

## PRIVACY NOTICE FOR TENANTS AND GUARANTORS

**Data controller:** <<Insert name and address of Landlord>>

### 1. Introduction

<<Insert Landlord Name>> is the data controller for the purposes of the GDPR. This means that we are responsible for deciding how we hold and use your personal information about you.

<<Insert Landlord Name>> stores and processes personal data relating to tenants, residents and guarantors in order to provide rental accommodation. This privacy notice explains the Landlord collects and uses your personal information about you after a tenancy.

The Landlord is committed to protecting and security of your personal information. The Landlord is transparent about how it collects and uses that data in accordance with its data protection obligations.

### 2. Data Protection Principles

The Landlord will comply with the data protection principles. This means that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent manner;
- Collected only for specified, explicit and legitimate purposes; not used in any way incompatible with those purposes;
- Relevant to the purposes for which they are collected and limited to those purposes only;
- Accurate and kept up to date;
- Kept only for such time as is necessary for the purposes we have told you about; and
- Kept securely.

### 3. What information does the Landlord collect and how does it process?

The Landlord collects and processes personal information (personal data) about you. Personal data means any information about an individual from which the individual can be identified. The Landlord will collect the appropriate points below

- Identity and personal details such as your name, title, address, email address, telephone number, national insurance number, car registration;
- Background information including landlord details, employer details, accountant details, and emergency contacts;
- Bank account details for direct debit payments and credit check results;
- Tenancy details including guarantors, tenants, other residents and guarantors;
- Tenancy deposit information including return on tenancy termination;
- Immigration/right to rent information (if applicable);
- Rent and utilities payment information;
- Recovery of arrears and proceedings;
- Repair and health and safety information.

- Breach of tenancy terms
- Council Tax and utility bills
- Universal credit/housing benefit
- Notices and correspondence
- CCTV and audio recordings
- General correspondence

We may also collect, store and use your personal information:

- Information about medical conditions, including whether or not you have a disability for the purpose of making adaptations; and
- Equal opportunities information including information about your ethnicity, ethnic origin, sexual orientation, gender identity and gender expression.

The Landlord collects this information in a number of ways. For example, data is collected through the tenancy agreement and through correspondence with you and your own records such as rent records.

In some cases, the Landlord may collect information about you from third parties, such as:

- References supplied by previous landlords
- Information from credit reference agencies
- Other tenants, residents or neighbours
- Guarantors;
- Local authorities;
- The police or other law enforcement agencies;
- Department for Work and Pensions;
- Utility companies or service providers
- Letting/managing agents
- Websites or online services

Data is stored in a range of ways, including in paper files and in the Landlord's IT systems (including email).

#### 4. Why does the Landlord process your personal information?

The Landlord needs to process your personal information to provide, administer and manage tenancies.

In addition, the Landlord needs to process your personal information to ensure that we are complying with our legal obligations, for example to check a tenant's "right to rent" for properties in England.

In other cases, the Landlord may process your personal information before, during and after the tenancy relationship.

#### 5. Situations in which we will process your personal information

Situations in which we will process your personal information are listed below, expanding as necessary.

termination of tenancy;

texts, emails, text messages etc).

special categories of more sensitive information.

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es;

ghtmove.

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lications for tenancy agreements

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- To verify the identity of the tenant/resident;
  - To decide on the suitability of a proposed tenant/resident;
  - To assess the financial circumstances of a proposed tenant/resident;
  - To check immigration status of a proposed tenant/resident;
  - To deal with joint tenancies and ensure all parties are linked to the tenancy;
  - To enter into a tenancy agreement and ensure compliance of tenant obligations;
  - To secure payment of rent and ensure compliance of landlord's rental business;
  - To collect rent and ensure compliance of property;
  - To manage the tenancy and ensure compliance of tenant's obligations;
  - To keep accurate records of a property;
  - To arrange repairs and ensure compliance of a property;
  - To monitor and enforce compliance of a property;
  - To recover debts and ensure compliance of a property;
  - To ensure Council Tax is paid appropriately;
  - To ensure that welfare benefits (Universal Credit and housing benefit) are paid to the landlord appropriately;
  - To handle tenancy deposits and ensure compliance of any tenancy deposit;
  - To handle complaints and ensure compliance of any tenancy deposit;
  - To address health and safety issues and ensure compliance of any tenancy deposit;
  - To create and keep records and ensure compliance of any tenancy deposit;
  - To provide information to authorities who are legally entitled to require this information;
  - To contact next of kin in case of emergency;
  - To store of emails, text messages or communications;
  - To comply with legal requirements;
  - To bring and defend legal proceedings;
  - To prevent, detect and deal with anti-social behaviour.
6. **If you fail to provide personal information**
- If you do not provide certain personal information, the Landlord may not be able to proceed with the grant of a tenancy.
7. **Change of purpose**
- The Landlord will only use personal information collected unless we reasonably believe it is necessary and that reason is compatible with the original purpose. If we need to use your personal information for another purpose, we will advise you of this and explain the legal basis which allows us to do so.
- You should be aware that we will not use your personal information without your knowledge or consent where the law requires us to do so.
8. **Use of sensitive personal information**
- Some special categories of personal information, such as information about health or medical conditions, are protected by law. We may use this information in relation to tenants/residents for the purpose of health and safety purposes).
9. **For how long do you keep personal information**
- The Landlord will only hold personal information for as long as is necessary to fulfil the purposes we collected it for, such as for accounting or reporting

requirements. The period for which the information is held after the end of a tenancy is <<seven years>>. The period for which the information is held following an unsuccessful tenancy application is <<on request>>.

and after the end of a tenancy is held following an unsuccessful

#### 10. Who is data shared with?

Your information will be shared with <<state e.g. members of the finance team>>.

with <<state e.g. members of the

The Landlord also shares your information where required by law, where it is necessary in order to address a complaint with you or where we have another legitimate interest in sharing your information.

s where required by law, where it with you or where we have can be shared with:

- Professional advisers (e.g. solicitors, accountants);
- Letting/managing agents;
- Freeholder and/or tenant;
- Existing or previous tenants;
- Existing or previous landlords;
- Credit referencing agencies;
- Debt collectors and recovery agencies;
- Local authorities and housing authorities;
- Ombudsman/redress schemes;
- Professional body/regulator;
- Courts/Tribunals;
- Police/enforcement agencies;
- Internet service providers;
- Banks/building societies;
- Tenant's/resident's insurers;
- Joint tenants and other occupants;
- Guarantors;
- Tenancy Deposit Schemes;
- Universal Credit/housing benefit;
- H M Revenue and Customs;
- Council Tax authorities;
- Contractors and tradespeople;
- Prospective purchasers;
- Other landlords including those to whom you may wish to transfer your tenancy and
- Other – *give details*

d accountants;

property in block of flats);

ies;

ves in case of emergency;

it administrator;

ices at the property;

o another landlord for a tenancy;

[The Landlord will not transfer your information outside the European Economic Area.]

outside the European Economic

**OR**

[Your data may be transferred outside the European Economic Area (EEA) in order to <<state purpose>> on the basis of <<state relevant statutory provisions, rules or other safeguards>> on request.]

the European Economic Area transferred outside the EEA on the basis of adequacy, binding corporate information, it is available on

#### 11. How does the Landlord process your information?

The Landlord takes the security of your personal data seriously. The Landlord has internal policies and controls in place to ensure your personal data is not being lost, accidentally destroyed, misused or disclosed. Data is available on request.

When the Landlord engages a third party to process your personal data on its behalf, they are bound by a duty of confidentiality and are required to take organisational measures to ensure the security of data.

## 12. Your duty to inform us of changes

It is important that the personal data we hold about you is accurate and current. Please be sure to inform us if your personal information changes during the tenancy application process.

## 13. Your Rights

As a data subject, you have the right to:

- access and obtain a copy of your personal data (known as an "access request");
- require the Landlord to correct inaccurate or incomplete data;
- request erasure of your personal data. This enables you to ask the Landlord to delete or remove your data, for example where the data is no longer necessary for processing;
- object to the processing of your personal data where the Landlord is relying on its legitimate interests for processing; and
- ask the Landlord to restrict the processing of your personal data for a period of time if data is inaccurate or you dispute about its accuracy or the reason for processing.

If you would like to exercise any of these rights, please contact the Landlord using the details in the privacy notice, please contact the Landlord.

If you believe that the Landlord has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner's Office.

**I acknowledge receipt of this document and understand the rights of Tenants, Residents and Guarantors and co-tenants.**

Name.....

Signature.....

Date.....