

## Data Protection Policy

Welcome to the homepage of Winst<sup>o</sup>n, and thank you for taking an interest in our apartments. As you visit this website, we would like you to know that data protection and data security have a particularly high priority for us. In the sections below, we will therefore brief you on relevant issues under Art. 13, EU General Data Protection Regulation (GDPR), or, whenever no data are directly collected, in accordance with Art. 14, GDPR.

For instance, we will subsequently explain which data we process for what purpose, and tell you what your rights are in this context. This Data Protection Policy applies to the processing of your personal data when visiting our website, especially if you are a prospect or applicant interested in an apartment.

## Basic and General Information

### Responsible Entity

The responsible entity within the meaning of Art. 4, No. 7, GDPR, is:

Trei Real Estate Berlin-Winsstraße GmbH  
Klaus-Bungert-Str. 5b  
D-40468 Düsseldorf

represented by

Trei Real Estate GmbH  
Klaus-Bungert-Str. 5b  
D-40468 Düsseldorf

(hereinafter referred to as "Trei")

### Data Protection Officer

Below are the contact details of our data protection officer:

Tengelmann Audit GmbH  
An der Pönt 45  
D-40885 Ratingen

[datenschutz@t-audit.de](mailto:datenschutz@t-audit.de)

## Basic Processing Scope, and Legal Bases

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 lawful 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 [balancing of interests]).

Whenever consent constitutes the legal basis for processing personal data, you can retract your consent at any time without stating your reasons. Principally, retracting your consent is only effective for the future. This means that retracting your declaration of consent will not render prior processing unlawful that preceded our receipt of the revocation of your consent.

We are firmly committed to ensuring end-to-end protection of your personal data on this website. Despite all technical and organisational measures taken by us, security gaps can sadly never be ruled out completely during the electronic transmission of data via the Internet. That is why we always give you the option to submit the data we need from you alternatively by phone or postal mail.

## **Data Subject Rights**

To the extent that your personal data are processed by us, you have the following rights in regard to our processing of your personal data, which you may assert against us at any time. Specifically, you have the right to demand

- disclosure of any stored data on you (Art. 15, GDPR),
- the correction of inaccurate data (Art. 16, GDPR),
- that processing of personal data be restricted (Art. 18, GDPR),
- the deletion of personal data (Art. 17, GDPR) and/or
- the transfer of data (Art. 20, GDPR)

*To the extent that personal data are processed 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. In this case, we will cease to process your personal data for this purpose/these purposes unless rights of the landlord worthy of protection outweigh your interests, or unless the processing serves the assertion, exercise or defence of legal claims. Notwithstanding the foregoing, you may object as a data subject to the processing of your personal data in the context of direct marketing at any time without stating your reasons.*

Whenever consent constitutes the legal basis for processing personal data, you can revoke your consent at any time without stating your reasons. Principally, revoking your consent is only effective for the future. This means that revoking your declaration of consent will not render prior processing unlawful that preceded our receipt of the revocation of your consent.

If you wish to assert your rights against us, please use the contact details below:

*wohnen@treirealestate.com*  
*+49 211 54011-000*

Whenever data subject rights are asserted, personal data will also be processed in this context in order to respond to the respective inquiry. The processing of personal data is done to fulfil a legal obligation (safeguarding and fulfilling data subject rights) on the basis of Art. 6, Sec. 1, Sent. 1, Lit. c, GDPR.

If you have reason to complain about us with respect to a data protection issue, you have the right to complain to the competent supervisory authority without prejudice to the aforementioned rights.

## **Transfer to Third Countries or International Organisations**

Unless stated otherwise in the following sections (on this subject, please see particularly "Website Visits & Cookies"), it is not intended to transfer personal data to third countries or to international organisations.

## **Automated Decision-Making and Profiling**

We use neither profiling nor any other procedure for automated decision making.

## Website Visits & Cookies

Whenever you visit our website, information may be stored (e. g. by cookies) in your terminal equipment while information previously stored may be accessed (e. g. IP address). In cases where such technical processes become necessary to ensure an error-free and secure provision of services on our homepage, this is done on the basis of Art. 25, Sec. 2, No. 2, Telecommunication Telemedia Data Protection Act (TTDSG). In all other cases, it is done on the basis of your consent pursuant to Art. 25, Sec. 1, TTDSG (which we obtain from you at the same time we obtain your consent pursuant to Art. 6, Sec. 1, Lit. a, GDPR). The subsequent processing of personal data in any kind of process is governed by the relevant data protection law requirements (particularly those arising from the GDPR and the German Data Protection Act, BDSG):

Even when visiting the Winst<sup>o</sup>n homepage purely for information purposes, meaning whenever you are not signed in or transmit information to us in some other way, your Internet browser will, for technically necessary reasons, automatically transmit data to our web server as you access our website. Such data include the date and time of your access, the URL of the referring website, the file accessed, the quantity of data sent, your browser type and version, your operating system and your IP address.

The purposes of processing the aforementioned personal data are to deliver the website to your computer/browser, to ensure the proper functioning of the website and to optimise it for the respective user, and also to ensure the safety of our information technology systems. In fact, it would be technically impossible to make our homepage available to you without a certain degree of data processing. These purposes also constitute our legitimate interest in the processing of personal data pursuant to Art. 6, Sec. 1, Letter f, GDPR. This standard serves simultaneously as legal basis for the data processing. The data are stored in so-called log files on our servers, and will be deleted as soon as they have served their purposes and unless the deletion is prevented by legal requirements. In the case of data stored in log files, this tends to happen after seven days at the latest.

So-called cookies may also be used when you visit our website. A cookie is information that a web server sends to a browser, which the browser in turn sends back when it accesses the same web server later on (this is known as a "browser cookie" or "session cookie"). Cookies make it possible to save information between web page requests, and allow a website server to recognise a given visitor's browser and thus the visitor him- or herself or to remain recognised through the end of a session, in order to make the offer of our homepage technically flawless and user-friendly for visitors. These purposes also constitute our legitimate interest in the processing of your data pursuant to Art. 6, Sec. 1, Lit. f, GDPR.

Most of the cookies used by our website are so-called "session cookies." They are automatically deleted at the end of your visit. These data, too, are stored separately from other data that you enter while using our website. There is no way for us to associate these data with any specific person.

In addition, our website uses optional cookies of the service providers detailed below, and these cookies are placed only if you consent to them pursuant to Art. 6, Sec. 1, Lit. a, GDPR.

When seeking your consent to the storage of certain cookies on your end device or to the use of certain technologies and to document this in a data-protection-compliant manner, we use the "Cookiebot" consent management tool. This technology is provided by Usercentrics A/S based in Copenhagen, Denmark.

The activities of obtaining your consent and the associated setting of cookies as well as the processing of the corresponding personal data are all necessary to fulfil the legal obligation which we are subject to (Art. 6, Sec. 1, Sent. 1, Lit. c, GDPR). It cannot be guaranteed that the website is fully functional in a legally permissible manner without this kind of data processing. To ensure its proper functionality, the following personal data may be processed: Your IP address, consent status and values (date and time of consent, consent ID), geolocation, language, referrer URL.

Your selection will be stored for 2 months, after which the consent banner will automatically re-open to prompt you to renew your consent.

You may change or retract your consent at any time by clicking on the respective link below.

Your consent applies to the following domains: XXXX

<Passage/Tabellen des Cookiebots>

### **Use of Google Analytics**

To the extent that you have granted your consent, this website uses Google Analytics 4, a web analytics service provided by Google LLC based in California, USA. Its provider for users in the European Union (EU)/the European Economic Area (EEA) is Google Ireland Limited, Google Building Gordon House, 4 Barrow St, Dublin, D04 E5W5, Ireland ("Google").

Google Analytics uses cookies that permit analysing your use of our websites. The information generated by the cookies about your use of this website will usually be transmitted to and stored by Google on servers in the United States.

In the case of Google Analytics 4, the anonymisation of IP addresses is enabled by default. IP anonymisation will cause your IP address to be truncated by Google within member states of the EU or in other EEA treaty states. Only in exceptional cases will your full IP address be transmitted to a Google server in the United States and truncated there.

During your visit to this website, your user behaviour will be recorded in the form of "events." Events can mean:

- page views
- first-time visit of the website
- start of session
- your click trail, interaction with the website
- scrolls (whenever a user scrolls down to the end of the page [90%])
- clicks on third-party links
- internal web search queries
- interaction with videos
- file downloads
- viewed / clicked ads
- language setting

The following will also be recorded:

- your approximate location (region)
- your IP address (in truncated form)
- technical details about your browser and the endpoint you use (e. g. language setting, screen resolution)
- your Internet provider
- the referrer URL (the website / advertising media from which you transferred to this website)

On our behalf, Google will use this information for the purpose of analysing the use of our website, and of compiling reports on the website activities. The reports provided by Google Analytics are used to analyse the performance of our website and the success of our marketing campaigns.

The data will be passed on within the Google group of companies, so that data processing by Google LLC will essentially be carried out in the United States.

Please note that current EU data protection legislation classifies the United States as a so-called third country that is subject to different statutory data protection regulations, implying that the legally required level of data protection may be lower than that in the EU. In addition to Google, government agencies may also gain access to this data under US law if certain legal conditions are met. This is regrettably not subject to our control.

The data sent by us and linked to cookies are automatically deleted after 2 months at the latest. The data whose retention period has expired are automatically deleted once a month.

Legal basis for processing your personal data is your consent pursuant to Art. 6, Sec. 1, Lit. a, GDPR, and possibly Art. 49, Sec. 1, Lit. a, GDPR.

You may retract your granted consent with effect for the future at any time by visiting your cookie settings as discussed above in this Policy, and by changing your selection there. Doing so will not affect legitimacy of any processing done with your consent up to the time of your revocation.

Aside from withholding your consent, you may also prevent the storage of cookies in general by adjusting your browser settings accordingly. However, configuring your browser to reject all cookies may limit the functionality of this and other websites for you.

For more information on the terms of use of Google Analytics and on Google's data protection policy go to the following third-party links:

<https://marketingplatform.google.com/about/analytics/terms/en/> and  
<https://policies.google.com/?hl=en>.

### **Use of Google Maps**

This website uses the Google Maps service. It is provided by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA. The service enables us to display interactive maps directly on our website and lets you use the map function at your convenience. It is integrated into our website via a Java Script API.

Use of Google Maps, and thus the processing of personal data by Google Maps, is not possible unless you have consented to it through the cookie settings on this page ("Marketing" category). The legal basis for this processing of personal data is your consent pursuant to Art. 6, Sec. 1, Lit. a, GDPR, or (in case the data are transmitted to the USA) pursuant to Art. 49, Sec. 1, Lit. a, GDPR. You may retract your consent with effect to the future via the same cookie settings at any time.

As a result of using Google Maps, Google will receive information that the corresponding (sub)page of our website was called up while also receiving the associated IP address. This will happen regardless of whether Google provides a user account through which you are logged in or whether no such user account exists. If you are signed into a Google service, your data will (probably) be directly associated with your account. If you do not wish to be associated with your profile on Google, you should log out of your Google account before clicking the button. Google stores the data collected about you in the form of a user profile and uses it for advertising purposes, market research and/or the need-based design of its websites. The purpose of such an analysis is specifically to generate customised advertising (even for users not logged in). You have the right to object to the creation of such a user profile, but you will have to contact Google directly to exercise that right.

The aforesaid personal data will be transferred to the United States during the use of Google Maps. Please note that current EU data protection legislation classifies the United States as a so-called third country that is subject to different statutory data protection regulations, implying that the legally required level of data protection may be lower than that in the EU. In addition to Google, government agencies may also gain access to this data under US law if certain legal conditions are met. This is regrettably not subject to our influence.

For more information on the purpose and scope of the collection of data and their processing by the provider of Google Maps, please see the provider's data protection statements. If you do, Google will also provide more details about your rights and privacy settings (third-party link): <http://www.google.com/policies/privacy>.

### **Using Matterport**

Our website offers virtual viewings of properties, which are integrated via the my.matterport.com portal. The portal is operated by Matterport, Inc., 352 E. Java Dr., Sunnyvale, CA 94089, USA. Whenever you take advantage of the virtual viewing option, you will be connected to a Matterport server. The Matterport server will learn which of our pages you visited. Matterport will also obtain your IP address. This will be the case even if you are not logged into Matterport and have no account with Matterport. The information collected by Matterport will be transmitted to Matterport servers in the United States. Please note that the United States are a so-called third country (a country outside the EEA) whose data protection standard is not comparable to that applicable within the EU. In addition to Matterport, government agencies may also gain access to this data under US law if certain legal conditions are met. Logging into your Matterport account enables Matterport to match your surfing behaviour directly with your personal profile. You can prevent this by signing out of your Matterport account prior to visiting our website. The use of Matterport and thus also the processing of and transmission of the aforementioned data to Matterport is based on your consent pursuant to Art. 6, Sec. 1, Lit. a, GDPR, Art. 49, Sec. 1, Lit. a, GDPR, and Art. 25, Sec. 1, TTDSG.

You can retract your consent any time via the cookie settings.

For more details on how Matterport implements the GDPR and how it handles user data, please see Matterport's data protection statement under this link:

[matterport.com/legal/privacy-policy/](http://matterport.com/legal/privacy-policy/)

### **Prospects / Applicants**

In addition to the general and basic information provided above, the sections below will brief you on the processing of personal data within the framework of expressing your interest in, or submitting your application for, an apartment.

#### **Applicant / Viewing Appointment**

Whenever you contact us as an interested party (booking a viewing appointment), your data will be saved and used for processing purposes so as to enable us to arrange a viewing appointment for you or to contact you. To this end, we will only collect such data from you that are indispensable for processing your query.

The legal basis for processing the necessary entries is Art. 6, Sec. 1, Lit. b, GDPR (pre-contractual measure relating to the lease agreement) as well as our legitimate interest in accordance with Art. 6, Sec. 1, Lit. f, GDPR, to contact you and to coordinate viewing appointments in an efficient manner. Any additional disclosures you care to share will be made at your discretion.

In the context of appointment requests, we use the so-called "double-opt-in procedure." Once you have filled in the input masks, you will receive an e-mail from us, asking you to confirm your e-mail address by clicking a link. Your data will not be transmitted to us unless you click the link. If you fail to click our confirmation link within a 7-day period, all your entries will be deleted and the request will not be processed.

## **Applicants for a Tenancy**

If you wish to submit a concrete application for the lease to a specific apartment (the “Applicant” button), you will necessarily have to provide certain personal data to enable us to process your tenancy request. Such data include general information about your person and your contact details, e. g. name, address or e-mail address. In order to process your concrete tenancy request, we will need additional details, which you may submit via a self-disclosure form, substantiated by supporting evidence. You have the option to upload the documents or to send them to us by postal mail.

We will process your data for the purpose of handling your request and signing a lease with you. We also need your data for the purposes of running a credit check on you and to review the local conditions to ensure they are adequate for the intended use.

The legal basis for processing your data for the above purposes is the execution of the lease agreement or pre-contractual measures in accordance with Art. 6, Sec. 1, Lit. b, GDPR, as well as our legitimate interest in accordance with Art. 6, Sec. 1, Lit. f, GDPR, to reduce the risk of payment defaults by tenants through a qualified selection of applicants and to ensure the optimal use of the apartments. Any additional disclosures over and above these data will be made at your discretion.

In the context of your application, we use the so-called “double-opt-in procedure” unless your e-mail address was previously verified already. Once you have filled in the input masks, you will receive an e-mail from us, asking you to confirm your e-mail address by clicking a link. Your data will not be transmitted to us unless you click the link. If you fail to click our confirmation link within a 7-day period, all your entries will be deleted and the request will not be processed. You will subsequently be given the opportunity to create a user account. Having your own account will enable you to process the uploaded data on your own or inversely to delete all records as well as the account itself.

Just before the start of your lease term, at the latest, you will need to verify your data by presenting a government-issued photo ID.

## **Portal for Prospects & Applicants**

Once your appointment request or application has been given an active status, you can request access to the user portal. Signing up for the portal is not required for the processing of your request. Yet if you decide to use the functionalities of our portal to carry out the pre-contractual measures (on the legal basis of Art. 6, Sec. 1, Lit. b, GDPR), having signed up will enable you to process the uploaded documents or the viewing appointment on your own, and to delete all documents and even to close your account.

Your consent pursuant to Art. 6, Sec. 1, Sent. 1, Lit. a, GDPR, serves as legal basis for the creation of your account in the user portal. You may revoke your consent at any time with effect for the future by closing your account in the portal.

## **Disclosure to Any Third Party**

Your data may be processed by associates well as by third-party service providers in the context of your visit of these Internet pages and in the context of showing an interest in or applying for a tenancy. Relevant entities in this context include, for example, IT service providers (in particular Apleona Real Estate GmbH in Düsseldorf) or other service companies. In data protection terms, third parties may count either as commissioned data processor pursuant to Art. 4, No. 8, GDPR, or as responsible entity 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).

## **Deletion of Your Personal Data**

As a matter of principle, we process personal data only for the period of time required for the processing purpose, and will delete such data after the purpose has been fulfilled, unless the

deletion is prevented by legal obligations to provide supporting evidence or to retain data, or unless legal claims relevant in this respect are asserted.

#### **Data Protection Information for (Sub-)Tenants**

The data protection information currently applicable to tenancies (including tenant online portal and sub-tenants) can be retrieved [here](#).

#### **Reservation of Right of Modification**

Trei, as operator of the website, reserves the right to change security and data protection measures whenever doing so becomes necessary, for instance in response to technological advances. In such cases, we will also adapt our notes on data protection accordingly. Please be sure therefore to take note of the latest version of our Data Protection Policy as amended.