). For requests relating to step 3 (viewing/ concluding a rental contract), Tenants can contact the Landlord concerned.

13.2. Home seekers and Website visitors can make a request to Klik voor Wonen at all times regarding their personal data, to inspect, improve, rectify, supplement, delete or block when factually incorrect, incomplete or when they are processed in breach with a legal requirement.

13.3. Home seekers and Website visitors can make a request to Klik voor Wonen to acquire Personal data they themselves have disclosed to Klik voor Wonen in a structured and widely used form, enabling them to transfer the data to another controller. They only have a right to this insofar as the processing is based on consent pursuant to article 6 section 1 (a) GDPR or in case of processing based on the implementation of the contract as referred to in article 6 section 1 (b) GDPR and the processing is carried out by automated means.

13.4. Home seekers and Website visitors have a right to object at any time to processing of Personal data concerning him or her. Klik voor Wonen intends to follow the request made insofar as the Processing of their Personal data occurs for direct marketing purposes. Klik voor Wonen will stop Processing for residual cases, unless Klik voor Wonen demonstrates compelling legitimate grounds for the Processing which override the interests, rights and freedoms of Tenants or for the establishment, exercise or defence of legal claims.

13.5. Home seekers and Website visitors have a right to file a complaint at the Personal Data Protection Authority at all times.



13.6. If Home seekers and Website visitors wish to make use of one of the rights listed in this article, they can make a request to: Klik voor Wonen via info@klikvoorwonen.nl

13.7. Klik voor Wonen shall provide information on action taken in a request to Home seekers and Website visitors without undue delay and within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests. Klik voor Wonen shall inform Home seekers and Website visitors of any such extension within one month of receipt of the request, together with the reasons of the delay.

13.8. Where requests from a Home seeker are manifestly unfounded, in particular because of their repetitive character, Klik voor Wonen shall either:

- charge a reasonable fee
- refuse to act on the request

14. Implementation, scope, amendments, publication

14.1 These privacy regulations are applicable as of 22 November 2018.

14.2. These Privacy regulations apply for an indefinite period, bearing in mind that the regulations can be amended, supplemented or repealed by Klik voor Wonen at all times. Amendments or supplementations are made taking into account rules stipulated by the legislator.

14.3. Any question covering the Processing of Personal data in which these regulations do not provide an answer, will be submitted to the board of Klik voor Wonen for review.

14.4. These Privacy regulations are available at the Klik voor Wonen office and can be consulted/downloaded via internet <www.Klik voor Wonen.nl>