

## **EXTERNAL PRIVACY POLICY**

Elbow Valley Residents Club ("EVRC") provides management and other services to residents of the Elbow Valley Community and the 6 bareland condominium corporations in the community, namely Phase 1 Condominium Corporation 9810245, Phase 2 Condominium Corporation 9813459, Phase 3 Condominium Corporation 0010124, Phase 4 Condominium Corporation 0013252, Phase 5 Condominium Corporation 0212033 and Phase 6 Condominium Corporation 0311031 ("EVRC group"). At EVRC and members of the EVRC group we are committed to maintaining the accuracy, confidentiality and security of your personal information. This Privacy Policy describes the personal information that EVRC or members of the EVRC Group collects from or about you, how we use and to whom we disclose that information.

We include provisions in this policy that include information on what personal information we may collect from your use of our website, various communication services and social media sites we may operate ("social media") and how we use and disclose that information, as applicable.

EVRC has adopted several Privacy Policies in order to address the specific privacy concerns of certain groupings of individuals. This Privacy Policy applies to the personal information of all individuals, unless the personal information is related to an individual who seeks to be, is or was employed by EVRC.

If you are unsure of which Privacy Policy applies to you, please contact our Privacy Officer for more information.

### **Privacy Policy Effective for Canada**

It is EVRC's policy to comply with the privacy legislation within the jurisdiction in which we operate. Sometimes the privacy legislation and / or an individual's right to privacy are different from one jurisdiction to another. This Privacy Policy covers only those activities that are subject to the provisions of Alberta and Canada's federal and provincial privacy laws, as applicable.

This Privacy Policy has a limited scope and application. Consequently, the rights and obligations contained in this Privacy Policy may not be available to all individuals or in all jurisdictions. If you are unsure if or how this Privacy Policy applies to you, please contact our Privacy Officer for more information.

### **What is Personal Information?**

For the purposes of this Privacy Policy, personal information is any information about an identifiable individual, other than the person's business title or business contact information when used or disclosed for the purpose of business communications.

### **What Personal Information do we Collect?**

We collect and maintain different types of personal information in respect of the individuals with whom we interact. This includes:

- contact and identification information, such as your name, address, telephone number, mobile phone number, e-mail address and social media contact details;

- product and service related information concerning the products and services that we provide to you or programs that we offer;
- for parties with whom we do business, credit and financial information such as your payment methods and preferences, and billing and credit history, where applicable; and
- business relationship information, including information related to your agreements, preferences, advisors and decision-makers, feed-back and information requested by or provided to you.

In addition, we may collect the personal information that you submit to our website or via social media, such as your name, address and any other contact or other information that you choose to provide by:

- using any "contact us" or similar portion of this website;
- applying or volunteering for a position or a program with EVRC through our website or our social media;
- by corresponding with a representative of EVRC via e-mail or social media; or
- booking an event, service or reservation as may be available from time to time via our website or a portal.

Where you request information from us, we may use the e-mail address that you provide to send you information about offers on programs, products and services that we believe may be of interest to you. If you have asked us to put you on an e-mail mailing or messaging list to provide you with certain information on a regular basis, or if we send you information about our offers on programs, products and services by e-mail or by other message service, you may ask us to remove you from the list at any time (using the unsubscribe instructions provided with each e-mail or message and on the site where you signed up).

We may also collect market-related information, which may include personal information, concerning market trends and activities impacting our activities and planning. This information may include contract terms, financial information and other information for the purpose of market analysis and strategic planning. We may also collect information related to our media and public relations activities and information related to our interactions with financial and other analysts and advisors.

As a general rule, EVRC collects personal information directly from you. In most circumstances where the personal information that we collect about you is held by a third party, we will obtain your permission before we seek out this information from such sources (such permission may be given directly by you, or implied from your actions).

From time to time, we may utilize the services of third parties in our business and may also receive personal information collected by those third parties in the course of the performance of their services for us or otherwise. Where this is the case, we will take reasonable steps to ensure that such third parties have represented to us that they have the right to disclose your personal information to us. Sometimes we may obtain information about you from other sources, such as, for example:

- our property manager or general manager;
- through our bylaw, rule or other enforcement process or through our complaints and dispute resolution process;
- from a neighbour or others in case of a complaint or other communication made to EVRC;
- your insurance company or other benefits provider;
- a third party with whom you have or are seeking to establish a relationship;
- from a government such as Rocky View County or the Province of Alberta or a government agency or registry;
- your realtor, if we are working with you on the purchase, sale or other transaction involving a home in Elbow Valley; or
- from your bank or lawyer; or
- from your contractors where your projects involve EVRC oversight or liaison; or
- your accountant.

Where permitted or required by applicable law or regulatory requirements, we may collect information about you without your knowledge or consent.

### **Why Do We Collect Personal Information?**

EVRC collects personal information to enable us to manage, maintain, and develop our business and operations, including:

- to establish, maintain and manage our relationship with you so that we may provide you with, or receive from you, the programs, products and services that have been requested (for example, as applicable, we will use your personal information to establish your identity and location so that we may provide certain services to your home);
- to provide management and related services to members of the EVRC group;
- where you have requested credit, to confirm your financial situation, obtain a credit check and determine your initial and ongoing eligibility for credit and, where credit is granted, to administer and manage our credit relationship with you;
- where you use a password protected portal, as may be available from time to time, to be able to establish, maintain and manage that account and to provide you with suitable information on the applicable portal;

- to be able to review the products and services that we provide to you so that we may understand your requirements for our programs, products and services and so that we may work to improve our products and services;
- to be able to review the products and services that we obtain from you so that we may work with you and so that you may understand our requirements for such products and services;
- to administer or otherwise carry out our obligations in relation to any agreement you have with us;
- to be able to comply with your requests (for example, if you prefer to be contacted at a business or residential telephone number and advise us of your preference, we will use this information to contact you at that number);
- to make you aware of events, activities or opportunities in the Elbow Valley community, (such as, for example, in the case of community emergencies such as cautions on sited wildlife, or changes in service delivery schedules for waste or recycling pickup, to invite you to community events such as the Stampede breakfast) and like matters;
- to perform our business and operations including record keeping or internal reporting functions;
- to protect us against error, breach of contract, negligence, fraud, theft, illegal activity and damage to our goods and property and the goods and property of members of the Elbow Valley community and to identify wrongdoers to the police or other authorities;
- to enable us to undertake our environmental, health and safety activities, including incident planning, response and investigation;
- to enable us to comply with applicable law or regulatory requirements (for example, we may collect personal information to satisfy the obligations imposed on us by various regulatory boards or agencies to follow procedures mandated by such boards or agencies in respect of the provision of our products and services);
- to effectively and efficiently manage compliance with the applicable by-laws, restrictive covenants, rules and other commitments residents are bound by in Elbow Valley; and
- any other reasonable purpose to which you consent.

In addition to the uses inherent in the list of reasons we collect the information, described above, we may request and use personal information from you in connection with your receipt, use of, or participation in, our special events, social functions, surveys, forums, subscription registrations, content submissions, requests for suggestions, or additional information (including via email to us), and in connection with other activities, services or resources we make available to you from time to time.

## **Our Websites and Portals**

We use websites to share and collect information and may provide specialized web based portals to provide information, programs, training or to facilitate transactions. We also collect certain information when you visit our website, social media or portals. You can visit our website without telling us who you are or revealing any information about yourself, including your e-mail address. Our web server may collect information related to your visit to our website, including the IP address and domain used to access our website, the type and version of your browser, the website you came from to access our website, the page you entered and exited at, any website page that is viewed by that IP address and what country you are from. We use this information to monitor our website's or social media performance (such as number of visits, average time spent, page views) and for our business purposes such as working to continually upgrade our website and social media.

To visit our portals, as applicable from time to time, we collect personal information in order to verify your authority to use the portal, and to manage the information available to you, and to protect the security of the portal.

Our website or social media may contain links to other websites that may be subject to less stringent privacy standards. We cannot assume any responsibility for the privacy practices, policies or actions of the third parties that operate these websites. EVRC is not responsible for how such third parties collect, use or disclose your personal information. You should review the privacy policies of these websites before providing them with personal information.

## **How Do We Use Cookies?**

When you visit the website, the website might place a "cookie" on the memory of your computer or other smart device to track your visit. A cookie is a small data file that is transferred to your memory through your web browser that can only be read by the website that placed the cookie on your memory. The cookie acts as an identification card and allows our website to identify your device and to record your preferences. We may choose to enable cookies in a password protected portal on the EVRC website. In such cases, if applicable, a cookie allows us to track your visit to the website so that we can better understand your use of our website so that we can customize and tailor the website to better meet your needs.

Most web browsers are set to accept cookies. However, on most web browsers you may change this setting to have your web browser either: (1) notify you prior to a website placing a cookie on your memory so that you can decide whether or not to accept the cookie; or (2) to automatically prevent the placing of a cookie on your memory.

Google Analytics is installed on our website in order to provide information on visits to our website. We have not enabled the advertising feature in that program. We understand that the program will place Google cookies on the memory of your computer or other smart device. To provide website visitors the ability to prevent their data from being used by Google Analytics, Google have developed the Google Analytics opt-out browser add-on for the Google Analytics JavaScript (ga.js, analytics.js, dc.js). If you want to opt out, download and install the add-on for your web browser. The Google Analytics opt-out add-on is designed to be compatible with Chrome, Internet Explorer 11, Safari, Firefox and Opera. In order to function, the opt-out add-on must be able to load and execute properly on your browser. For Internet Explorer, 3rd-party cookies must be enabled. You may be able to locate an add-on for your browser by searching for your browser type and the term “Google Analytics opt-out browser add-on”.

### **How Do We Use and Disclose Your Personal Information?**

We may use and disclose your personal information:

- for the purposes described in this Privacy Policy; or
- for any additional purposes for which we have obtained your consent to the use or disclosure of your personal information.

Your personal information is shared with our employees, contractors, consultants, affiliates and other parties who require such information to assist us with establishing, maintaining and managing our relationship with you.

EVRC uses the services of many contractors and consultants in our business. We may share personal information with such organizations where they require such information to permit us to conduct our activities. We may use contractual and other means to require such organizations to use such information only for the purposes of providing services to us and only under our instruction, and to act in a manner consistent with the relevant principles articulated in this Privacy Policy as well as applicable privacy law. For example, EVRC and our other affiliates or service providers may provide certain information technology and data processing services to us from time to time so that we may operate our business.

In some cases EVRC, service providers and other parties with whom we share information under this privacy policy, may perform activities outside of Canada. As a result, in such cases, your information may be securely used, stored or accessed in other countries and be subject to the laws of those countries. For example, information may be shared in response to valid demands or requests from government authorities, courts and law enforcement officials in those countries.

In addition, we may use certain cloud-based services to process or store information. Cloud-based services are software and hardware that are managed by third parties at remote locations, such as online file storage.

We may use or disclose your personal information without your knowledge or consent where we are permitted or required by applicable law or regulatory requirements to do so.

## **When do we Disclose Your Personal Information?**

We may share your personal information with our employees, contractors, consultants and other parties who require such information to assist us with managing our relationship with you, including: third parties that provide services to us or on our behalf; third parties that assist EVRC in the provision of services to you; and third parties whose services we use to conduct our business.

Where we are dealing with bylaws, rules or other compliance requirements, such as for example, compliance with our architectural and landscape guidelines, restrictive covenants or the like, EVRC may exchange personal information with members of the EVRC group and / or third parties such as our security contractor, the police, Rocky View County officials or others.

Further, your personal information may be disclosed:

- as permitted or required by applicable law or regulatory requirements;
- to comply with valid legal processes such as search warrants, subpoenas or court orders;
- as part of EVRC's regular reporting activities to members of the EVRC board of directors or members of the EVRC group for whom we are providing management and other services;
- to protect the rights and property of EVRC;
- during emergency situations or where necessary to protect the safety of a person or group of persons;
- where the personal information is publicly available; or
- with your consent.

## **Your Consent is Important to Us**

It is important to us that we collect, use or disclose your personal information where we have your consent to do so. Depending on the sensitivity of the personal information, your consent may be implied, deemed (where we may provide you with an opt-out mechanism) or express. Express consent can be given orally, electronically or in writing. Implied consent is consent that can reasonably be inferred from your action or inaction. For example, when you enter into an agreement with us, we will assume your consent to the collection, use and disclosure of your personal information for purposes related to the performance of that agreement and for any other purposes identified to you at the relevant time.

Typically, we will seek your consent at the time that we collect your personal information. In certain circumstances, your consent may be obtained after collection but prior to our use or disclosure of your personal information. If we plan to use or disclose your personal information for a purpose not previously identified (either in this Privacy Policy or separately), we will endeavor to advise you of that purpose before such use or disclosure.

As we have described above, we may collect, use or disclose your personal information without your knowledge or consent where we are permitted or required to do so by applicable law or regulatory requirements.

### **Choice/Opt-Out**

You may change or withdraw your consent at any time, subject to legal or contractual restrictions and reasonable notice, by contacting our Privacy Officer using the contact information set out below. A withdrawal of consent does not change your obligations to comply with the contractual, legal and other obligations you have in the Elbow Valley community. In some circumstances, a change in or withdrawal of consent may severely limit our ability to provide certain optional products or services to you. All communications with respect to such withdrawal or variation of consent should be in writing and addressed to our Privacy Officer.

We assume that, unless you advise us otherwise, that you have consented to the collection, use and disclosure of your personal information as explained in this Privacy Policy.

### **How is Your Personal Information Protected?**

EVRC endeavors to maintain physical, technical and procedural safeguards that are appropriate to the sensitivity of the personal information in question. These safeguards are designed to seek to prevent your personal information from loss and unauthorized access, copying, use, modification or disclosure.

Unfortunately, no data transmission over the Internet can be guaranteed to be 100% secure. As a result, while our systems seek to protect your personal information, we cannot warrant the security of any information you transmit to us electronically, and you do so at your own risk. Once our website receives your transmission, we make commercially reasonable efforts to ensure its security on our systems.

The security of your personal information is important to us, please advise our Privacy Officer immediately of any incident involving the loss of or unauthorized access, use, modification or disclosure of personal information that is in our custody or control.

### **How Long is Your Personal Information Retained?**

Except as otherwise permitted or required by applicable law or regulatory requirements, EVRC endeavors to retain your personal information only for as long as it believes is necessary to fulfill the purposes for which the personal information was collected (including, for the purpose of meeting any legal, record retention, accounting or other reporting requirements or obligations). We may, instead of destroying or erasing your personal information, make it anonymous such that it cannot be associated with or tracked back to you.

### **Updating Your Personal Information**

It is important that the information contained in our records is both accurate and current. If your personal information happens to change during the course of our relationship, you will keep us informed of such changes.

In some circumstances we may not agree with your request to change your personal information and will instead append an alternative text to the record in question.



## **Access to Your Personal Information**

You can ask to see your personal information. If you want to review, verify or correct your personal information, please contact our Privacy Officer. Please note that any such communication must be in writing.

When requesting access to your personal information, please note that we may request specific information from you to enable us to confirm your identity and right to access, as well as to search for and provide you with the personal information that we hold about you. We may charge you a fee to access your personal information; however, we will advise you of any fee in advance. If you require assistance in preparing your request, please contact the office of our Privacy Officer.

Your right to access the personal information that we hold about you is not absolute. There are instances where applicable law or regulatory requirements allow or require us to refuse to provide some or all of the personal information that we hold about you. In addition, the personal information may have been destroyed, erased or made anonymous in accordance with our record retention obligations and practices.

In the event that we cannot provide you with access to your personal information, we will endeavor to inform you of the reasons why, subject to any legal or regulatory restrictions.

## **Inquiries or Concerns?**

If you have any questions about this Privacy Policy or concerns about how we manage your personal information, please contact our Privacy Officer in writing or by e-mail. We will endeavor to answer your questions and advise you of any steps taken to address the issues raised by you. If you are dissatisfied with our response, you may be entitled to make a written submission to the Privacy Commissioner in your jurisdiction.

## **Privacy Officer**

We have appointed a Privacy Officer to oversee compliance with this Privacy Policy. The contact information for our Privacy Officer is as follows:

Privacy Officer  
Elbow Valley Residents Club  
100 Misty Morning Drive SW  
Calgary, Alberta T3Z 2Z7  
Email: [privacy@elbowvalley.org](mailto:privacy@elbowvalley.org)

## **Revisions to this Privacy Policy**

From time to time, we may make changes to this Privacy Policy to reflect changes in its legal or regulatory obligations or in the manner in which we deal with your personal information. We will post any revised version of this Privacy Policy on our website [www.elbowvalley.org/privacy](http://www.elbowvalley.org/privacy) and we encourage you to refer back to it on a regular basis. This Privacy Policy was last updated on August 17, 2017.

### **Interpretation of this Privacy Policy**

Any interpretation associated with this Privacy Policy will be made by our Privacy Officer. This Privacy Policy includes examples but is not intended to be restricted in its application to such examples, therefore where the word 'including' or 'for example' is used, it shall mean 'including without limitation'.

This Privacy Policy does not create or confer upon any individual any rights, or impose upon EVRC any obligations outside of, or in addition to, any rights or obligations imposed by Canada's federal and provincial privacy laws, as applicable. Should there be, in a specific case, any inconsistency between this Privacy Policy and applicable Canada's federal and provincial privacy laws, as applicable, this Privacy Policy shall be interpreted, in respect of that case, to give effect to, and comply with, such privacy laws.