

PRIVACY POLICY

This Privacy Policy describes how and when we, COHEN HANDLER PTY LIMITED, collects, holds, uses, transfers, discloses and otherwise processes personal information. This Privacy Policy applies to Personal Information that we collect such as through our website, in open for inspection forms, online forms, email and telephone calls. By using our services and our website, you consent to us collecting, maintaining, transferring, using, processing, holding and disclosing your personal information in the manner described in this Privacy Policy.

What is Personal Information?

When used in this Privacy Policy, the term “**Personal Information**” has the meaning given to it in the *Privacy Act 1988* (Cth) (**Act**). In general terms, it is any information that can be used to personally identify you. This may include your name, address, telephone number, email address and profession or occupation. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered Personal Information.

What type of Personal Information does Cohen Handler collect and hold about me?

Cohen Handler may collect any of the following information about you if you are a current or prospective vendor or purchaser of real estate or if you visit our website or make an enquiry with us via another method:

- contact details (including, name, address, telephone number and email address);
- credit card and payment details;
- financial information, including assets, liabilities, income, outgoings, spending patterns and credit reference reports;
- desired property ownership details; and
- details of properties sold or acquired by you.

How does Cohen Handler collect Personal Information about me?

Cohen Handler collects your Personal Information directly from you unless it is unreasonable or impracticable to do so. We may collect Personal Information from you in various ways, including when you write to or email us, when you access and use our website and during conversations between you and our representatives.

Cohen Handler may collect information about you from the following third party sources:

- various databases in the public domain such as Telstra White Pages, Australia Post DPID; database, NSW Land Registry Services or other property databases; and
- referrals and recommendations from existing clients of Cohen Handler.

What happens if we can't collect your Personal Information?

If you do not provide us with the Personal Information described above, some or all of the following may happen:

- we may not be able to provide our services to you, either to the same standard or at all;

- we may not be able to provide you with information about services that you may want, including information about new properties that are available for purchase; or
- we may be unable to tailor the content of our website to your preferences and your experience of our website may not be as enjoyable or useful.

Why does Cohen Handler collect, hold, use and disclose your Personal Information?

Cohen Handler collects this information for a range of purposes including:

- to enable Cohen Handler to provide you with the services and/or products that you may require from us such as to facilitate your purchase of a property;
- to comply with local, state and federal legislation or regulations, including with respect to real estate property sales and related administration;
- to enable Cohen Handler and its third party partner businesses to assist you with related or ancillary services, as required;
- for our internal administrative, marketing, planning, product development and research requirements;
- to share your Personal Information within the Cohen Handler Group (which includes Cohen Handler, Cohen Handler Pty Ltd, Cohen Handler QLD Investments Pty. Limited, Costi Cohen Pty Ltd and Costi Cohen Holdings Pty Ltd), and our and their personnel, contractors or service providers;
- to update Cohen Handler' records and keep your contact details up to date;
- to deal with your queries or customer service issues promptly, whether by email, telephone or mail;
- to keep you up-to-date with services we think would be of particular interest to you;
- to conduct relevant business processing functions; and
- to process and respond to any complaint made by you.

Your Personal Information will not be shared, sold, rented or disclosed other than as described in this Privacy Policy.

How does Cohen Handler use the Personal Information held about me?

Any Personal Information about you that Cohen Handler collects and records will only be used or disclosed by Cohen Handler for the purpose of:

- compliance with obligations under real-estate regulations and laws applicable for all states in Australia;
- helping Cohen Handler efficiently and effectively deliver and improve on products and services;
- any other purpose if you would reasonably expect Cohen Handler to use or disclose that Personal Information for that other purpose and that other purpose is related to the purpose for which the information is collected;
- to provide you with access to protected areas of our website and to assess the performance of our website and to improve the operation of our website;
- growing our business and conducting our business processing functions including sharing Personal Information within the Cohen Handler Group and its Personnel;
- for Cohen Handler' marketing purposes;
- for Cohen Handler' administrative, planning, product or service development, quality control and research purposes; and
- complying with any legal, contractual or statutory obligations.

Cohen Handler may also use or disclose the information it collects for any other purpose specified to you at the time of collection.

If Cohen Handler wishes to use or disclose any of your Personal Information in any other ways than described above, Cohen Handler will not do so unless it:

- has your express consent to do so;
- has reasonable grounds to believe that the use or disclosure is necessary to prevent a threat to life or health; or
- has reasonable grounds to believe that the use or disclosure is required by law or to enforce the law.

What about direct marketing?

We may send you direct marketing communications and information about our services that we consider may be of interest to you. These may include:

- offering to provide you with products or services provided by Cohen Handler and third party business partners; or
- sending you news and other information about Cohen Handler' activities and general promotional material which Cohen Handler believes may be of interest to you.

These communications may be sent in various forms, including mail, SMS, fax and email, in accordance with applicable marketing laws, such as the Spam Act 2003 (Cth). When Cohen Handler does this, Cohen Handler will provide you with an express opportunity to decline receiving any further communication from Cohen Handler of this type via an opt-out mechanism. If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so.

You may at any time request not to receive direct marketing from Cohen Handler by contacting us (see the details below) or by using opt-out facilities provided in the marketing communications and we will then ensure that your name is removed from our mailing list.

The Cohen Handler website

Cohen Handler' privacy policy also applies to our website at <https://www.cohenhandler.com.au/>

When you access our website, we may send a "cookie" (which is a small summary file containing a unique ID number) to your computer. This enables us to recognise your computer and greet you each time you visit our website without bothering you with a request to register. It also enables us to keep track of services you view so that, if you consent, we can send you news about those services. We also use cookies to measure traffic patterns, to determine which areas of our website have been visited and to measure transaction patterns in the aggregate. We use this to research our users' habits so that we can improve our online services and create a better online experience for you. Our cookies do not collect Personal Information, although they do identify your browser. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them. We may log IP addresses (that is, the electronic addresses of computers connected to the internet) to analyse trends, administer the website, monitor the amount of time you spend on our website, paths navigated on our website, track users' movements, and gather broad demographic information.

As our website is linked to the Internet, and the Internet is inherently insecure, we cannot provide any assurance regarding the security of transmission of information you communicate to us online. We also

cannot guarantee that the information you supply will not be intercepted while being transmitted over the Internet. Accordingly, any Personal Information or other information, which you transmit to us online, is transmitted at your own risk.

Our website may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third party website and we are not responsible for the privacy policies or the content of any third party website. Our linking to those websites does not mean that we endorse or recommend them. Third party websites are responsible for informing you about their own privacy practices. You may interact with social media platforms via social media widgets and tools linking to our social media accounts (e.g. our twitter account) that may be installed on our website. These widgets and tools may collect your IP address and other personal information. Your interactions with such widgets and tools, and any single sign-on services are governed by the privacy policies of the relevant social media operators and single sign-on service providers – please read them so that you are aware of how they process your personal information.

Can I be anonymous when I deal with Cohen Handler?

To some extent you can preserve your anonymity when you deal with Cohen Handler. You can browse our website without providing any Personal Information, you can access our real-estate advertising in various publications and you can generally attend auctions without providing personal details if you do not intend to bid.

However, when you enter into transactions with Cohen Handler (or any other entity in the Cohen Handler Group) or any Cohen Handler client that Cohen Handler is representing, that involve the sale or purchase of real estate property, we may need to identify you in order to provide our services.

What happens if I want to access or correct the Personal Information held about me?

You may request access to your Personal Information held by Cohen Handler at any time by contacting us. We will respond to your request for access within 14 days and endeavour to provide the requested information within 30 days.

Cohen Handler may charge you a reasonable fee to cover its administrative and other reasonable costs in providing the information to you. Cohen Handler will not charge for simply making the request and will not charge for making any corrections to your Personal Information.

There may be instances where we cannot grant you access to the Personal Information about you that we hold. For example, we may not be able to provide access to information in the following situations:

- where in Cohen Handler' opinion providing your access may create a serious threat to the life or health of any individual or may be an unreasonable intrusion into the privacy of another individual;
- where your request for access is, in Cohen Handler' opinion, frivolous or vexatious; or
- where providing access would be unlawful, may prejudice an investigation of possible unlawful activity, may prejudice enforcement of law, or denying access is specifically authorised by law.

If for any reason Cohen Handler does not allow you to access your Personal Information, Cohen Handler will provide you with reasons in writing for its decision.

We rely on you to ensure that all Personal Information collected and held by us about you is accurate, up to date, complete, relevant and not misleading. If you believe that Personal Information that Cohen

Handler holds about you is incorrect, incomplete, inaccurate or misleading, then you may request we update, modify or correct such Personal Information by contacting our Privacy Officer using the details set out below. Cohen Handler will consider if the information requires amendment. If Cohen Handler does not agree that there are grounds for amendment, then Cohen Handler will add a note to the Personal Information stating that you disagree with it.

Who does Cohen Handler disclose my Personal Information to?

We may disclose your Personal Information:

- to other owners and/or representatives of properties;
- to personnel of Cohen Handler and the Cohen Handler Group for the purposes of operating our business, fulfilling requests by you, and to otherwise provide services to you;
- to potential acquirers, joint venture partners, business partners and other similar third parties where members of the Cohen Handler Group undergo a potential or actual merger, corporate restructure or acquisition;
- where it is brought to our attention that specific Personal Information needs to be disclosed to protect the safety or vital interests of any person;
- if we are contacted by any person who represents to us that they are our customer. For security purposes, we will discuss the Personal Information that we hold about them with them but only if they verify their identity;
- if you are a tenant of any property that we are managing, to Equifax's National Tenancy Database or other tenancy databases;
- governmental authorities, bodies and regulators for the enforcement of a law imposing a pecuniary penalty or to avoid prejudice to the maintenance of the law by any public sector agency;
- to our accountants, lawyers and other advisors where we engage them to assist us with any matter;
- to any court or tribunal for the conduct of proceedings (being proceedings that have been commenced or are reasonably in contemplation);
- to suppliers and other third parties with whom we have commercial relationships, for business, marketing, and related purposes;
- to any third party such as financial institutions for any authorised purpose with your express consent; and
- to any persons, entities or bodies where required by law.

There are some instances when Cohen Handler and other members of the Cohen Handler Group need to provide your Personal Information to third parties. The Cohen Handler Group may be bound by law to provide your details to government-related bodies, including the NSW Land Registry Services or the NSW Fair Trading.

Cohen Handler does not sell your personal details to other organisations. We may however use the information about you to assist us with internal statistical, marketing and research purposes.

We will not disclose your Personal Information to entities located outside of Australia.

How does Cohen Handler keep my Personal Information secure?

Cohen Handler will take reasonable steps to ensure personal information Cohen Handler collects, uses or discloses is stored in a secure environment that is accessed only by persons authorised by Cohen Handler so as to prevent interference, misuse, loss, unauthorised access, modification or disclosure.

We hold and store personal information that we collect in the following locations:

- our offices, computer systems and third party owned and operated hosting facilities;
- third party owned cloud-based email providers;
- third party owned cloud-based customer relationship management and email marketing providers; and
- on electronic devices at our offices and at the premises of our Personnel.

We implement the following technical and organisational security measures in our organisation:

- we only use reputable hosting providers to host Personal Information;
- passwords, other access control procedures and antivirus software in our computer systems;
- antivirus software; and
- physical security measures in our buildings and offices such as door and window locks and visitor access management, cabinet locks, use of access cards and alarms.

Cohen Handler may be required to retain the data in accordance with our data retention obligations. Cohen Handler retains personal information for a minimum period of 3 years in accordance with the Guidelines. If the Personal Information is no longer needed for any purpose, Cohen Handler will take reasonable steps to destroy or permanently de-identify the Personal Information.

Cohen Handler endeavours to provide a secure environment and use reliable systems but you should be aware that there are inherent risks associated with the electronic storage and transmission of information (particularly via the Internet) which cannot be guaranteed to be 100% secure.

Who do I contact for further information?

Cohen Handler' Privacy Officer can assist you with any enquiries you have about the information that we hold about you. They can be contacted on (02) 9327 2700 from 9.00am to 5.00pm (Sydney time), Monday to Friday excluding weekends and public holidays.

You can also contact our **Privacy Officer** at:

Cohen Handler
PO Box 739 Double Bay NSW 1360
Phone (02) 8934 3434

What if I have a complaint or concern?

If you have a complaint or concern you can contact the Cohen Handler Privacy Officer on (02) 8934 3434 or write to the Privacy Officer at the address above.

What if you are unable to resolve my complaint or concern?

If we are unable to resolve your complaint, or you are unhappy with the outcome, you may refer your complaint to the Australian Information Commissioner. The Australian Information Commissioner can be contacted at the below details:

The Office of the Australian Information Commissioner

GPO Box 5218

Sydney NSW 1042

Phone: 1300 363 992

Fax: (02) 9284 9666

E-mail: enquiries@oaic.gov.au

TTY: 133 677 then ask for 1300 363 992

How does this policy change over time?

Cohen Handler may change this Privacy Policy from time to time. Any updated versions of this Privacy Policy will be posted on our website and will be effective from the date of posting.

This privacy policy was last updated on **13 May 2021**.