

OFFICE PRIVACY POLICIES FOR



Introduction - The Privacy Code of The Canadian Real Estate Association

Carter & Associates Realty is a member of The Canadian Real Estate Association (CREA), adheres to and abides by the principles set out in the CREA Privacy Code. All employees and sales Associates associated with or employed by this office must sign an acknowledgement that they will comply with the requirements of the Code.

The Policy Statement

This office only collects personal information necessary to effectively market and sell the property of sellers, to locate, assess and qualify properties for buyers and to otherwise provide professional and competent real estate services to clients and customers in accordance with the Policies and Procedures and the Rules and Regulations of the Calgary Real Estate Board of which it is also a member.

Privacy Officer - The Person In Charge

Donna Carter, Associate Broker and Co-owner of Carter & Associates Realty is the **Privacy Compliance Officer** responsible for privacy compliance at Carter & Associates Realty.

The Privacy Compliance Officer shall be made available to consumers in the event of a complaint about a compliance issue regarding privacy. The responsibilities of the Privacy Compliance Officer shall include;

- Establish and update information protection policies
- Ensure that company policies are implemented by the company and other organizations to which data-processing functions may be outsourced
- Establish criteria for classification of information
- Evaluate the accessibility of sensitive information and take corrective action where necessary
- Provide education to employees and Associates on the importance of information protection
- Will be the first line of contact in the company to address and attempt to resolve a consumer privacy complaint to the satisfaction of the consumer.

4. The Collection, Use and Disclosure of Personal Information

Only the information necessary to facilitate the real estate transaction or otherwise provide professional and competent service to clients and customers will be collected.

No personal information shall be collected from an individual without first obtaining the consent of the individual to the collection, use and dissemination of that information. Express consent (whether oral or written) must always be obtained except in the following situation

- Consent may be implied where the information is not sensitive and where it can be reasonably assumed that the individual would expect the information to be disclosed in this fashion. Once information is collected, it will be used and disclosed only for the purposes of marketing a client's property in compliance with the policies of The Calgary Real Estate Board. All representation agreements must include the approved privacy clauses.

5. Disclosure for New Purposes

- Anyone using personal information for some new purpose that extends beyond the consent already provided under the Calgary MLS Rules and Regulations and Privacy Policies must obtain the express consent of the person for that use.
- Requests for information by law enforcement officials, lawyers, private investigators or other agents or subpoenas for documents issued by the court must be referred to the (privacy officer/office manager and broker/agent as appropriate).

6. Protecting Information

Information must be protected in a manner commensurate with its sensitivity, value and its' criticality. This policy applies regardless of the media on which information is stored, the location the information is stored at, the systems used to process the information or the processes by which the information is handled.

Associates should be careful and sensitive about the collection and disclosure and transmission of information;

- Meetings with customers and clients on company premises must take place in a private area and in a manner which will ensure confidentiality (either in the board room or in the Associate's private office and not in a shared office where another Associate is present).
- Meetings with customers in public places such as coffee shops, open hotel areas, restaurants and places where other personnel may overhear conversations is totally discouraged by the company. Furthermore, it is entirely the Associates responsibility to ensure and protect the confidentiality of dealings and client information.
- Incoming mail and faxes must be either routed directly to the intended recipient (the Associate) through transmittal to their own private home offices or to the company location where it will be collected and secured until requested in person by the Associate.
- The transmittal of faxes to clients where the destination is not in a private residence should only be done after first obtaining the express permission of the client to ensure the client can receive and permits the faxes to be sent to a non private location.

- Where Information intended to be transmitted by fax is involved, permission to transmit that information should be obtained immediately prior to the transmittal process, in a confidential manner and should never be sent to a communal fax machine unless the recipient is present to receive it directly.
- It is the responsibility of the individual Associates who have home offices that all files, communications between clients and Associates and real estate related items including all correspondence and proprietary Real Estate Programs such as but not limited to Aurora, and MLXchange which have been licensed to a specific Associate be secured and/or password protected.
- Information from files will be made available to company Associates in the office only on an “as needed” basis.
- Company associates must request mail and other items directly from the appropriate staff member, Privacy Officer, Broker, Office Manager or other designated employee who will personally hand them the required information, faxes, mail etc.

Storage of information will be in filing cabinets designated by the Office Manager to contain personal and/or sensitive information not limited to contracts notices, letters, details of transactions and all correspondence etc., which will be kept secured at all times.

All personnel having computer passwords will ensure that passwords (not limited to passwords which will access the company web sites or The Calgary Real Estate Board computer systems and web sites) are kept strictly confidential and must not be shared with any unauthorized persons.

The sharing of confidential password(s) or client documentation with any unauthorized party will be grounds for instant dismissal from the company. Furthermore, the company will immediately inform any and all compromised parties of the offence(s).

This office has in place a record retention policy and destruction policy. Once it has been decided to destroy records they will be appropriately destroyed by shredding.

7. Accuracy of Personal Information

- To ensure the quality of the information collected insofar as possible, personal information should be collected directly from the consumer
- Public property information (taxes, assessment data etc.) should always be verified
- Disclaimers of accuracy in the form approved by the office should always be attached to any disclosure of information.

8. Access to Personal Information

- Copies of any privacy brochure approved by this office should be available to the public in the reception area of the office

- The individual set out in Section 3 as being responsible for privacy compliance is the person responsible for responding to access requests and all such requests will be referred to him or her. All staff and salespersons will co-operate fully with the privacy compliance officer in responding to requests
- On written request and appropriate identification satisfactory to the organization an individual will be advised of personal information about him/her retained in the firm's records
- Where information cannot be disclosed (for example the information contains reference to other individuals or is subject to solicitor-client privilege) the individual will be given reasons for non-disclosure
- An individual may have appended to a record, any alternative information where the office is of the view that the appended information is, in fact, correct
- An administration fee may be charged to supply the information.

9. Compliance

All complaints from any individual concerning the collection, use or disclosure of their personal information or concerning the individual's ability to access their personal information must be referred to the **Privacy Compliance Officer**, who will attempt to resolve the complaint to the individual's satisfaction. In the event the complaint cannot be resolved internally he or she will be advised of where to direct their complaint.

This privacy document has been posted on the web site of Carter & Associates Realty, and is available in a password protected private area fully accessible to all Associates at all times.