

# *Avon Lettings*

## **TENANTS PRIVACY NOTICE AS AT MARCH 2024**

**This notice explains what information we collect, when we collect it and how we use this. During the course of our activities, we will process personal data (which may be held on paper, electronically, or otherwise) about you and we recognise the need to treat it in an appropriate and lawful manner. The purpose of this notice is to make you aware of how we will handle your information.**

### **Who are we?**

Avon Lettings at 2 Avon Cottages, Church Street, Durrington, Wiltshire, SP4 8AN take the issue of security and data protection very seriously and strictly adhere to guidelines published in the General Data Protection Regulation (EU) 2016/679 which is applicable from the 25th May 2018, together with any domestic laws subsequently enacted.

Avon Lettings are notified as a Data Controller with the Office of the Information Commissioner under registration number ZA039333 and we are the data controller of any personal data that you provide to us.

Our Data Protection Officer is Kelli Bales-Smith, 01980 551256, [info@avon-lettings.co.uk](mailto:info@avon-lettings.co.uk). Any questions relating to this notice and our privacy practices should be sent to the Data Protection Office above.

### **What information do we collect about you:**

Avon Lettings collect information about you using our Tenancy Application form and by requesting information using the information provided within the application form from our credit reference agency (BLINC Referencing), your employer and your current/previous landlords. We also collect information from you via email/phone communication where relevant, regarding your application.

Where we have taken over management of a property during the course of a tenancy, the information we collect will be transferred from the respective agent and will likely be limited to standard Tenancy Information and contact details.

We collect the following information about you:

- Tenant name, e-mail address, telephone number, Date of Birth, address (including any previous addresses), marital status, National Insurance Number, nationality, next of kin;
- Guarantor name, e-mail address, telephone number, Date of Birth, address (including any previous addresses), marital status, National Insurance Number, nationality, next of kin (if applicable);
- The employment status of tenants and/or guarantors, address, contact details (including email, phone and fax numbers) of the employer/accountant, payroll numbers, length of employment, salary information (including any regular overtime or commission), and any other income received;

- Bank account details and any other proof of income required, including account number and sort code, and any hire purchase/loan agreements/credit cards or store cards that you have; and
- Any welfare benefits that you may be eligible for, or are currently on.
- Financial Details and Credit Information, CCJs, Bankruptcy, IVA's;
- Previous Landlord/Letting Agent reference information, property address, rent arrears, property condition, damage deposit information;
- Identification and Right to Rent documents
- Property address; term, rent, deposit, utility and service responsibilities.

**Why we need this information about you and how it will be used and shared:**

We need your information and will use your information:

- to undertake and perform our obligations and duties to you in accordance with the terms of our contract with you;
- to enable us to supply you with the services and information which you have requested;
- to help you to manage your tenancy;
- to carry out due diligence on any prospective tenant and/or guarantor, including whether there is any money judgements against them, or any history of bankruptcy or insolvency;
- to analyse the information we collect so that we can administer, support and improve and develop our business and the services we offer;
- to contact you in order to send you details of any changes to our suppliers which may affect you; and
- for all other purposes consistent with the proper performance of our operations and business.

We may disclose your information to other third parties who act for us for the purposes set out in this notice or for purposes approved by you, including the following:

- If we enter into a joint venture with or merge with a business entity, your information may be disclosed to our new business partners or owners;
- To carry out due diligence on you as a prospective tenant/ guarantor, including but not limited to the carrying out of affordability checks, due diligence checks and the obtaining of references from relevant parties, whose data you have provided;
- In order to determine if there are any money judgements against you, as the prospective tenant/guarantor, or to determine if they have a history of bankruptcy or insolvency;
- If you are unable to make payments under your tenancy, your information may be disclosed to any relevant party assisting in the recovery of this debt or the tracing of you as a tenant; and
- In the creation, renewal or termination of the tenancy, your information will be disclosed to the relevant local authority, tenancy deposit scheme administrator, service/utility provider, freeholder, factor, facilities manager or any other relevant person or organisation in connection with this.

Unless required to do so by law, we will not otherwise share, sell or distribute any of the information you provide to us without your consent.

In order to proceed with a Tenancy, Avon Lettings first need to carry out credit checks, employment references and Landlord references for the purpose of assessing your application for our service.

We will therefore need to share your information with our Credit Reference and ID Verification Agency (BLINC Referencing). The following information is required for this, and they may request further information as necessary. A copy of their privacy notice can be found on their website:

- Title and Full Names
- Gender
- Date of Birth
- National Insurance (NI) Number
- Address
- Contact telephone number and email address
- Rental property applied for
- Rental amount
- Proof of ID

We will use the email address provided to contact your current employer/Accountant and will provide them with your name and staff number (if applicable) in order for them to complete our employment reference form which asks for the following details:

- Confirmation of employment
- Employment Status
- Confirmation of Salary / Copy of last end of Year Accounts or Self Assessment (where self employed)

We will use the email address provided to contact your current/previous Landlord/Agent and will provide them with your name and current/previous address (if applicable) in order for them to complete our employment reference form which asks for the following details:

- Property Address
- Tenancy Duration
- Rental Amount
- Rent paid on time
- Rent arrears (if applicable)
- Condition of property
- Recommendation as Tenant(s)

We will need to see original copies of your ID and may possibly request additional identity documentation in order for us to carry out the 'Right to Rent Check' in line with current legislation.

We use the Deposit Protection Service (DPS) to register your deposit and are required to provide them with the following information:

- Full names
- Contact information (Phone number and email address)
- Start date of Tenancy
- Tenancy length
- Deposit amount
- Property details the deposit is held against.

We use a Client Accounting software (Payprop) to hold all Tenant rental payment information and Tenant contact details. For PayProp to provide these services, they will use your personal data provided by us under contract solely for the purpose of enabling us to provide you with enhanced services. As a data processor, PayProp will not use or disclose to any unauthorised third party any of your personal data that we, as the data controller, have transferred to them. A copy of Payprop's Privacy Notice can be found on their website.

We use your full names on all Tenancy related documents such as the Tenancy Agreement and Possession Notice.

Upon request by the Landlord, we may share your application and tenancy details with them for their Insurance/Mortgage companies in order for them to make decisions.

Where we only carry out a 'Tenant Find' for a property and the Landlord manages the property themselves, all the Tenancy information including your tenant application form will be passed across to the Landlord.

During the course of your tenancy we will pass on your contact number and email address to our tradesman in order for them to contact you to arrange access for any works required.

We also use your contact information to compile our own in house business/contact directory.

Upon termination of the tenancy we will provide contact information including forwarding address to the landlord (if necessary), utility companies and the local council and if necessary for any tracing/debt collection purposes.

Should another Letting Agent take over management of a property during the Tenancy, we will write to inform you and let you know what information we are required to pass across to them.

You should also be aware that we may be required to share your personal information to a government/public authority/solicitor/courts/law officials upon request for legal reasons in compliance with the law or to protect our legitimate interests.

We will not share or use your information for marketing purposes.

#### **Lawful basis of processing:**

Avon Lettings processes your information using the following:

- **Consent:** Where consent is required to process your information, we will seek this in a clear 'opt in/out' format. For example, we will ask for your consent prior to providing any outgoing references.
- **Performance of a contract (Tenancy Agreement):** In order for you to enter into a contract, we need to process your information as part of this contract. **This is the lawful basis applied to the processing of the majority of the information supplied within your Tenancy Application Form (unless otherwise stated) in order to proceed and comply with your Tenancy Agreement.**
- **Legal obligation:** Where the processing is necessary in order for Avon Lettings to comply with the Law. **This is the lawful basis applied to carrying out the Right to Rent checks, registering your Deposit, Gas Safety Services as well as any other legal requests made to us.**

**This is also the lawful basis applied to the provision of your name and forwarding address to any relevant utility companies/local councils.**

- **Legitimate Interests:** Where information is processed as part of Avon Lettings legitimate interests such as website analytics, risk assessments and due diligence. **For example, this is the basis used should we need to contact your next of kin details supplied within your Tenancy Application.**

Where your information is shared with other companies as listed above (e.g. for credit checks or contractors), we will, to the best of our means and ability, ensure they are aware of their obligations in ensuring compliance with the GDPR.

**Outgoing References:**

Upon termination of any tenancy agreement, tenants will be provided with an outgoing tenant reference approval form which they can choose to opt in or out of. Avon Lettings will not provide any references without consent from the outgoing tenant. The form can also be found on our website and can be completed and returned to Avon Lettings at any time. You can choose to withdraw your consent at any time, at which point, we will cease to provide any further references for you.

**Retention periods:**

We review our data retention periods regularly and will only hold your personal data for as long as is necessary for the relevant activity, or as required by law (we may be legally required to hold some types of information for certain periods of time), or as set out in any relevant contract we have with you.

If your application is successful and you proceed to a Tenancy, then all tenant information is stored throughout the duration of the tenancy and for a period of up to 3 months upon termination of the tenancy with the exception of any relevant and necessary information required to be held for legal reasons (such as the Tenancy Agreement/Termination Notices/Deposit Prescribed Information/Deposit Registration Certificates) which are normally retained for a period of 6 years upon termination of the Tenancy Agreement and Right to Rent documents which will be held for 1 year after the termination of the Tenancy Agreement

If your application is unsuccessful and we do not proceed to a Tenancy, then your application form and any other information we hold about you will normally be retained for a period of up to 3 months should there be any need to refer back during this period.

To discuss our retention periods in more detail, please contact our nominated Data Protection Point of Contact whose details are supplied in this Privacy Notice.

**Data Security/How is your information stored:**

Avon Lettings follow strict security processes to ensure that any information we hold is not lost/destroyed or disclosed to a third party without your knowledge and/or permission.

The information we hold is stored in secure facilities within our office (hard copies) and on our computers.

For all our electronic documents, we use Microsoft Online Sharepoint to store all our information and Payprop for all our rental payment information. A copy of Payprop's Privacy Notice can be found on their website.

### **Is data transferred outside the EU?**

Avon Lettings do not store or transfer any data outside of the EU.

### **Website:**

Website usage information is collected using google analytics and cookies.

Google Analytics is used to track user activity on our site and is anonymous. Google analytics uses 'cookies' (see below). This can be disabled by using the following link:

<https://tools.google.com/dlpage/gaoptout?hl=en>

**Cookies/URLs:** Cookies are text files placed on your computer to collect standard internet log information and visitor behavior information, this information is used to track visitor use of the website and to compile statistical reports on website activity. You can choose to set your browser not to accept cookies. You can read more about cookies at [www.allaboutcookies.org](http://www.allaboutcookies.org)  
Please note that if you do disable cookies, you may not be able to access some of the website features.

Examples of types of information we collect from these tools are:

- Technical information such as IP address and browser types.
- Usage information from your visit such as URLs, pages you viewed and length of visits.

Data collection for the purposes of advertising and re-marketing has been disabled. The information generated may be transmitted to and stored by Google on servers outside of the EU.  
Data stored on Google Analytics is retained for a period of 14 months.

We do not collect any other information about you unless you share it with us via the contact form on our website.

Our website contains links to other websites. Our privacy policy only applies to Avon Lettings website and you should therefore also refer to any other website or third parties own privacy policies.

### **Data Access Requests:**

You have the right at any time to:

- ask for a copy of the information about you held by me/ us in my records;
- require us to correct any inaccuracies in your information;
- make a request to us to delete what personal data of yours I/ we hold (subject to any legal obligations we may have to retain certain data);
- object to receiving any marketing communications from me/ us.

If you would like to exercise any of your rights above please contact our nominated Data Protection Point of Contact whose details are supplied in this Privacy Notice.

We ask that you notify us of any changes to your contact details as soon as possible so that we can ensure our records are kept up to date and accurate.

Where you have provided consent (e.g. consent for us to provide outgoing references), you have the right to withdraw your consent at any time.

All requests should be sent to [info@avon-lettings.co.uk](mailto:info@avon-lettings.co.uk).

**Changes to this Privacy Policy:**

We will keep this policy under review and will place any updates on our website.

**How to contact us/submit a complaint:**

Should you wish to complain about the use of your information, we would ask that you contact us to resolve this matter in the first instance. You also have the right to complain to the Information Commissioner's Office in relation to our use of your information. The Information Commissioner's contact details are noted below:

For further information on how your information is used, how we maintain the security of your data, your rights to access information we hold about you or to submit a complaint please contact us:

By Email: [info@avon-lettings.co.uk](mailto:info@avon-lettings.co.uk)

By phone: 01980 551256

By post: Avon Lettings, 2 Avon Cottages, Church Street, Durrington, Salisbury, Wiltshire, SP4 8AN

If you remain unsatisfied with the way in which Avon Lettings have handled your data or dealt with your request/complaint then you have the right to raise this further with the Information

Commissioner's Office:

**England:**

Information Commissioner's Office

Wycliffe House, Water Lane

Wilmslow, Cheshire, SK9 5AF

Telephone: 0303 123 1113

Email: [caserwork@ico.org.uk](mailto:caserwork@ico.org.uk)

Avon Lettings is a member of a redress scheme provided by The Property Ombudsman and subscribe to their Code of Practice for Letting Agents [www.tpos.co.uk](http://www.tpos.co.uk)

Avon Lettings is a member of a Client Money Protection Scheme and redress scheme (Property Redress Scheme [www.theprs.co.uk](http://www.theprs.co.uk)) through UKALA. If you would like to discuss this in more detail please contact a member of our team.

