

## **Attachment no. 2 – information clause for Tenant and Guest**

In the interest of welfare personal data of Mrs/Ms, ale also about law which Mrs/Ms shall has, cater for requirements of the Regulation of the European Parliament and Council (UE) 2016/679 from day 27 of April 2016, in case of security about natural person in regard to processing personal data and with regard to free flow this data and repeal of directive 95/46/WE (in text as "RODO") I would like to actualize and complete knowledge about details of processing data of Mrs/Mr.

### **1. ADMINISTRATOR**

Controller of personal data is company Homely Place Extens Arkadiusz Kaszycki with headquarters In Poznań, on Małachowskiego Street 43, which is written to Ceidg Central Registration (Centralna Ewidencja i Informacja o Działalności Gospodarczej) under TAX (NIP) number 7921865448, and REGON number: 368887363, next as "Administrator".

### **2. CATEGORIES OF RECEIPIENS**

This clause is addressed to Tenant/potential Tenant of Apartment which is rented by Administrator next as: "Landlord" and person who is notified by Tenant to stay in Apartment, next as "Guest".

### **3. SOURCE AND CATEGORIES OF RELEVANT PERSONAL DATA**

Personal data of Tenant was obtained directly from Tenant with caveat second sentence. In regard to which process of consent the Agreement between Administrator and Tenant, was made through the operator of the portal/Internet website/or different services to communicate at the distance (for example booking.com, Expedia, Airbnb) – next as "Agent", personal data of Tenant was obtained directly from this Agent. In that case this data is which are necessary to make reservation of Apartment and consent and implementation of Agreement of renting, like as: name and surname of Tenant, name and surname of Guest, access data of bill of Tenant (for example number of credit card), email address, phone number, company (name), identification number like as NIP and REGON.

Personal data of Guest was obtained directly from Guest, from Tenant or from Agent. Data which was obtained from tenant or from Agent are necessary to identification and verification identity of Guest, like as: name and surname.

### **4. BASIS OF PROCESSING, PURPOSE OF PROCESSING AND STORAGE PERIOD**

<b>BASIS</b>	art. 6 law 1 letter a) RODO <i>consent of person, which data concern</i>
	<i>Business contact – marketing with earlier consent</i> Taking and keeping business contact, it means: objective of marketing, for which is required separate consent (for example in case of marketing implemented trough telecommunication by terminal equipment like computers which are connected to network or phones).
	<i>Newsletter</i> Ensuring access to actual information about offer and active of Administrator and other information range of activity areas of Administrator.
	<i>Correspondence</i> Consideration from Administrator the correspondence delivered as a result using contact form located on homelyplace-extens.pl (chat tawk.to) or email and answer it or keep the correspondence.

<b>PURPOSE</b>	<p>Ultimately communicator tawk.to does not require giving any personal data, however it can happen that this data will be given from the correspondent's initiative, and which Administrator is not able to current situation predict for does not know the content of future questions / problems.</p>
	<p><i>Effective using homelyplace-extens.pl</i></p> <p>Homelyplace-extens.pl service is using cookies files. Cookie files are small text file which are sent from server of Administrator and are keeping from software of browser of user computer. Cookies allow for effective using a service. More details about cookies you can find in <i>Cookies Policy</i> which is located on homelyplace.pl service.</p>
	<p><i>advertisement/re-targeting</i></p> <p>Cookies allow for content matching homelyplace-extens.pl advertising content for expectation of specific user. More information about cookies, you can find in <i>Cookies Policy</i> which is located on homelyplace.pl service.</p>
	<p><i>statistics</i></p> <p>Cookies allow for make statistic of watching/popularity homelyplace-extens.pl service. This statistic allows for effective promotion service at both this service and off-side (for example on Internet network). More details about cookies you can find in <i>Cookies Policy</i> which is located on homelyplace-extens.pl service.</p>
	<p><i>using services of third parties</i></p> <p>Outside cookies, in case of some service providers, necessary for using from their services (for example facebook.pl, tawk.to). More details about cookies you can find in <i>Cookies Policy</i> which is located on homelyplace-extens.pl service.</p>
<b>STORAGE PERIOD</b>	<p>Storage period is continued until withdrawal of consent or till moment when data will prove unnecessary (for example when achieve the aim, for which data was process) – depends, which of this moment will take place earlier. Consent can be revoked at any moment but revoked of consent will not affect for legality processing before revoked consent and would result in lack of back correspondence from Administrator side.</p>

<b>BASIS</b>	<p>art. 6 law 1 letter b) RODO</p> <p><i>concluding and implementation of Agreement and acting at the request of the data subject</i></p>
	<p><i>reservation of Apartment</i></p> <p>Guarantee of availability of Apartment for future, in framework implementation future agreement of renting.</p>
	<p><i>preauthorization of account</i></p>

<b>PURPOSE</b>	Secure of reservation fee (resulting of late cancellation of reservation); rent; and extra fees.
	<i>designation Tenant and Guest</i>
	Establishing identity and possibility of identification person who using services from Administrator.
	<i>concluding and implementation of agreement</i>
<b>STORAGE PERIOD</b>	Necessity of conclude, implementation and settlement of Agreement of renting.
	<i>proving of implementation commitment of agreement and establish, investigation and defense of claims.</i>
	Confirmation of the fulfillment of obligations from Administrator and obtain from that benefit due (for example calling for payment, determine moment of entrance and exit from Apartment).
	Storage period is continued during time of performing agreement of renting, and also time after finish that agreement, in means for the duration of the limitation period for claims arising from applicable laws, and also for the time required by separate regulations (for example to prevent abuse and fraud) depends from that, which from this period will be longer – necessary scope.

<b>BASIS</b>	art. 6law 1 letter c) RODO  <i>the necessity to fulfill legal obligations incumbent on the administrator</i>
<b>PURPOSE</b>	<i>Accounting documentation (include tax)</i>  Creation, collection and storage accounting documentation, include tax which in connected with colluding and implementation agreement of renting.  Besides indicated higher legal basis of processing the basis are also following legal acts: <ul style="list-style-type: none"> <li>• Law from day 15 of February 1992 – about income tax from legal person – in this actual art. 9 law 1,</li> <li>• Law from day 29 of September 1994 – about accounting, include art. 4 law 3 point 6, art.71 law 73 and art. 74;</li> <li>• Law from day 29 of August 1997 – Tax code – include actual art. 86 § 1</li> <li>• Law from day 11 of March 2004 – about tax from goods and services – include actual art. 106a-106n, 112 and 112a.</li> </ul>
<b>STORGAE PERIOD</b>	Storage period of processing personal data continues during performing duties resulting from legal provisions, which are their source (for example until the tax liability expires).

BASIS	<p style="text-align: center;">art. 6 law 1 letter f) RODO</p> <p style="text-align: center;"><i>legitimate interests of the Administrator or a third party</i></p>
PURPOSE/LEGAL INTEREST	<p style="text-align: center;"><i>Business contact – without previous consent</i></p> <p>Actual pursuit directly marketing and sales of services, and also build and consolidation business relations, include providing and promotion offer from Administrator (include also Internet service of Administrator) – if there is no need for separate acceptance for this action.</p> <p>Law interest in that scope is marketing and sales services and build and care about business relations, which are necessary to correctly thriving of Administrator.</p>
	<p style="text-align: center;"><i>security of person and property</i></p> <p>Due to presence in Apartment valuable objects, and security person who stay in Apartment or neighborhood, Administrator can supervise in case of property and person who stay in Apartment (for example target of identification person who disrupt security).</p> <p>Law interest in that scope is care about property and the welfare of person who stay in apartment and on the area.</p>
	<p style="text-align: center;"><i>Designation people who stay in apartment excluding Tenant</i></p> <p>Establishing of identity and possibility of identification person which use apartment.</p> <p>Law interest in that scope is care about property and the welfare person who stay in apartment and on the area.</p>
	<p style="text-align: center;"><i>execution the agreement of renting</i></p> <p>Necessity of conclude, execution and settlement the agreement of renting apartment.</p> <p>Law interest in that scope is wish correctly execution of commitment for Guest which are notified by Tenant, and in the same respect Tenant.</p>
	<p style="text-align: center;"><i>proving the execution of commitment from Administrator and establish, investigation and defense of claim.</i></p> <p>Confirmation of execution of commitment from Administrator to Guest which was notified by Tenant, and in the same respect Tenant and obtain from that benefit due (for example call for funds, establish time of entrance and exit from Apartment).</p> <p>Law interest in that scope is possibility to investigation of claim from Administrator and demonstration execution of agreement requirements.</p>
	<p>Implementation period commitment of Administrator and also after finish, in means during time date limitation period claim which resulting from existing laws; during time which is required from separate laws (for example in case prevention and</p>

<b>STORAGE PERIOD</b>	fraud); during time to reach the target; or till time which include objection, in depends from that which of this period will be longer – extent necessary.
<b>OBJECTION</b>	The person, whose data concern that scope of target, has right to submission of objection in line of art. 21 RODO. Because of the objection, administrator can't process this personal data, only if he demonstrate existence of law important reasonable grounds to processing, overriding from interest, law and liberty person, which data are, or basis to establish, investigation and defense of claim.

## **5. CATEGORIES OF CONSIGNE**

The consignee of shared data to Administrator (for example data of second parties or involved person) could be:

- 1) Person who are authorized from him based on separate authorization (specially person who are employed to Administrator).
- 2) People which Administrator entrusted processing of personal data in basis of art. 28 RODO (for example accounting Office; administrator of IT system; law services; transport entity; hosting services entity; in case of partial provision services electronically (for example reservation, or sales services through by public network) – entities who shall ensure payment services (include agent in payments), credit, insurance, platform, communication (for example tawk.to), catering entities; Agents; Yieldplanet S.A.);
- 3) Persons authorized or processing as a result of further authorization or provision;
- 4) Entity in scope which not qualify to people categories from point 1)-3) and works, after disclose data, as separate administrator Tenant or Guest (for example specially entities whose put on website homelyplace-extens.pl.pl external cookies in scope which constitute personal data).

## **6. ENTITLEMENT**

In line of RODO, person whose data relates, have law:

1. Access to data
2. Rectification of data
3. Deletion of data
4. Reduction of processing the data
5. Transfer of data
6. Objection (if the basis of processing is law justified interest of Administrator or third person);
7. Withdraw of consent (if the basis of processing is consent).

Realization of above rights depends from conditions referred from RODO. In case of refusal of realization above right Administrator will present substantiation of refusal in which he will invoke to personal condition, so that interested person has right to analyze correctly of substantiation.

Endorsed 3 – Administrator can refuse to delete personal data despite notified this demand, in there will be one for exception which are listed in RODO, for example when processing of data is necessary to establish, investigation and defense of claim.

Endorsed 3 and 4 - law for deleted data and law for request of reduction of processing them, shall have only in cases which are listed in RODO.

Endorsed 5 – law to transfer data, shall have only in cases, when the basis of processing law is acceptance or execution of agreement (when this processing take place in automatically process).

Endorsed 6 – in some cases, Administrator can refusal inclusion of objection for processing of data in basis of law substantiation interest of Administrator or third person, when exist important, law justified basis to

processing data, which are overriding to the notifier objective interest, law and liberty or exist basis to arrangements, establish, or defense of claim – this entitlement of refusal shall not have the Administrator, when data are processing in target directly marketing.

Endorsed 7 – consent for processing data could be back in every time, without impact to compliance with law of processing.

Person whose data concern, has right to bring objection to appropriate supervisory authority. In Poland the component supervisory authority to bring objection is President of Urząd Ochrony Danych Osobowych address: Stawki Street 2, 00-193 Warszawa. In respect to the other Member State of European Union, the supervisory authority is listed on website:

[http://ec.europa.eu/newsroom/article29/item-detail.cfm?item\\_id=612080](http://ec.europa.eu/newsroom/article29/item-detail.cfm?item_id=612080)

#### 7. FAILLURE TO GIVE PERSONAL DATA AND CONSEQUENSES

<b>Basis of processing</b>	<b>Statutory requirement/agreement requirement/condition of conclusion agreement</b>	<b>Commitment to give data</b>	<b>Consequences of failure to give data</b>
consent	no	no	<ul style="list-style-type: none"> <li>• Lack of functionality some of services on homelyplace-extens.pl</li> <li>• Lack of advertising consent and actual offer of Administrator</li> <li>• Lack of answer for request/problem (for example in framework chat)</li> </ul>
Conclusion/execution of agreement	<ul style="list-style-type: none"> <li>• Condition of conclude the agreement</li> <li>• Contractual requirement</li> </ul>	no	<ul style="list-style-type: none"> <li>• failure to contract</li> <li>• failure to perform the contract</li> </ul>
Law duty	<ul style="list-style-type: none"> <li>• statutory requirement</li> </ul>	yes	<ul style="list-style-type: none"> <li>• failure to contract</li> <li>• failure to perform the contract</li> <li>• failure to comply with statutory and contractual obligations</li> </ul>
Law interest of Administrator/third person	no	no	<ul style="list-style-type: none"> <li>• failure to conclude a contract and failure to perform a contract in the event of an objective in the form of designation of persons, performance of a lease agreement and performance of the Administrator's obligations as well as determination, investigation and defense of claims</li> </ul>

## 8. AUTOMATION OF PROCESSING DATA

Personal data of person whose data are – only in framework cookies – will be processed in automation way, but this will never cause for every of side any law effect or similar way affect for that situation (lack of automation take decision).

Profiling personal data on homelyplace-extens.pl service consist on processing data (also in automation way) by using this for assessment some information about person, specially to analyze or estimate personal preference and interest.

Data about which is speaking, can be given to third countries from list of agreement UE-USA Privacy Shields (for example Google company and Facebook). Information about security which is used in relevant agreement you can find here: <https://www.privacyshield.gov/welcome>. More than enough Google company and Facebook has certificate of conformity with ISO/IEC 27001:2013. More details about that certificate you can find here: <https://support.google.com/analytics/answer/3407084> and <https://workplaceblog.fb.com/product-news/workplace-secure-iso27001/>.

## 9. GOOD PRACTICE – CONVEING THE INFORMATION CLAUSE TO GUEST

In framework good practice, highly recommend is that Tenant conveying this information clause to Guest, in framework of duty information (mainly duty about indication categories of consignee).

It's conceivable that transfer from Administrator this information clause to Guest can be impossible or require disproportionately more effort. Because of good practice, Tenant should transfer this document to Guest.

## 10. CONTACT DETAILS

In every case which are connected with subject of this information clause, include issue explanation eventually concerns or ambiguities, first and foremost objective realization his own competence we kindly ask you for contact with person who is responsible for this subject conclude with security of personal data of Administrator it means:

**Arkadiusz Kaszycki**

**Homely Place Extens**

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