



# Privacy Statement De Hypotheker

This is the Privacy Statement of De Hypothekers Associatie B.V. In it we explain, among other things, why we collect and use personal data, what data this is and what rights you have when we process your personal data. We think it is important that you are well informed about this and recommend that you read this statement carefully.

## Who we are

De Hypotheker is a franchise organisation consisting of De Hypothekers Associatie (DHA), the franchisor, and franchisees affiliated to De Hypotheker Formula. De Hypotheker is engaged in (arranging to) assist customers in the process of buying a home, advising customers on (mortgage) credit and insurance and mediating in the conclusion of (mortgage) credit and insurance agreements. For these activities, we process personal data. We would like to inform you clearly and transparently about this. In this privacy statement, we answer the most important questions on the processing of personal data.

De Hypothekers Associatie B.V. has its registered office in Rotterdam and is registered in the trade register under number 24187850. DHA operates as franchisor of De Hypotheker Formula. DHA/De Hypotheker processes personal data of persons with whom it has a (potential) customer relationship.

DHA/De Hypotheker aims with this 'Privacy Statement De Hypotheker' to clarify how it handles personal data. DHA is the controller of the processing of personal data of (potential) customers of De Hypotheker. You are considered a (potential) customer of DHA.

## Our privacy policy

Both DHA and each franchise branch affiliated to De Hypotheker, attach great importance to protecting the privacy of (potential) customers. We will handle your personal data in a proper and careful manner. Personal data are processed in accordance with the General Data Protection Regulation (AVG). Furthermore, our privacy policy is partly based on the Code of Conduct for Processing Personal Data by Financial Institutions.

Key basic concepts on processing personal data:

### What are personal data?

Personal data is data that directly or indirectly says something about you. Think, for example, of your name, address details and phone number. But it also includes your citizen service number (BSN), your IBAN number and the IP address of your computer.

### What is processing of personal data?

This is everything that can be done with personal data. For example, collecting, but also storing, changing, using, passing on and deleting your data from our records.

### Who is responsible for your personal data?

DHA is responsible for processing your personal data.



## 1. How do we collect personal data?

We collect your personal data in the following ways:

- i. You share your personal data with us when you become a customer, register for our online services, fill in a form online, sign a service agreement (OTD), use our products and services, contact us through one of our communication channels or visit our website.
- ii. We may also have obtained personal data from other available sources such as debtor registers, other financial institutions, external marketing agencies or trade information agencies.
- iii. We may record conversations to support our services. To do so, we may use applications based on artificial intelligence, also known as 'Artificial Intelligence' or 'AI'. We only do this with your prior, explicit consent. We use these recordings for transcription and administrative purposes; that is, we use the recording exclusively to convert the conversation into text (transcribe). This text is used for your client file and to verify agreements made. Naturally, we treat the recordings confidentially; they are stored securely and retained no longer than necessary, in accordance with applicable privacy legislation (GDPR). You always have the right to withdraw your consent or to request access to the recorded data. For questions, please email [privacy@hypotheker.nl](mailto:privacy@hypotheker.nl).

## 2. What personal data do we process?

We may process the following types of personal data:

- i. Ordinary personal data:
  - a. Your contact details (such as: name, address, place of residence, e-mail address, phone number)
  - b. Other data of interest (such as: profession or business, marital status and family composition, contract details)
  - c. Contact moments (such as: letters and emails we send and receive from you and what you do and view on our websites, our contact via social media, such as Facebook and Twitter)
- ii. Sensitive personal data
  - a. Identification data (such as: Citizen Service Number (BSN), passport number, ID number, date of birth, gender, copy of identity documents)
  - b. Financial data (such as details of loans, property, income, financial obligations and your IBAN number)
- iii. Special personal data. This includes data on health or criminal records, for example. To properly fulfil our role as insurance intermediary, we sometimes process special personal data. For example, if you want to take out life insurance. We only process special personal data if this is strictly necessary for our services and only if you have given your explicit consent, or if laws and regulations stipulate that we must or may do so.



### 3. What valid reason (basis) for processing do we have?

We may only use personal data for a reason set out in privacy legislation. Such a reason is called a basis. For processing operations, DHA relies on the following legal bases:

- i. To conclude and execute the loan agreement, we need data from you.
- ii. To pursue a legitimate interest of DHA or a third party, except where your interests outweigh those of DHA. For example, for: the protection of your and our property and data and that of others, the protection of our own financial position and to protect the interest of other customers, marketing, carrying out efficient administration such as centralising or replacing systems, using service providers, security of systems and networks, carrying out statistical and scientific research. Someone else may also have a legitimate interest for which we need to use your data.
- iii. To comply with a legal duty. Laws that require us to keep your data such as the Civil Code, Financial Supervision Act (FMSA) or specific provisions of the Money Laundering and Terrorist Financing (Prevention) Act (Wwft).
- iv. With your consent, where you have given it and can withdraw it at any time

### 4. For what purposes do we use personal data?

We only collect personal data necessary for the following purposes:

- i. to enter into and perform an agreement, i.e. to provide you with products and services. For example, without your details we will not be able to advise you on taking out a mortgage.
- ii. for promotional marketing purposes, e.g. to inform you about a new product that may be of interest to you.
- iii. To handle complaints and disputes
- iv. To assess your and our risks.
- v. for customer satisfaction surveys to develop and improve our products and services, but we also investigate possible trends, problems, causes of errors and risks. For example, to check whether new rules are properly complied with. In this way, we can prevent complaints and damage.
- vi. to comply with our legal obligations and to cooperate with regulators.
- vii. to ensure that the financial sector remains safe and secure and to protect your and our interests, for example when it comes to fraud prevention and investigation, for which we consult incident registers and warning systems of the financial sector, newspapers and the internet, among others. For example, by reporting unusual transactions or by recognising, stopping and, if necessary, verifying possible fraudulent transactions with you. We always check first whether this is permitted.



## **5. What if we don't get any data from you?**

Do we need data from you to advise you on taking out a mortgage? And yet you do not want to provide them, even though the law says you must or because we simply need them to be able to execute the agreement? If so, we will unfortunately not be able to enter into a service agreement with you or we will have to terminate a current agreement. In the (online) forms you sometimes have to fill in, you will see which data are required. Do you want us to remove your data from our systems? Unfortunately, this is not possible for the compulsory data. We need those. For example, for the performance of the agreement you have with us, or because we are obliged to keep them by law, or because of a legitimate interest of DHA.

## **6. Who do we share your data with?**

We may share your data within the group of companies to which DHA belongs for internal administrative purposes or to improve services, or because the law says we must. This allows us to get a more complete picture of your financial situation. For example, it may be important to know that you already have a loan with a company within the group when you apply for a loan with us. Companies within the group may also approach you with offers.

Your personal data may also be shared with other parties outside DHA if we are legally obliged to do so, e.g. to the tax authorities, or because we have to execute an agreement with you, e.g. with lenders, with insurance companies or with notaries. For possible complaints and disputes, we may also share personal data with external parties such as complaints bodies, advocates, (liability) insurers and law firms

We also engage third parties to perform our services, such as marketing communication agencies, IT companies and data centres. If these third parties have access to your data when performing the relevant services, we have taken the necessary contractual and organisational measures to ensure that your data is processed only for the above purposes.

In principle, DHA/De Hypotheker does not share personal data with organisations outside the European Economic Area (EEA). When this is nevertheless necessary, we ensure that appropriate safeguards are in place that meet the requirements of the AVG, giving the data the same protection as within the EEA.

We do not share your data with third parties for marketing or sales activities.



## **7. How do we protect personal data?**

Our website, portal and IT systems are well secured and we also do our utmost to protect your personal data as best we can by taking so-called appropriate technical and organisational measures. Our employees and those of our suppliers have also been instructed to handle your data carefully and to keep them confidential. In this way, we try to prevent unauthorised persons gaining access to your personal data.

To achieve this protection, we have an appropriate security policy, which is periodically reviewed and adjusted as necessary.

### **7.1 Employees of DHA and associated companies**

All our employees have signed a confidentiality agreement and taken the financial sector oath or pledge. We handle personal data with care and only authorised staff can view and process personal data of suppliers.

These authorised persons are employed or supervised by DHA and/or its associated companies. DHA may outsource the processing of personnel data to authorised employees of DHA and/or its business units abroad.

Supplier data may also be processed outside the EEA by employees of DHA and its associated companies for reporting and administrative support tasks.

## **8. How long do we keep personal data?**

We keep your data for as long as we need to keep it by law, as long as we need it for the purposes for which we process it, as long as you give your consent and as long as we are allowed to keep it for claims (until any claim is time-barred) against which we need to be able to defend ourselves. Retention periods may vary by purpose and may be extended for up to 7 years after settlement in the case of complaint handling.

If you have purchased a product or service through one of De Hypotheker's branches such as a financial advice, mortgage or insurance, we will keep your data for up to 5 years after the product has ended.

If you have signed a service order, we will keep your data for a minimum of 1 year to a maximum of 3 years from the date of signing.

If you have had an appointment at one of our branches and have not previously purchased a product or service through De Hypotheker or signed a service order, we will retain your data for a minimum of six months and a maximum of three years.



## 9. What do we do with your data after the retention period expires?

After the retention period, your personal data will be deleted or anonymised. Anonymisation means that personal data is stripped of all potentially identifying characteristics, so that no one can still see that it is about you.

## 10. What rights do you have?

DHA/De Hypotheker uses your personal data to serve you. We handle this very carefully. Of course, you remain in charge of this information. We would therefore like to remind you of your rights:

- i. Inspection: you have the right to inspect your personal data and can generally access the personal data we process about you within one month of your request to us.
- ii. Correction: you can ask us to correct inaccuracies in your personal data.
- iii. Deletion: you may ask us to delete personal data under certain circumstances. In this case, we will take reasonable steps to inform other processors who process personal data on our behalf that you have requested deletion of links to and copies of your personal data.
- iv. Object to processing: if you object to certain processing of your personal data, e.g. e-mails containing offers.
- v. Restrict processing: you can ask us to restrict the processing of personal data under certain circumstances, for example if the accuracy of personal data is disputed by you.
- vi. Portability: you can ask us to obtain the personal data you have provided to us, which we store automatically, from us in a structured, common and machine-readable form, for example, in order to then send it to a third party. This is called 'data portability'
- vii. Withdrawal of consent: where you have given consent to use your personal data, you can withdraw this consent, which means that we will no longer process the personal data for which the consent applied.
- viii. Filing a complaint: you can file a complaint about our processing of your personal data with the Personal Data Authority.

When exercising these rights, exceptions may apply, which means you cannot exercise certain rights in all cases.



## **11. How can you exercise your rights? Question or complaint?**

You can exercise the right of inspection and the right to portability via your account on the customer portal. To exercise the other rights, please send us a letter or e-mail. Please attach a copy of your passport or ID card and make the BSN and passport photo illegible. We will respond within four weeks of receiving your letter.

Also, if you have any questions or complaints about how we handle your personal data, please contact:

The Mortgage Association BV  
Privacy office  
P.O. Box 5335  
3000 VB Rotterdam  
privacy@hypotheker.nl

When we receive a complaint notification, we register it. We register and process not only your personal data but also that of parties involved in the cause and in the resolution of the complaint.

In addition, should we not come to an agreement together, you always have the right to file a complaint with the Personal Data Authority via [autoriteitpersoonsgegevens.nl](http://autoriteitpersoonsgegevens.nl).

## **12. The use of Hypotheker.nl and my.hypotheker.nl**

If you visit our website [hypotheker.nl](http://hypotheker.nl), general visitor data (such as click behaviour, time of visit, frequency of visit, etc.) is collected and stored by us to improve the user-friendliness of our website. This data may also be used to place more targeted information and offers on the website for you.

If you create an account on [my.hypotheker.co.uk](http://my.hypotheker.co.uk), you can, among other things, manage personal data yourself and subscribe to specific services. This allows us to provide more targeted information and offers based on your profile and the interests you have shown on our website.

Don't fancy these targeted information and offers for a while? Then turn them off via 'My Details' within My Mortgage. You can turn them back on just as easily. This way, you can decide when information relevant to you is displayed.



### **13. Cookie policy**

When you visit our website, we may automatically store some information on your computer in the form of a cookie to automatically recognise you on your next visit. A cookie is a small file stored on your computer. This file cannot be used to identify you personally. You can refuse the storage of cookies by changing your browser settings. Some features of this website cannot be used if cookies are refused. To adjust the settings, please consult your browser manual.

To collect visitor data, we use, inter alia, Google Analytics, a web analytics service provided by Google Inc ("Google"). Google Analytics uses cookies to help De Hypotheker analyse how users use the site. The information generated by the cookie about your use of the website (including IP address) is transferred to and stored by Google on servers in the United States. Google uses this information to track how you use the website, compiling reports on website activity for De Hypotheker and providing other services relating to website activity and internet usage. Google may provide this information to third parties if Google is legally required to do so, or to the extent that these third parties process the information on Google's behalf. Google will not associate your IP address with any other data held by Google. By using this website, you consent to the processing of data about you by Google in the manner and for the purposes set out above.

For more detailed information, see our page on [cookies](#).

### **14. Amendment of this Privacy Statement**

We may amend this Privacy Statement. A new version will always be published on our website.

Still have questions? Please contact our Privacy Department at [privacy@hypotheker.nl](mailto:privacy@hypotheker.nl)