

Data Protection Statement for (Sub-)Tenants and the Tenant Portal

The purpose of this Data Protection Statement is to brief you (as data subject whose personal data are processed) about the processing of personal data within the scope of implementing the tenancy, and about the use of the tenant portal by Trei Real Estate Berlin – Quartillion – GmbH pursuant to Art. 13, General Data Protection Regulation (GDPR), or Art. 14, GDPR, as the case may be.

1. The controller within the meaning of Art. 4, No. 7, GDPR, is the landlord identified in your lease agreement: Trei Real Estate GmbH, Klaus-Bungert-Str. 5b, D-40468 Düsseldorf.

2. The person to contact in regard to data protection law issues is our third-party data protection officer, whose contact details are as follows: datenschutz@t-audit.de or via postal mail to Tengermann Audit GmbH, An der Pönt 45, D-40885 Ratingen.

3. Personal data will only be processed to the extent necessary for a given purpose, or if you expressly consent to such processing. Processing is principally based on the following legal bases, among others:

- Art. 6, Sec. 1, Lit. a, GDPR (consent of the data subject)
- Art. 6, Sec. 1, Lit. b, GDPR (execution of a contractual relationship with the data subject, pre-contractual measures at the request of the data subject)
- Art. 6, Sec. 1, Lit. c, GDPR (fulfilment of a legal obligation by our company)
- Art. 6, Sec. 1, Lit. d, GDPR (protection of vital interests of the data subject or of another natural person)
- Art. 6, Sec. 1, Lit. e, GDPR (performance of a task in the public interest or while exercising official authority)
- Art. 6, Sec. 1, Lit. f, GDPR (protection of a legitimate interest of our company or of a third party, provided that the interests, fundamental rights and freedoms of the data subject, which require the protection of personal data, prevail).

4. Within the scope of implementing a tenancy agreement, personal data such as name, address, account details, enrolment certificate or letter of admission and other information resulting from the lease agreement and tenancy (e. g. consumption data or communication content, where applicable) as disclosed by the tenant (meaning you) to the landlord (meaning our company) or manager are generally processed in accordance with applicable data protection law rules for the purpose of processing/implementing the lease agreement (e. g. processing payment obligations or setting up/accounting for the energy/water supply, where applicable), for the administration, ongoing maintenance, repairs and development of the properties/apartments or for the fulfilment of legal obligations (e. g. those arising from the German Commercial Code or the Fiscal Code of Germany). On top of that, asserting, exercising or defending legal claims may also necessitate processing of your data.

Personal data related to the tenancy may also be processed in conjunction with possible measures involving the internal quality assurance, the internal reporting/management accounting, corporate or property transactions, IT- and network security, compliance audits and internal audits.

The legal basis for processing personal data to execute a lease agreement is Art. 6, Sec. 1, Lit. b, GDPR, while the legal basis for processing personal data to meet legal obligations is principally Art. 6, Sec. 1, Lit. c, GDPR, in connection with the respective legal standard from which the obligation arises. Another legitimate interest in accordance with Art. 6, Sec. 1, Lit. f, GDPR, is our right to examine, assert, exercise and defend legal claims. In accordance with Art. 6, Sec. 1, Lit. f, GDPR, we also have a legitimate interest to carry out internal quality assurance, IT and network security measures, compliance audits or internal audits in order to guarantee the necessary quality standard to ensure secure, efficient and effective processes on a quality level required under economic aspects, to ensure compliance with the legal parameters, and to prevent cases of fraud and abuse. Another legal basis for such measures in accordance with Art. 6, Sec. 1, Lit. c, GDPR, is constituted by certain legal obligations.

In the context of the management, maintenance, repairs and development of the apartments or associated facilities, the legal basis is constituted, on the one hand, by the obligation to fulfil the lease agreement in accordance with Art. 6, Sec. 1, Lit. b, GDPR (obligation of continuous provision and maintenance of the leased property). In this context, the landlord's legal obligation to keep the rental property in good repair also comes into play (Art. 535, Sec. 1, German Civil Code, BGB). On the other hand, the landlord's legitimate interest in accordance with Art. 6, Sec. 1, Lit. f, GDPR, to preserve and increase the value of the properties at hand constitutes a further legal basis for processing the personal data toward this end. The legitimate interest in the efficient, cost-effective, tenant-oriented administration and operation of the properties according to the division-of-labour principle also provides a legal basis for the transfer to, and processing by, affiliated companies and/or third-party service providers.

Whenever key parameters of tenancies (such as e. g. the agreed rent or energy consumption per square metre) enter into in-house evaluations, this is also done on the basis of Art. 6, Sec. 1, Lit. f, GDPR. For instance, we have a legitimate interest in obtaining business information on the cost effectiveness or sustainability metrics (e. g. in regard to carbon emissions) of our properties/apartments through the relevant statistics on our assets. If the property you occupy as a tenant or the company who owns it becomes the object of a corporate transaction (meaning, e. g. that it is sold), tenancy information may also be processed as part of due diligence investigations for the purpose of appraising the potential transaction. In such a case, the processing is again done on the basis of our legitimate interest (Art. 6, Sec. 1, Lit. f, GDPR), which is to execute transactions in effective and efficient ways so as to achieve an optimal economic performance while limiting economic and legal risks. We would like to point out in this context that we will use pseudonymised or, if possible, anonymised data unless doing so conflicts with the respective purposes.

Whenever units are sub-let, we will generally process the first and last name of the subtenant that the tenant discloses to us in order to meet the requirements specified in the respective lease agreement. Moreover, the disclosures make it easier for us to coordinate maintenance and repair works for the rental property. These purposes also establish our legitimate interest in the processing of your data pursuant to Art. 6, Sec. 1, Lit. f, GDPR.

5. As a tenant, you may use the tenant portal to take care of various things. Services such as the use of the notice board may require the entry of personal data (e. g. when carpooling); yet the decision to do so is entirely up to the user. In case of room reservations, the tenant portal will display your first name plus the initial of your last name. Your tenant ID is known to the property management for the sake of tracing damages caused during the occupancy of the premises (see “Disclosure to Any Third Party”).

The personal data processed within the scope of the tenant online portal are taken from your disclosures when registering, from the lease agreement you signed or from optional information you provided. The purpose of processing your data is, on the one hand, to enable you to use the portal and, on the other hand, our legitimate interest to provide this added service to you and to ensure swift and efficient communication between you and us or the property management and to process your requests. Another purpose of processing your data is to initiate, prepare, implement or dissolve your lease agreement and/or possibly to provide other services and deliverables. Processing of such data is therefore based on Art. 6, Sec. 1, Lit. b and f, GDPR. If you are asked for your consent within the framework of the tenant portal (Art. 6, Sec. 1, Sent. 1, Lit. a, GDPR), you may retract your consent with effect to the future any time, either by deleting your disclosures (if possible) or by writing to info.koeln@quartillion.de directly.

Once you, in your role as tenant, grant another person (e. g. a subtenant) user access (“additional tenant logins”) to your rental unit in the tenant portal, you will thereby grant us permission (Art. 6, Sec. 1, Sent. 1, Lit. a, GDPR) to make all the information on the respective rental unit as posted in the tenant portal—including personal data of you—available to that person. You, in your role as tenant, may retract this permission with effect to the future at any time by suspending access or deleting the login details, preventing the user from logging into the tenant portal in order to access your rental unit details.

If you are invited by the tenant to share the use of the tenant portal access of a given apartment (e. g. as subtenant), we use the so-called “double-opt-in” process. Within the scope of the invitation, we will process your first and last name as well as the respective e-mail address after these details have been transmitted to us by the tenant via the corresponding function within the tenant portal. After you have been invited to the tenant portal, you will receive an e-mail from us, asking you to confirm your e-mail address by clicking a link. If you fail to click our confirmation link before the end of a 7-day period, all your data will be deleted and the invitation will expire. Processing your master data related

to the “guest login” (first and last name, e-mail address) is based on the consent you granted within the scope of the double-opt-in process pursuant to Art. 6, Sec. 1, Sent. 1, Lit. a, GDPR. If you make optional disclosures within the framework of the tenant portal, you consent to the processing of these data by us pursuant to Art. 6, Sec. 1, Sent. 1, Lit. a, GDPR. You may retract your consent with effect to the future at any time, either by deleting your disclosures (if possible) or by deleting your account.

6. If a person authorised by the tenant (e. g. a sub-tenant) gets in touch with us or our manager in regard to a given rental unit (regardless of the communication channel, such as e. g. via the tenant portal or by phone) to report damages to the unit, for instance, the personal data disclosed in this context could obviously be processed within the scope of said communication. The legal basis for processing the data is our legitimate interest pursuant to Art. 6, Sec. 1, Sent. 1, Lit. f, GDPR, to process your request swiftly and efficiently. This may also be in the legitimate interest of the tenant.

7. The personal data provided are required for implementing the tenancy and related services and to process the request at hand. Without the disclosure of the relevant data, it would be impossible for the landlord or manager to process your request or to implement and dissolve a tenancy, including the associated ancillary services and obligations.

8. There is no intention to transfer the personal data to third countries (countries outside the EU/EEA) or to international organisations. In the event that such a transfer cannot be avoided or that it is subject to change in the future (e. g. due to an interdependency of IT services), a transfer would be kept as restrictive as possible and would take place only in compliance with the provisions pursuant to Art. 44 et seq., GDPR, in order to ensure an adequate data protection level (e. g. transfer to countries with effective adequacy decisions in place or conclusion of EU standard contractual clauses).

Personal data may be processed within the scope of a lease signing, its implementation and in line with the follow-up processing of terminated leases by companies associated with the controller as well as by third-party service providers. Such entities could include, e. g. property managers (particularly Savills Property Management Deutschland GmbH), tradesmen, utility infrastructure providers and grid operators, where applicable, or other service providers. Personal data will be transferred to third parties in this context only if doing so is necessary for the above-mentioned purposes and is permitted by law, or if the corresponding consent was granted in advance.

In addition, data may be disclosed to banks (payment processing), authorities, government agencies or other state/public institutions. Depending on a given case, data may also be transmitted to lawyers, auditors, potential transaction partners (e. g. prospective buyers, estate agents, lawyers, etc.) or debt collection agencies.

In data protection terms, a third party may count either as commissioned data processor pursuant to Art. 4, No. 8, GDPR, or as controller pursuant to Art. 4, No. 7, GDPR.

The selection and use of third-party service providers is carried out in consideration of internal minimum data protection standards and the relevant legal requirements (e. g. the conclusion of

applicable contracts pursuant to Art. 28, GDPR, for commissioned data processors).

9. The personal data processed within the framework of the tenancy will only be stored for as long as and to the extent that doing so is necessary for the respective processing purposes. The data will moreover be stored for as long as the tenant (meaning you) may still assert claims against the landlord (our company) (or vice versa; in accordance with the statutory limitation periods; the regular limitation period being e. g. three years pursuant to Art. 195, German Civil Code). Furthermore, personal data will be stored for as long as stipulated, and to the extent required, by legal verification requirements and record-keeping obligations. These are specified, inter alia, by the Commercial Code (HGB), the Fiscal Code (AO), and the Money Laundering Act (GwG) (e. g. Art. 257, HGB, Art. 147, AO). According to these, the record-keeping obligations extend over a ten-year period.

10. Within the scope of the applicable legal provisions, you have the right to free information (Art. 15, GDPR) about your processed personal data and other disclosures pursuant to Art. 15, Sec. 1, Lit. a through h, GDPR, at any time. In addition, you may be entitled to the rectification (Art. 16, GDPR) or erasure (Art. 17, GDPR) of these data. The right to erasure may be restricted in cases specified in Art. 17, Sec. 3, GDPR (e. g. whenever the data are required for asserting, exercising or defending legal claims).

You have the right to demand that the processing (Art. 18, GDPR) of your personal data be restricted (or blocked). The right to restriction of processing exists in the cases specified in Art. 18, Sec. 1, Lit. a through d, GDPR. Once the processing of your personal data has been restricted, such data may—apart from being stored—only be processed with your consent or else to assert, exercise or defend legal claims, or to protect the rights of another natural person or legal entity, or for reasons of material public interest of the European Union or one of its member state.

You have the right to receive personal data concerning you in a standard machine-readable format, assuming that you have provided us with the data yourself, that we process these data via automated procedures and that the processing is based on your consent or the fulfilment of a contract with you (Art. 20, GDPR).

To the extent that personal data are processed (including profiling, where applicable) on the basis of legitimate interests (Art. 6, Sec. 1, Lit. f, GDPR), you have the right to object to the processing of your personal data at any time for reasons arising from your specific circumstances (Art. 21, GDPR). In that case, we will cease to process your personal data for said purposes unless our legitimate interests prevail or unless the processing serves the assertion, exercise or defence of legal claims. Notwithstanding the foregoing, you may object to the processing of your personal data in the context of direct marketing at any time without stating your reasons.

If consent constitutes the legal basis for processing your personal data, you may retract your consent at any time without stating your reasons (Art. 7, Sec. 3, GDPR). Retracting your consent will principally

be effective for the future only. This means that the revocation of your consent will not affect the lawfulness of any processing carried out on the basis of your consent prior to its revocation.

If you believe that the processing of your personal data violates data protection law, you have the right to lodge a complaint with a regulator, specifically in the member state of your habitual residence, place of work or place of the alleged violation (Art. 77, GDPR). The right to lodge a complaint exists without prejudice to any other administrative or judicial remedy.

To submit your inquiries regarding data subject rights, please use the following contact details:

Trei Real Estate GmbH
– Quartillion –
Klaus-Bungert-Str. 5b
D-40468 Düsseldorf
+49 (0) 211 54011-000

info@treirealestate.com

Whenever data subject rights are asserted, personal data will be processed in this same context in order to respond to/process the request. Here, the processing of personal data is done to fulfil a legal obligation pursuant to Art. 6, Sec. 1, Lit. c, GDPR, or on the basis of our legitimate interest pursuant to Art. 6, Sec. 1, Lit. f, GDPR, to implement the data protection regulations that govern the rights of data subjects.

11. In the execution of the aforementioned activities, no automated decision-making procedures within the meaning of Art. 22, GDPR, are used.

12. The landlord (our company) reserves the right to change or amend this Data Protection Statement. Check the Internet page <https://www.quartillion.de/koeln/datenschutz/> for the latest version of the Data Protection Statement. In addition, you may ask the tenant to send you the latest version as hard copy or in electronic form.