

# SKANDIAMÄKLARNA'S PRIVACY POLICY

## INFORMATION ON THE PROCESSING OF PERSONAL DATA

SkandiaMäklarna is one of Sweden's largest real estate firms with some 550 employees and over 100 offices in Sweden, Spain and Portugal.

SkandiaMäklarna acts as an agent in connection to the purchase and sale of both private homes and commercial properties. This brochure describes the processing of your personal data by SkandiaMäklarna, and its purpose is to describe how we collect, use and screen personal data.

SkandiaMäklarna's offices, i.e. the various franchise companies, (hereinafter referred to as "SkandiaMäklarna", "we", "us", "our") are jointly data controllers for the majority of the processing described herein. In cases where the franchisees are not jointly responsible for the processing of personal data, they are instead individually responsible.

Our objective with this brochure is to show you how we ensure that your personal data is treated with respect and in compliance with the applicable data protection legislation. SkandiaMäklarna reserves the right to update or change the content of this brochure at any time.

## WHO IS THE DATA CONTROLLER?

SkandiaMäklarna is usually the data controller for the majority of the processing that appears in this Privacy Policy. A list of our offices and their contact details is available here:

<https://www.skandiamaklarna.com/en/find-a-broker/>

SkandiaMäklarna has a common email adress where you can turn to for anything related to the processing of personal data: [dataskydd@skandiamaklarna.se](mailto:dataskydd@skandiamaklarna.se)

## PURPOSES AND LEGAL BASIS OF THE PROCESSING

### CONTACT FORM, ETC. VIA SKANDIAMAKLARNA.COM

SkandiaMäklarna collects personal data for several different purposes. On the website; [skandiamaklarna.com](https://www.skandiamaklarna.com), you have the option of filling in form; for example, property value monitor, book viewings, appraisal of existing housing or any other contact. The legal basis for such processing is our legitimate interest.

### AFTER COMPLETED SALE

After a completed sale, we may contact both the buyer and the seller to conduct a customer survey in order to find out how satisfied the partners were with, for example, the agent, the bidding, or the experience of the sale. This may be carried out by a third party who acts as our proxy and thereby processes the buyer's and seller's contact details (name, e-mail, and phone number). All processing is based on our legitimate interest as we want to know how we can improve our services.

## **VIEWING / AFTER PARTICIPATING IN AN OPEN HOUSE**

It is common for prospective buyers to report their interest in a residence to the real estate agent before a viewing.

During a viewing, it is common for the real estate agent to request that the visitors of the viewing sign up on a participant list. The purpose of this is due to safety reasons; the real estate agent shall be able to have control of which people have attended the viewing and to be able to contact you or others afterward to inquire about interest in the property shown.

In order to be able to convey information about either the object in question or other things that we think would suit you within the scope of SkandiaMäklarna's business area, your personal data may be shared between our various offices. The standard data we collect are names, e-mails and phone numbers from intending buyers for upcoming viewings. The processing of this data is based on a legitimate interest, as the client (seller) and us have a strong interest in the residence being sold. This also applies to lists of attendees that are kept for safety measures where the seller has a legitimate interest in knowing which people visited the property, for example if damage occurred during the viewing.

## **WHEN SELLING**

We process your personal data when a service agreement has been established between you as a seller and us. This personal data may include communication with you, publication of information and/or photos of the property at *skandiamaklarna.com* and potential third party websites, as well as processing everything related to the potential sale. The legal basis for this type of processing is that the processing is necessary for fulfilling the obligations incumbent on the agent according to the service agreement and according to the Swedish Real Estate Agents Act. Please note, that if personal data is processed about a person other than the formal contracting party in the service agreement (for example, partners, who are not co-owners of the estate), the processing of the other person's personal data does not take place on the same legal basis. The legal basis for such processing is legitimate interest.

## **INFORMATION COLLECTION AND MARKETING OF PROPERTIES**

In order for us to be able to act as an agent for a property, it is required that we draw up a property description for the respective property. Due to this, we need to collect information regarding, e.g., various types of costs related to the property as well as other information that is necessary to describe the property accordingly. Since the information connected to the property can, in most cases, be indirectly connected to an actual person, the information constitutes personal data. The legal basis for processing personal data in relation to information collection and marketing of the property is performance of the service agreement.

Once all information about the property has been collected, and a property description has been compiled, the information will be published as the property is marketed. The property is usually marketed via multiple portals, Meta, newspapers, or on SkandiaMäklarna's website.

Such publication is primarily aimed at fulfilling the obligations imposed on the agent and SkandiaMäklarna pursuant to the service agreement. In addition to what is provided in the service agreement regarding publication of information about the object, we also have a legitimate interest in

republishing or otherwise using the compilation for the purpose of marketing SkandiaMäklarna. Meaning, the information about the object is published with the support of two legal bases; fulfillment of service agreement and legitimate interest.

Please note that if personal data that has been processed for these purposes can be traced back to someone who is not a contractual party (e.g., a partner), the legal basis will then be SkandiaMäklarna's legitimate interest.

### **BIDDING**

If you participate in a bidding process, your personal data will be recorded and thereby processed, in correlation to your bidding. According to the Real Estate Agents Act, each bidder must be recorded in a register of bidders, which must later be assigned to the buyer once the contract is signed. Thus, the processing is necessary to fulfill a legal obligation.

### **CONTRACT SIGNING AND ADMINISTRATION OF THE PURCHASE**

When the bidding process is completed and a bidder has become a buyer, the contract is signed between the parties (buyer and seller). Processing of the seller's personal data takes place with the support of the assignment agreement and the Real Estate Agents Act. Since a formal agreement between us and the buyer does not exist, the legal basis for the processing of the buyer's personal data cannot rest on the legal basis of fulfillment of an agreement either. On the contrary, according to the Real Estate Agents Act, the agent has obligations to safeguard the buyer's interest as well, including helping the buyer draw up the documents needed for the transfer. Personal data about buyers is therefore processed when signing contracts and administering purchases due to a legal obligation.

When it comes to handling down payments, an agreement is signed between the buyer and the seller, and then also signed by the agent. Since there is an agreement in which one of our agents is a formal party, the processing rests on the legal basis of fulfillment of the down payment agreement. For the mentioned purposes, the personal data will be processed during the purchase process and then saved for up to 10 years from the signing of the purchase agreement in order to be able to defend, assert and exercise legal claims in the event of a dispute or complaint.

### **MEASURES AGAINST MONEY LAUNDERING AND TERRORIST FINANCING**

Real estate agents are covered by the Swedish Act on Measures Against Money Laundering and Financing of Terrorism (the Swedish Money Laundering Act), which means that real estate agents are, among other things, obliged to carry out customer due diligence checks. This applies to buyers as well as sellers. As the obligation to carry out these checks is statutory, the data is processed for the purpose of fulfilling a legal obligation.

### **HANDOVER**

At the time of the handover, we may need information about the buyer's and seller's financial standing, e.g., in order to be able to administer the transfer of the final payment. This means that we may process information about the seller's loan, mortgage and other bank-related information in order to, for example, administer the redemption of loans. The information about the buyer that needs to be processed is usually the buyer's intended way of financing and other information related to the financing solution such as amount, bank account number, mortgage, and choice of bank. According to the Real Estate Agents Act, the agent is obliged to safeguard the buyer's interests, and therefore also

processes the buyer's personal data upon access based on a legal obligation. Processing the seller's data for this purpose is compatible with both the service agreement and the Real Estate Agents Act.

#### **FUTURE PROPERTIES AND DIRECT MARKETING**

Many times bidders who do not win the particular bidding or open house visitors who do not take part in the bidding are interested in continuing their search for a new home. Thus, such people can be interesting in getting information about similar properties offered by SkandiaMäklarna. Therefore, SkandiaMäklarna has a legitimate interest in keeping a prospective buyers register in order to be able to notify such people (and other people who have expressed interest in a certain type of property) of other properties we offer. As a service, an automatic monitoring of similar listings is created with emails that go out with proposal of similar properties that may be of interest. The storage period for personal data processed for marketing purposes varies depending on how active or passive relationship we have had with the prospective buyer, but the data are never stored longer than permitted. It is worth noting that you can always choose to decline our direct marketing by following the unsubscribe link in connection with each such message.

#### **RECRUITMENT**

The processing of your personal data in connection with recruitment is based on SkandiaMäklarna's legitimate interest in being able to receive and process applications and evaluate your suitability for the position that you seek. Your consent entitles SkandiaMäklarna to also evaluate your suitability for future employment. We also process personal data so that we can inform you about vacancies and fulfil administrative functions.

Personal data in connection to recruitment is obtained primarily from you, but may come to be combined information obtained from other sources, for example, social media for professional purposes and/or your references.

If we opt to hire you, your personal data will be processed in accordance with SkandiaMäklarna's Privacy Policy for employees.

If SkandiaMäklarna opts not to hire you, your personal data will be erased as soon as the recruitment process is over; however, with reservations for cases where we have obtained your consent to evaluate your suitability for future employment. Read more below about how you withdraw your consent.

#### **PERSONAL DATA OBTAINED FROM SOURCES OTHER THAN YOURSELF**

In certain cases, SkandiaMäklarna obtains your contact details from publicly available sources like public registers, e.g., SPAR, in order to offer you some of our services. Such processing is based on our legitimate interest in marketing and selling our services.

#### **TO WHOM DO WE DISCLOSE YOUR PERSONAL DATA?**

When we communicate with you, we can come to offer you different services. If you are looking for a home, we can offer you to, for example, create a user account for you at one of cooperation partners dealing with mediation of housing. Other times we can come to forward your contact details and information, if you have recently made a purchase or sale through SkandiaMäklarna, to companies in the energy and inspection industry so they can offer you affordable services for your new home.

We can come to use your e-mail address for the purpose of marketing us and our products to other potential customers. We do this by forwarding your e-mail address to, for example, Facebook, which in turn offers a service that uses your e-mail address to identify potential new customers via advertising. Note here that we have contractual assurances that your e-mail will not be used for any other purposes than this one.

SkandiaMäklarna is an international organisations of franchisees from Sweden, Spain and Portugal. In cases where agents who belong to different franchisees need to share data with each other, this will also be done in accordance with the common personal data liability that is incumbent on SkandiaMäklarna.

#### **TRANSFERS OUTSIDE EU/EEA**

SkandiaMäklarna uses a supplier from outside the EU/EEA (so-called third countries) for the processing of personal data. We have taken the requisite measures to ensure that your personal data are protected by approved mechanisms during such transfers to third countries, which quite specifically means that we have applied standard contractual clauses adopted by the EU Commission (see here). If further transfers of data to recipients in third parties in the future become relevant, such transfers will also naturally be protected through approved safeguard mechanisms.

You are welcome to contact us if you would like to have more information on transfers to third countries or if you would like to get acquainted with the security measures we have adopted.

#### **HOW LONG ARE THE PERSONAL DATA KEPT FOR?**

We do not keep your and other people's personal data longer than what we need them for, whether based on our or on somebody else's legitimate interest, performance of agreement or statutory reasons. SkandiaMäklarna continuously works to erase personal data from the system when such data are no longer needed. We also take measures to gradually restrict access to personal data after the conclusion of a service agreement. The purpose of the processing is decisive for determining how long the information will be kept for and under what certain circumstances we need to keep the data longer.

The criteria applied for determining how long the data will be kept for have been kept for have been accounted in the sections above. Below you will find how long this time will be for most types of processing that you may come to be subjected to.

- We will keep your personal data for marketing purposes for as long as we have a legitimate interest in this, however, not longer than one (1) year after the latest marketing measure.
- In pursuance of the Swedish Real Estate Agents Act, deeds, bookkeeping and other documentation pertaining to the service agreement are kept for seven (7) years after the end of the service agreement.
- Based on the legitimate interest of being able to establish, claim and defend legal claims, deeds, bookkeeping and other documentation pertaining to the service agreement are kept for ten (10) years.
- In pursuance of the Swedish Act on Measures against Money Laundering and Financing of Terrorism (2009:62), measures for preventing money laundering are kept for five (5) years.

## WHAT RIGHTS DO YOU HAVE WITH REGARD TO THE PROCESSING OF YOUR PERSONAL DATA?

### RIGHT TO ACCESS (ALSO REFERRED TO AS REGISTER EXTRACT)

SkandiaMäklarna are open and transparent about how we process your personal data. If you would like to ascertain how we process your personal data, you can request that you obtain such a record, including information about the purpose of the processing, categories of personal data, categories of recipients, storage periods, information about the source for the information and existence of automated decision-making.

Please note that if we receive such a request, we can come to ask you for additional information to ensure the safe and effective handling of your request and that the information is provided to the right person.

### RIGHT TO RECTIFICATION

If you discover that the data are inaccurate, you can request that your personal data be rectified. Within the framework of the stated purpose, you are also entitled to add any incomplete personal data.

### RIGHT TO ERASURE

You may request the erasure of the personal data we process with regard to you in the following cases:

- if the data are no longer necessary for the purposes for which they have been collected or processed.
- if you object to a processing that we conduct based on our legitimate interest, where the reason for your objection weighs more heavily than our legitimate interest.
- if you object to data processing for direct marketing purposes.
- if the personal data are processed unlawfully.
- if the personal data must be erased to fulfil a legal obligation to which we are subject to.
- if personal data have been collected about a minor (under 18 years of age) that you have parental responsibility for, and
- if the personal data have been collected in relation to an offer of information society services (e.g. social media).

Please note that we cannot erase data, which we must keep in order to fulfil a legal obligation resulting from, for example, the bookkeeping, tax or money laundering legislation. Processing may also be necessary to be able to determine, claim or defend legal claims.

**RIGHT TO RESTRICTION OF PROCESSING**

If you contest the accuracy of the personal data we are processing, you may request a restriction of processing for the period that we need to verify the accuracy of the personal data. Erasing data constitutes processing of personal data within the meaning of the law, and if we no longer need your personal data, but you need them/need us to keep them in order to be able to establish, claim or defend a legal claim, you can request that we do not erase your data.

If you object to a processing that is based on our or anyone else's legitimate interest, you can request a restriction of processing for the period of time that we need the information in order to determine whether our or anyone else's legitimate interest outweighs your interest in having the data erased.

**RIGHT TO DATA PORTABILITY**

If we process your personal data based on either your consent or the performance of an agreement, you are entitled to request to have the data that relates to you, and that you have provided to us, transferred to another data controller. A prerequisite for this data portability is that the transfer be possible and can place automatically.

**RIGHT OF OBJECTION**

If the legal basis for a processing is based on our or anyone else's legitimate interest, you are always entitled to object to the processing. In order to be able to continue to process personal data on the basis of a legitimate interest, we need to be able to demonstrate a legitimate reason for the respective processing that outweighs your interests, rights and freedoms. For example, you are always entitled to avoid direct marketing.

**YOU CAN REVOKE YOUR CONSENT AT ANY TIME**

If a processing of your personal data is based on consent, you may revoke this consent at any time whatsoever. The revocation of consent will not affect the lawfulness of processing of the personal information that is based on this consent until it has been revoked. To revoke it, contact us on the telephone or by e-mail.

**YOU ARE ALWAYS ENTITLED TO FILE A COMPLAINT WITH THE SWEDISH DATA PROTECTION AUTHORITY OR A CORRESPONDING SUPERVISORY AUTHORITY**

The Swedish Authority for Privacy Protection's (IMY) is the supervisory authority that is entitled to supervise and administer data protection legal cases in Sweden. If you want to file a complaint about how we process your personal data, you can turn to The Swedish Authority for Privacy Protection's (IMY) at; *imy.se*

## LIST OF TYPES OF PERSONAL DATA PROCESSING WHICH ARE SKANDIAMÄKLARNA'S RESPONSIBILITY

Note that list may come to be updated or modified at any time.

### CLIENT (SELLER)

PURPOSE	PERSONAL DATA	STORAGE TIME	TIME	LEGAL BASIS
Direct Marketing	E-mail, telephone number, address, name	1 year after our most recent contact with you	Since the completion of SkandiaMäklarna's service agreement for the seller	SkandiaMäklarna has, alone or together with cooperation partners, a <i>legitimate interest</i> in sending you quotes for home-related services and products
Accounting purposes	Name, contact details, information about paid fees and other transactions with the seller	7 years (kept pursuant to the Swedish Accounting Act (1999:1078))	From the end of the calendar year when respective financial year has ended	The processing is necessary so we can fulfill a <i>legal obligation</i>
Measures for preventing money laundering and financing of terrorism	Name, account details, personal ID number, contact details and copy of ID document	5 years (kept pursuant to the Swedish Act (2009:62) on Measures against Money Laundering and Financing of Terrorism)	From instituting the customer due diligence measure	The processing is necessary so we can fulfill a <i>legal obligation</i> . Processing of personal ID numbers is necessary in relation to the purpose.
Performance of the service agreement, including transfer of purchase price and handover	Name, personal ID number, address, e-mail, telephone number, bank account details, information about the property (for example, photos and sales price)	7 years (the Swedish Real Estate Agents Act (2011:666) with reference to the Swedish Accounting Act (1976:125))	When the purchase agreement is signed between the seller and the buyer	The processing is necessary so we can perform the service agreement, but also to comply with the Swedish Real Estate Agents Act. Thus, the legal basis is <i>performance of contract</i> .  As real estate agents, we also have a legal obligation to provide information and documents that are requested by the Swedish Estate Agents Inspectorate (FMI) in connection with inspections. Therefore, information attributable to the service agreement for a longer period of time after the agreement has been completed (7 years). Legal basis for such disclosure is <i>legal obligation</i> .



**CONT. CLIENT (SELLER)**

PURPOSE	PERSONAL DATA	STORAGE TIME	TIME	LEGAL BASIS
Performance of the service agreement externally, e.g., publication of the sales price and pictures of the property on our website and on our cooperation partners' websites	Information attributable to the housing, such as address	1 year  However, with reservations for the length of the service agreement	From the signing of the service agreement	The processing is necessary so that we can complete the service agreement. Therefore, the legal basis is <i>performance of contract</i>
Customer survey	Name, e-mail and telephone number	Until the statistics from the survey have been collected and processed	From the time you fill out the survey	SkandiaMäklarna has a <i>legitimate interest</i> in examining customer satisfaction for the purpose of quality-assuring our sales process
Marketing of the brand (SkandiaMäklarna) – after the transfer of the property	Information pertaining to the property, such as address, final price, and the pictures that are used in connection with the mediation of the property	Up to 12 months	Since the date of completion of the service agreement	SkandiaMäklarna has, alone or together with cooperation partners, a <i>legitimate interest</i> in continuing to use information pertaining to the housing for marketing purpose even after the completion of the service agreement

**POTENTIAL SELLER/CLIENT**

PURPOSE	PERSONAL DATA	STORAGE TIME	TIME	LEGAL BASIS
Administration of appraisal	Name, address, e-mail, information about the property	1 year	Since the submission of a request for appraisal	SkandiaMäklarna has a <i>legitimate interest</i> in responding to your request for appraisal.  When conducting appraisal, it is carried out based on an appraisal agreement signed between you and us, i.e. <i>performance of contract</i> .
Administration of contact/meeting with agent at prospective seller/client's request	Name, e-mail, telephone number, address	1 year	Since you submit a request for contact	SkandiaMäklarna has a <i>legitimate interest</i> in responding to your request for contact/meeting with agent (for a service agreement)
Direkt Marketing	Name, e-mail, telephone number, address	1 year	Since the collection of the data	SkandiaMäklarna has a <i>legitimate interest</i> in making you offers

**PROSPECTIVE BUYERS**

PURPOSE	PERSONAL DATA	STORAGE TIME	TIME	LEGAL BASIS
Direkt marketing	Name, e-mail, telephone number, address	3-12 months	Since the collection of the data	SkandiaMäklarna has a <i>legitimate interest</i> in making you offers
Keeping a prospective buyers register and offering properties	Name, e-mail, telephone number	3-12 months	From viewings	SkandiaMäklarna and the Seller have a <i>legitimate interest</i> in keeping a prospective buyers register for security reasons, but also for follow-up of interest
Follow-up and administration after open house	Name, e-mail, telephone number, and where applicable, address	3-6 months	From first contact	Based on the prospective buyers register, SkandiaMäklarna has a <i>legitimate interest</i> in contacting you in order to follow up on your interest in the displayed property.
Keeping a list of bids	Name, e-mail, telephone number, submitted bids	7 years (the Swedish Real Estate Agents Act (2011:666) with reference to the Swedish Accounting Act (1976:125))	Since the bidding was concluded	The processing is necessary so we can fulfill a <i>legal obligation</i>
Administration of contact/meeting/open house with agent at prospective seller/client's request	Name, e-mail, telephone number, address	1 year	Since you expressed an interest in purchasing a home	SkandiaMäklarna has a <i>legitimate interest</i> in responding to your interest in buying a home

**BUYER**

PURPOSE	PERSONAL DATA	STORAGE TIME	TIME	LEGAL BASIS
Direct marketing	Name, e-mail, telephone number, address	12 months	From the signing of the purchase agreement	SkandiaMäklarna has, alone or together with cooperation partners, a legitimate interest in sending you quotes for home-related services and products
Measures for preventing money laundering and financing of terrorism	Name, account details, personal ID number, contact details and copy of ID document	5 years (kept pursuant to the Swedish Act (2009:62) on Measures against Money Laundering and Financing of Terrorism)	From instituting the customer due diligence measure	The processing is necessary so we can fulfill a <i>legal obligation</i> . Processing of personal ID numbers is necessary in relation to the purpose.

Administration of property mediations	Name, personal ID number, address, email, telephone number and bank details	7 years (the Swedish Real Estate Agents Act (2011:666) with reference to the Swedish Accounting Act (1976:125))	From signing of the purchase agreement	You and SkandiaMäklarna have a <i>legitimate interest</i> in transferring your home to you. As real estate agents, we also have a legal obligation to provide information and documents that are requested by the Swedish Estate Agents Inspectorate (FMI) in connection with inspections. Therefore, information attributable to the service agreement for a longer period of time after the agreement has been completed (7 years). Legal basis for such disclosure is <i>legal obligation</i> .
Customer survey	Name, e-mail, telephone number	Until the statistics from the survey have been collected and processed	From the time you fill out the survey	SkandiaMäklarna has a <i>legitimate interest</i> in examining customer satisfaction for the purpose of quality-assuring our sales process
Marketing of the brand (SkandiaMäklarna) – after the transfer of the property	Information pertaining to the property, such as address, final price, and the pictures that are used in connection with the mediation of the property	12 months	Since the date of completion of the service agreement	SkandiaMäklarna has, alone or together with cooperation partners, a <i>legitimate interest</i> in continuing to use information pertaining to the information attributable to the housing, even after the house has been mediated and the deal has been closed