

Privacy Policy of Zivag Verwaltungen AG

1. What is the subject of this privacy policy?

Zivag Verwaltungen AG (hereinafter also referred to as "Zivag," "we," "us") obtains and processes personal data concerning you and other individuals (referred to as "third parties"). A contractual relationship with Zivag is not mandatory; in this context, it may also involve data of interested parties who intend to enter into a potential legal relationship with Zivag as tenants, property owners, property administrators, partners, or suppliers. Here, we use the term "data" interchangeably with "personal data" in the sense of the applicable data protection law. Since Zivag is a subsidiary of Unia - The Union, information about union membership, which is classified as particularly sensitive under data protection law, can be processed by Zivag. Other types of highly sensitive personal data could pertain to your health or social assistance measures.

In this privacy policy, we outline the manner in which we handle your data when you visit www.zivag.ch, utilize our tenant portal (hereinafter referred to collectively as the "Website"), or acquire information about our rental properties, which are listed on platforms - namely Flatfox AG, Homegate, Immo Scout24, and Immobilier.ch (hereinafter referred to individually or collectively as the "Platforms") - when availing our services, engaging with us through various means, communicating with us, or interacting with us in any other manner. If applicable, we will notify you through timely communication about additional processing activities not covered in this privacy policy. Please be aware that each of these platforms publishes its own privacy regulations, over which Zivag has no control. As a result, Zivag cannot take responsibility for how these platforms handle your data.

If you provide us with data about other individuals or share such information, we assume that you are authorized to do so and that the data is accurate. By sharing data about third parties, you confirm this. It is your responsibility to ensure that these third parties are informed about this privacy policy.

This privacy policy is designed to meet the requirements of the Swiss Federal Data Protection Act ("DSG") and the revised Swiss Federal Data Protection Act ("revDSG"), including its associated regulations, which will come into effect on 01/09.2023.

2. Who is responsible for processing your data?

The data processing described in this privacy policy is primarily carried out by Zivag (see contact details below), partially by Unia (parent company), and particularly by local property management companies acting on behalf of Zivag.

You can reach us for your data protection inquiries and the exercise of your rights according to Section 10 as follows:

Zivag Verwaltungen AG
Weltpoststrasse 20
3000 Bern 16
datenschutz@unia.ch or zivag@zivag.ch

3. What data do we process?

We process various categories of data about you. The main categories are as follows:

- **Technical data:** When you use our website or other electronic services (e.g., Unia's free Wi-Fi), we collect the IP or Mac address of your device and additional technical data to ensure the functionality and security of these services.
These data also encompass logs that document the usage of our systems. We, or Unia, normally preserve technical data for a duration of twelve (12) months. To guarantee the functionality of these services, we might also allocate an individual code to you or your device (e.g., in the shape of a cookie, please see Section 11). In principle, technical data alone do not enable conclusions to be drawn about your identity. However, within the context of user accounts, registrations, access controls, or contract processing, they can be correlated with other categories of data and potentially linked to your individual profile.
- **Registration data:** Certain offerings and services, such as login areas, platforms, tenant portals, free Wi-Fi access, etc. (where available), can only be utilized with a user account or registration, which can be established directly with us or through our external login service providers. When doing so, you are required to provide us with specific data, and we gather information about the utilization of the provided service. In cases of access control to specific facilities, registration data might be gathered, and depending on the control system, this could potentially include biometric data. We generally store registration data for twelve (12) months after the service usage ends or the user account is closed. We extend this period as needed on a case-by-case basis. In exceptional situations, we might gather and handle data related to social assistance measures. For access controls, there could be instances where we need to register your information (such as access codes on badges or biometric data for identification), as explained in the "Other Data" category below.
- **Communication data:** When you communicate with us through the contact form, email, telephone, chat, bots, messenger services, social media platforms (which currently include Flatfox AG, Homegate, Immo Scout24, and Immobilier.ch), postal mail, or other communication methods, we collect the data exchanged between you and us. This includes your contact details and communication metadata. When we record or listen to phone conversations or video conferences, for example, for training and quality assurance purposes, we will provide you with explicit notification. These recordings may only be carried out and employed in accordance with our internal guidelines. You will be informed if and when such recordings take place, for example, through a visual display during the relevant video conference. If you do not want a recording to be made, please inform us or discontinue your participation. In cases where we need to establish or confirm your identity, such as in response to a request from you, we might gather data to identify you (such as a copy of an identification document). We usually retain this data for twelve (12) months from the last interaction with you. This duration might be extended when necessary for evidential reasons, legal or contractual obligations, or due to technical limitations. Emails in personal mailboxes and written correspondence are generally preserved for a minimum of ten (10) years.
- **Basic data:** As basic data, we refer to the fundamental information that we require in addition to the contract data (see below) for the execution of our contractual and other business relationships, or for marketing and promotional purposes. This includes, for example, your name, contact details, information about your role and function, your bank account(s), your date of birth, customer and rental history, authorizations, powers of attorney, and consent declarations. We process your basic data if you are a tenant, property owner, partner, supplier, platform operator, property management entity, or have any other business-related connection with us, or if you are acting in such capacity (e.g., as a contact person or representative of a business partner). We also process your basic data when we aim to contact you for our own purposes or on behalf of a contractual partner (e.g., for marketing, advertising, providing information, sending event invitations, etc.). We receive basic data from you directly (e.g., as part of registration or contract completion), from entities you are associated with, or from third parties such as our contractual partners, associations, Unia, and from

publicly accessible sources such as public registers, databases (e.g., The Post), population or registration offices, or the internet (websites, social media platforms, etc.). As part of basic data, we may also process any health-related data you provide (e.g., wheelchair usage). We usually retain this data for a duration of ten (10) years following the last interaction with you, and at the very least from the contract's conclusion. This period could be extended if required for evidential purposes, legal or contractual obligations, or due to technical limitations. In cases of purely marketing and promotional communications, the timeframe is generally significantly shorter, often not surpassing two (2) years since the last contact. In exceptional circumstances, health-related data received from third parties (like social insurances, authorities such as KESB, disability insurance offices, etc.) might also be processed.

- **Contract data:** These are data associated with the conclusion and execution of a contract, including quotations, contract details, the services to be provided or already provided, as well as information related to events preceding contract completion, incidents in rental properties, lists of defects, notices from authorities, information from neighbours, official inventories, apartment handover protocols (including digital apartment acceptance protocols, DAP), rental deposit accounts, complaints, damages, and so on. Potentially, health data, social assistance measures, or legal actions and penalties (for instance, in the context of representing legal disputes against tenants, partners, suppliers, or other contractual parties) could also be part of this category. Typically, we gather this information from you, contractual partners, third parties participating in contract processes, as well as from external sources (such as credit data providers, reference inquiries), and from publicly available resources. We typically retain this data for a period of ten (10) years from the last contractual activity, at a minimum from the end of the contract. This duration may be extended if necessary for evidential reasons, legal or contractual obligations, or due to technical constraints.
- **Behaviour and preference data:** Depending on the nature of our relationship with you, we strive to understand you better and customize our services and offerings to align with your preferences. For this purpose, we collect and utilize data about your behaviour and preferences. We achieve this by analysing your actions within our domain, and we may also supplement this information with data from third parties – including from publicly accessible sources. Based on this, we can calculate probabilities, such as the likelihood of you availing certain services or exhibiting particular behaviours. The data processed for this purpose is partly already known to us (e.g., if you have a contract with us), or we acquire this data by recording your behaviour (e.g., how you navigate on our website). We anonymize or delete this data when it is no longer relevant for the intended purposes, which typically takes place after twenty-four (24) months (for service preferences), as the situation warrants. This period may be extended if necessary for evidential reasons, legal or contractual obligations, or due to technical constraints. How tracking functions on our website is explained in Section 11.
- **Other Data:** We also collect data from you in different situations. For instance, data may arise in connection with administrative or judicial procedures (such as records, evidence, orders, resolutions, etc.) that could pertain to you as well. Additionally, for health protection reasons, we may collect data (for instance, in the context of protection concepts, remote work, pandemic protection, directives from disability insurance). We may receive or create photos, videos, and audio recordings in which you may be recognizable (e.g., at events, through security cameras in our buildings or rental properties, etc.). We may also collect data regarding who enters certain buildings and when, as well as information about access rights (including access controls, monitoring compliance with easements, visitor lists, burglary protection, records of property usage, or system utilization). The retention period of these data depends on the purpose and is limited to what is necessary. This ranges from a few days to several weeks for data related to contact tracing for visitors, typically retained for three (3) months, to reports of events with images that could be preserved for several years or longer. On a voluntary basis, you can provide us with personal data or other information that we have not explicitly asked for (e.g., job loss, family issues, illnesses). We do not systematically

process these data but rather handle them only for addressing specific issues or responding to inquiries.

Many of the data mentioned in this Section 3 are provided by you (e.g., through forms, in communication with us, in the context of contracts, when using the website, etc.). You are not obliged to do so, except in specific cases, such as under mandatory protection concepts (legal obligations). Additionally, if you enter into contracts with us or wish to avail services, you are required to provide us with data in accordance with your contractual obligation as outlined in the relevant agreement, particularly basic, contract, and registration data. When using our website, the processing of technical data is unavoidable. If you seek access to specific systems or buildings, you need to provide us with registration data.

To the extent permitted, we also collect data from publicly accessible sources (such as debt enforcement registers, land registers, commercial registers, media, or the internet, including social media platforms), or receive data from other companies within our corporate group, authorities, and various third parties (such as credit reporting agencies, associations, contractual partners, internet analytics services, platform operators, property owners, property management entities, etc.).

We draw your attention to the fact that the time periods for data retention specified in Section 3 above apply only to personal data under our control, i.e., data that we can process ourselves. This may not apply to personal data stored on social media platforms (such as communication data on Facebook, Twitter, WhatsApp, etc.), on tools like Google Analytics, or on the outsourcing infrastructure of Unia's partners. In such cases, Zivag has no control over the duration of data retention and can only delete the analyses it has conducted (such as PDF files), but not the data stored on tools or platforms. The nature and manner of data collection, storage, and processing are the responsibility of the respective third party (operators of social media platforms, Google, etc.). Refer to Section 6 below for more information.

4. For what purposes do we process your data?

Your data is processed for the purposes explained below. Additional information for the online domain can be found in Sections 11 and 12. These purposes, along with their underlying objectives, reflect our legitimate interests and potentially those of third parties. More information about the legal bases for our data processing can be found in Section 5.

We process your data for purposes related to communication with you, especially for responding to inquiries and asserting your rights (Section 10), and in order to contact you for any follow-up questions. For this, we primarily use communication data and basic information. We retain this data to document our communication with you, for training purposes, quality assurance, and for any further inquiries.

We process data for the initiation, management, and execution of **contractual relationships**.

We process data for **marketing purposes** and **relationship management**, for instance, to send personalized advertising of our services to customers (property owners), tenants, property managers, platform operators, partners, suppliers, and other contractual partners. This may include activities such as newsletters and other regular contacts (electronic, postal, telephone), through other channels for which we have your contact information, as well as within the scope of individual marketing campaigns (e.g., events, informational sessions). You can decline such contacts at any time (see at the end of this section 4), or refuse or revoke consent for contact for advertising purposes.

With your consent, we can target our online advertising on the internet more specifically towards you (see section 11 for more information).

We continue to process your data for **market research, to enhance our services and operations**.

We strive to continuously improve our services (including our website) and to quickly respond to changing needs. Therefore, we analyse in particular how you navigate through our website or which services are used by which groups of people in what manner, and how new services can be designed (for further details, refer to Section 11).

We may also process your data for **security purposes and access control**.

We continuously assess and enhance the appropriate security of our IT and other infrastructure (such as buildings, rental properties). Like all companies, we cannot completely eliminate the possibility of data security breaches, but we do our best to mitigate risks. Therefore, we process data for purposes such as monitoring, controls, analyses, and testing of our networks and IT infrastructure, for system and error checks, for documentation purposes, and within the scope of security backups. Access controls include verifying access to electronic systems (e.g., logging into user accounts) as well as physical access control (e.g., building entrances). For security purposes (both preventive and incident clarification), we maintain access logs and visitor lists, and we may utilize surveillance systems (e.g., security cameras) within legally permissible boundaries.

We process personal data to comply with **laws, directives, and recommendations from authorities and internal regulations ("compliance")**.

In certain cases, we may be required to conduct specific inquiries about customers (e.g., property owners) ("Know Your Customer") or make reports to authorities. Also, fulfilling obligations for disclosure, information, or reporting, for instance, related to supervisory and tax requirements, necessitates or entails data processing. This includes fulfilling archival duties and preventing, detecting, and investigating criminal offenses and other violations. This also includes receiving and handling complaints and other reports, monitoring communication, conducting internal investigations, or disclosing documents to an authority when we have a sufficient reason to do so or are legally obligated. Even in external investigations, for instance, by law enforcement or supervisory authorities, or by authorized private entities, personal data about you might be processed. Furthermore, we process data for the management of our shareholders and other investors, and for fulfilling related obligations. For all these purposes, we particularly process your basic data, contract data, and communication data, and potentially behavioural and other data according to Section 3. Regarding legal obligations, these can pertain to Swiss law as well as foreign regulations we are subject to, along with self-regulations, industry standards, our own corporate governance, and official instructions and requests.

We also process data for the purposes of our **risk management** and as part of **prudent corporate governance**, including operational organization and business development.

We may process your data for **additional purposes**, such as within the scope of our internal processes and administration, or for training and quality assurance purposes.

5. On what basis do we process your data?

If we ask for your **consent** for specific processing activities (such as processing highly sensitive personal data or conducting behavioural analysis on the website), we will provide you with separate

information about the relevant purposes of such processing. You have the right to withdraw your consent at any time by notifying us in writing (via postal mail) or, unless stated or agreed otherwise, by sending us an email. This withdrawal will be effective for future processing. Our contact information can be located in section 2. To revoke your consent for online tracking, please refer to section 11. If you have a user account, you can also carry out the process of withdrawal or contact with us through the respective website or other applicable service. Upon receiving your notification of consent withdrawal ("opt-out"), we will cease processing your data for the purposes to which you initially consented, unless there is an alternative legal basis for such processing. The legality of processing based on your consent before the withdrawal will not be affected by the withdrawal itself.

In instances where we do not request your consent for processing, we rely on the necessity of processing your personal data for the **establishment or performance of a contract** with you (or the entity you represent) or on our or a third party's **legitimate interests**. This includes the pursuit of the aforementioned purposes and objectives, as well as the implementation of pertinent measures. Our legitimate interests include compliance with **legal regulations**, unless such regulations are already recognized as a legal basis under applicable data protection laws.

In situations where we obtain sensitive data (e.g. health information, trade union membership, social assistance details, political, religious, or philosophical beliefs, involvement in legal proceedings or sanctions, or biometric data for identification), we might also process your data using alternative legal bases. For example, during conflicts, we could process your data due to the requirement for potential legal proceedings or the need to assert or protect **legal claims**. There are instances where different legal grounds might be relevant, and if needed, we will inform you about these separately.

6. Whom do we share your data with?

In relation to our contracts, the website, our services, our legal obligations, or to protect our legitimate interests and the additional purposes outlined in section 4, we may also share your personal data with third parties, especially with the following categories of recipients:

- Group companies:** This applies especially to our parent company, Unia. Unia may utilize the data for the same purposes as us (refer to section 4).

- Service providers:** We collaborate with service providers who process data about you on our behalf or in shared responsibility with us, or who independently receive data about you from us (e.g. IT providers, including internet and telephone services, property owners, property management companies, platform operators, craftsmen, external specialists for property management, cleaning companies, caretakers, banks, insurance companies, debt collection agencies). Key IT service providers currently include Microsoft, Mammut, Adeon, and Garaio REM, along with their respective sub-processors as applicable. We make efforts to keep the data within Switzerland to the extent possible.

- Tenants, property owners, property management companies, and other contractual partners:** Data transmission may also involve other tenants and contractual partners of Zivag, as this may arise from the contracts.

- Authorities:** We may share personal data with authorities, municipal administrations, energy suppliers, courts, and other governmental entities, both domestically and internationally, when legally required or justified, or when necessary to protect our interests. These authorities independently process data about you that they receive from us.

•**Other individuals:** This pertains to additional situations in which the participation of third parties arises from the purposes outlined in section 4 (e.g., banks, lawyers, auditing firms, trustees, external employees).

Other recipients include, for instance, delivery addresses or third-party payees indicated by you, as well as other third parties within the scope of representation relationships (e.g., when we send your data to your lawyer or bank), or individuals involved in authority or court proceedings. In exceptional cases, if we collaborate with media and provide them with materials (e.g., photos), you might also be affected. The same applies to the publication of content (e.g., photos, interviews, quotes, etc.) on our website or in other publications. In the context of organizational development, we may engage in the sale or acquisition of businesses, business units, assets, or companies, or establish partnerships. This may result in the disclosure of data (including yours, as a tenant, property owner, supplier, or supplier representative, for example) to individuals involved in these transactions. Moreover, during interactions with our competitors, contractual partners, industry organizations, associations, and other parties, there may be instances of data exchange that may also be of concern to you.

All these categories of recipients can, in turn, engage third parties, which could potentially provide those third parties access to your data. While we can restrict processing by specific third parties (e.g., IT providers), such limitations may not apply to certain other third parties (e.g., authorities, banks, etc.).

We reserve the right to make these data disclosures even if they concern **confidential information** (unless we have expressly agreed with you not to share this information with specific third parties, except where required by law). Nonetheless, your data remains subject to appropriate data protection standards within Switzerland and the rest of Europe even after disclosure. For disclosures to other countries, the provisions of section 7 apply. If you prefer certain data not to be shared, please inform us in writing so that we can assess whether and to what extent we can accommodate your request (refer to section 2).

We also allow **certain third parties** to collect **personal data** from you on our website and at events organized by us (for example, providers of tools that we have integrated into our website, such as Google Analytics, etc.). In cases where we are not significantly involved in these data collections, these third parties are solely responsible for handling your personal data. For concerns and to assert your data protection rights, please contact these third parties directly. Refer to section 11 f. below for more details. Additionally, for clarification on responsibilities, see section 3 at the end.

7. Do your personal data also get transferred abroad?

As explained in section 6, we also share data with other entities. These entities are not limited to Switzerland. Therefore, your data might undergo processing in the EU, EEA, UK, and in rare instances, the USA; exceptionally, it could undergo processing in any country worldwide.

If a recipient is located in a country without adequate legal data protection, they must ensure compliance with applicable data protection regulations (e.g., through the use of EU-approved standard contractual clauses or other frameworks). Exceptions are possible, particularly in foreign legal proceedings, as well as in cases involving prevalent public interests, contract-related disclosures, your consent, or when dealing with data that you have made publicly accessible without objections to processing. In addition, we can implement additional measures, such as data encryption.

Please be aware that data exchanged via the internet, social media platforms, Microsoft Teams, or messaging services such as WhatsApp, Signal, or similar frequently cross international borders. Consequently, your data may cross international borders even if the sender and recipient are in the same country.

8. How long do we process your data?

We process your data for as long as our processing purposes, legal retention periods, and our legitimate interests in processing for documentation and evidentiary purposes require, or if storage is technically necessary. Further information regarding specific storage and processing durations can be found for each data category in section 3, or for cookie categories in section 11. If there are no legal or contractual obligations to the contrary, we delete or anonymize your data after the expiration of the storage or processing duration within the scope of our regular procedures.

9. How do we protect your data?

We implement suitable technical and organizational security measures to uphold the confidentiality, integrity, and availability of your personal data, guarding it against unauthorized or unlawful processing and mitigating the risks of loss, accidental alteration, unintended disclosure, or unauthorized access.

10. What rights do you have?

Under specific circumstances, the applicable data protection law grants you the right to object to the processing of your data, especially for the purposes of direct marketing.

To facilitate your control over the processing of your personal data, you have the following rights in connection with our data processing, depending on the applicable data protection law:

- The right to request information from us about whether and what data we process about you.
- The right to have data corrected if it is incorrect.
- The right to request the deletion of data.
- The right to request the release of specific personal data in a standard electronic format or their transfer to another data controller.
- The right to withdraw consent, to the extent that our processing is based on your consent.

If you wish to exercise the aforementioned rights with us, please contact us in writing, in person at our location, or, where not specified or agreed otherwise, via email; you can find our contact details in section 2. In order to prevent misuse, we need to identify you (for instance, with a copy of an identification document, if no alternative method is available).

Please note that these rights are subject to conditions, exceptions, or limitations according to applicable data protection law (e.g., to protect third parties or business secrets). We will inform you accordingly, if necessary.

If you disagree with how we manage your rights or data protection, please inform us.

11. Cookies and similar technologies

On our website, we use cookies and similar technologies that allow us and third parties we engage to recognize you and/or your device(s) within or outside various services and devices, or across different services or devices. In this section, we provide you with information about this.

"Cookies" are small text files that contain a character string and are used to uniquely identify a browser on an internet-connected device. Every browser visiting our website receives cookies from us. Additionally, we place cookies in your browser when you visit websites of other providers hosting our plug-ins or tags.

At its essence, the aim is to differentiate your access (through your browser) from that of other users, allowing us to guarantee website functionality, conduct analyses, and implement personalizations.

We employ such technologies on our website and allow certain third parties to do the same. You can configure your browser to block specific cookies or alternative technologies, deceive them, or delete existing cookies. Additionally, you can enhance your browser with software that blocks tracking by specific third parties. Further information can be found on your browser's help pages (usually under "Privacy") or on the websites of the third parties listed below.

The following cookies (technologies with comparable functionalities like fingerprinting are also included) are distinguished:

- **Necessary Cookies:** Some cookies are essential for the functioning of the website itself or certain features. For example, they ensure that you can switch between pages without losing data entered in a form, and they also ensure that you remain logged in. These cookies are only temporary ("session cookies"). If you block these, the website may not work correctly. Other cookies are necessary for the server to store decisions or inputs made by you beyond a single session (i.e., a visit to the website), in case you utilize such functionality (e.g., selected language, given consent, the function for automatic login, etc.). These cookies have an expiration date of up to twenty-four (24) months.

Currently, we utilize services from the following providers (to the extent that they employ data from you or cookies placed on your device for advertising purposes):

- **Google Analytics:** Google Ireland (based in Ireland) is the provider of the "Google Analytics" service and acts as our data processor. Google Ireland relies on Google LLC (based in the USA) as its data processor (both referred to as "Google"). Google uses performance cookies (as mentioned above) to track visitors' behaviour on our website (duration, frequency of visited pages, geographical origin of access, etc.) and provides us with reports on the usage of our website based on this data. We have configured the service to ensure that the IP addresses of visitors to our website are truncated by Google in Europe before being transmitted to the USA, making them untraceable. We have disabled the settings for "Data Sharing" and "Signals." Although we believe that the information we share with Google may not be considered personal data by Google, it's possible that Google could draw conclusions about the identity of visitors, create personalized profiles, and link this data with the Google accounts of these individuals for their own purposes. If you consent to the use of Google Analytics, you explicitly

agree to such processing, which includes the transfer of personal data (especially usage data for the website and app, device information, and individual IDs) to the USA and other countries. Information regarding the privacy of Google Analytics can be found here: [Google Analytics Privacy] (<https://support.google.com/analytics/answer>). If you have a Google account, you can find further details about Google's processing here: [Google Partner Sites] (<https://policies.google.com/technologies/partner-sites>).

12. What data do we process on our social media pages?

We can operate pages and other online presences (such as "fan pages," "channels," "profiles," etc.) on social networks and platforms operated by third parties and collect the data about you described in section 3 and below. We receive this data from you and the social networks when you engage with us through our online presence (for example, when you communicate with us, comment on our content, or visit our presence). At the same time, the platforms analyse your use of our online presences and link this data with other information they have about you (such as your behaviour and preferences).

We process this data for the purposes described in section 4, particularly for communication, marketing purposes (including advertising on these platforms), and market research. Details about the corresponding legal bases can be found in section 5. Content that you publish yourself (e.g., comments on an announcement) may be further processed by us (e.g., in our platform advertising or elsewhere). We or the platform operators can also delete or restrict content from or about you in accordance with the usage policies (e.g., inappropriate comments).

For more information about the processing activities carried out by the platform operators, please consult the privacy policies of the respective platforms. These policies will also provide details about the countries where data processing occurs, the rights you have related to access, deletion, and other data subject rights, as well as instructions on how to exercise these rights or obtain further information.

File Sharing: An exchange of data is also possible through so-called File Share platforms. File sharing involves the direct sharing of files between internet users using a file-sharing network. The files are typically stored on the computers of individual participants or dedicated servers, from where they are distributed to interested users (e.g., WhatsApp, WeTransfer, etc.).

13. Is it possible to modify this privacy policy?

This privacy policy is not a part of a contract with you. We can modify this privacy policy at any time. The version published on this website is the current and up-to-date version.

Last updated: June 2023