



PRIVACY NOTICE, POLICIES & PROCEDURES

IN TERMS OF

THE PROTECTION OF PERSONAL INFORMATION ACT

ACT 4 OF 2013

(POPI Policies & Procedures)

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1. Introduction

- 1.1. TenantHive, a product of Cimag Digital Solutions (Pty) Ltd, is committed to protecting the privacy and security of its users' personal information. This privacy policy outlines our practices for collecting, using, and safeguarding personal information collected through our services. This policy complements the provisions of the Protection of Personal Information Act 4 of 2013 (POPIA) and other relevant privacy policies and does not supersede them. This privacy policy does not apply to third-party websites linked from our platform. TenantHive is not responsible for the privacy practices of such websites. Please review the privacy policies of any third-party websites before providing personal information.
- 1.2. TenantHive collects personal information from tenants to facilitate the rental application process. This includes credit checks, employment verification, income assessment, and rental history review. This information is used to create comprehensive tenant profiles, which are presented to landlords for consideration. The goal is to streamline the rental process by providing landlords with qualified and reliable tenant candidates.

2. Definitions

- 2.1. **Consent** means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information.
- 2.2. **Data Subject** refers to the natural or juristic person to whom personal information relates for instance an applicant, employee, landlord, rental agent or employee of TenantHive.
- 2.3. **Information Officer** is the person responsible for ensuring TenantHive's compliance with POPIA.
- 2.4. **Operator** means a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party.
- 2.5. **Person** refers to a natural and juristic person, depending on the context;
- 2.6. **Personal information** means any information that relates to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person and include but is not limited to, information relating to:

- 2.6.1. the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
 - 2.6.2. information relating to the education or the medical, financial, criminal or employment history of the person; any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person; the biometric information of the person;
 - 2.6.3. the personal opinions, views or preferences of the person;
 - 2.6.4. correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
 - 2.6.5. the views or opinions of another individual about the person; and
 - 2.6.6. the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.
- 2.7. **Processing** refers to the act of dealing with personal information and includes any activity or any set of operations, whether or not by automatic means, concerning personal information, including;
- 2.7.1. the collection, receipt, recording, storage, updating or modification, retrieval, alteration, consultation or use;
 - 2.7.2. dissemination by means of transmission, distribution or making available in any other form;
 - 2.7.3. or merging, linking, as well as any restriction, degradation, deletion or destruction of information.
- 2.8. **Record** means any recorded information, regardless of form or medium, including:
- 2.8.1. Writing on any material;
 - 2.8.2. Information produced, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device and any material subsequently derived from information so produced, recorded or stored;

- 2.8.3. Label, marking or other writing that identifies or describes anything of which it forms part, or to which it is attached by any means;
 - 2.8.4. Book, map, plan, graph or drawing;
 - 2.8.5. Photograph, film, negative, tape or other device in which one or more visual images are embodied to be capable, with or without the aid of some other equipment, of being reproduced.
- 2.9. **Responsible Party** is the entity that needs the personal information for a particular reason and determines the purpose of and means for processing the personal information. TenantHive is the responsible party for purposes of this policy.

3. What personal information TenantHive collects

- 3.1. TenantHive may collect and process different categories of personal information during the ordinary course of its operations and provision of services. Such personal information includes:
- 3.1.1. basic personal details such as a natural person's name, surname, identification number, age, marital status, nationality and disabilities, or, in the event of a juristic entity, its registered name, trading name, registration number, nationality and beneficial ownership;
 - 3.1.2. contact information such as a person's telephone number and postal- or email address;
 - 3.1.3. financial information such as payslips, proof of income, bank statements, financial statements, bank account details, credit information, indebtedness, income and expenditure, and any other financial information relevant to assessing a person's risk profile for purposes of leasing;
 - 3.1.4. employment-related information such as a person's employment position, employment contract, length of employment, monthly salary and/or commissions, disciplinary record, employment address, employer name and contact details, and any other information relevant to assessing a person's risk profile for purposes of leasing;
 - 3.1.5. demographic information such as a person's physical address, preferences or interests;
 - 3.1.6. personal or professional references or opinions about a person's character and reliability;

- 3.1.7. website usage and other technical information such as details of a person's visits to our websites or information collected through cookies and other tracking technologies;
- 3.1.8. personal information provided to TenantHive by a data subject or generated by TenantHive in the course of providing its services, which may, where relevant, include special personal information;
- 3.1.9. recruitment-related information such as a person's curriculum vitae, education and employment history, details of professional memberships and other information relevant to potential recruitment to TenantHive;
- 3.1.10. information that a data subject may provide to TenantHive during the ordinary course of business; and
- 3.1.11. any other personal information relating to such a data subject that it may provide to TenantHive, whether on request or of own accord.

4. How TenantHive obtains personal information

- 4.1. TenantHive may collect or receive personal information a number of different ways:
 - 4.1.1. Direct collection – where the data subject provides its personal information directly to TenantHive, either on request or of own accord;
 - 4.1.2. Third-party sources – where TenantHive make necessary enquiries about a data subject or its affairs from third-parties and the information is disclosed;
 - 4.1.3. Publicly available sources – where a data subject's personal information is in the public domain.

5. How TenantHive use personal information

- 5.1. TenantHive will only use a data subject's personal information where it is permitted to do so under the auspices of the applicable laws of the Republic of South Africa. In terms of POPIA, the use of personal information must be justified on one or more legal grounds. The principal legal grounds that justify TenantHive's use of a data subject's personal information are:

- 5.1.1. Contractual Performance: TenantHive uses a data subject's information when necessary to fulfil existing lease agreements, facilitate the leasing application process, or negotiate new rental contracts, either directly with the data subject or on their behalf;
- 5.1.2. Legal Obligation: TenantHive may use a data subject's information to comply with its legal obligations;
- 5.1.3. Legitimate Interests: TenantHive may use a data subject's information to pursue its or a data subject's legitimate interests, provided that its reasons for doing so outweigh any potential impact on a person's data protection rights;
- 5.1.4. Legal Claims: TenantHive may use a data subject's information when it is necessary for defending, pursuing, or making legal claims;
- 5.1.5. Consent: TenantHive may use a data subject's information based on such a person's consent.

6. Further uses of personal information

6.1. To provide services and to conduct its business:

TenantHive collects and uses a data subject's personal information to deliver its services, including processing leasing applications, running credit checks, and fulfilling its responsibilities under any agreements between data subjects and TenantHive.

6.2. To facilitate the use of TenantHive's website and to ensure relevant content:

TenantHive collects and uses a data subject's personal information to respond to inquiries from website visitors and to present the most relevant and effective content based on the data subject's preferences and device.

6.3. For security purposes:

TenantHive uses a data subject's personal information to verify such data subject's identity during transactions and the provision of services.

6.4. For marketing and business development purposes:

With a data subject's consent, TenantHive may use such data subject's personal information to provide such a data subject with details of new services, legal updates, and invitations to seminars and events. A data subject can unsubscribe or opt out of further communications by following the instructions provided in each electronic marketing communication or by contacting the Information Officer.

6.5. For research and development purposes:

TenantHive analyses personal information to better understand tenant and landlord needs, improve its services, and develop new features that enhance the leasing process.

6.6. For statistical purposes:

TenantHive analyses personal information to identify and track market trends, as well as to understand the needs and behaviour of tenants, landlords, and rental agents.

6.7. For recruitment purposes:

TenantHive collects and uses personal information submitted through its website for employment applications and to assess a person's suitability for any positions available at TenantHive.

6.8. To fulfil legal, regulatory, or risk management obligations:

TenantHive collects and uses personal information to comply with legal obligations, such as customer due diligence, anti-bribery, and sanctions screening. TenantHive may also perform relevant background checks required by law or best practice. Additionally, TenantHive uses personal information to enforce its legal rights, meet regulatory reporting obligations, prevent fraud, and protect the rights of third parties.

6.9. To ensure payment:

TenantHive collects and uses personal information to recover any payments owed to it. If necessary, TenantHive may engage debt collection agencies or take legal action to enforce payment.

6.10. To inform a data subject of changes:

TenantHive uses personal information to notify data subjects about changes to its services, disclaimers, or privacy policies.

6.11. To reorganize or make changes to TenantHive's business:

In the event of a business reorganization, merger, or sale, TenantHive may transfer a data subject's personal information to relevant third parties or advisors during the due diligence process or as part of the transfer. This is done for the same purposes outlined in this privacy notice or for analysing any proposed business changes.

Please note that if a data subject fails to provide personal information required by law or under a contract TenantHive has with such a data subject, TenantHive may not be able to perform the contract or engage in a particular service or engagement. TenantHive will notify such data subject if such circumstances arise.

7. Who personal information is shared with

7.1. TenantHive may share and process the personal information with any of the following categories of third parties:

7.1.1. Landlords and Rental Agents: To facilitate the rental process, TenantHive will provide landlords and rental agents with relevant tenant information.

7.1.2. Credit Bureaus: For credit checks, TenantHive may share personal information with credit reporting agencies.

7.1.3. Service Providers: TenantHive may share personal information with third-party service providers who assist with platform operations, such as IT, data storage, or payment processing.

7.1.4. Legal and Regulatory Authorities: As required by law, TenantHive may share information with government agencies for compliance purposes, including fraud prevention and reporting.

7.1.5. Debt Collection Agencies: For unpaid debts, TenantHive may share information with debt collection agencies.

- 7.1.6. Business Partners and Professional Advisors: TenantHive may share information with external business partners third parties or their legal-, financial-, business-, and risk management advisors, as well as bankers, and auditors.
- 7.1.7. With Consent: TenantHive may share personal information with third parties in respect of whom the data subject has provided explicit consent.
- 7.1.8. Insurers and Brokers: TenantHive may share personal information with their insurers and brokers insurance purposes.
- 7.1.9. Third-Party Service Providers and Contractors: TenantHive may outsource any of its functions and, in doing so, share personal information such relevant third-party service provides and contractors

8. Which countries personal information may be transferred to

- 8.1. TenantHive uses cloud-based software as part of its operations, hence it cannot limit its processing of a data subject's personal information to the country in which that data subject is based. In the course of providing its services, TenantHive will likely need to transfer personal information to locations outside the jurisdiction in which a data subject provides it or where a data subject is viewing TenantHive's website.
- 8.2. Irrespective of where TenantHive processes personal information, it maintains consistent data protection safeguards globally and implements appropriate measures to ensure compliance with applicable data protection laws. Likewise, when TenantHive engage third-party service providers to process personal data on its behalf, TenantHive ensures that adequate measures are in place to protect personal information.

9. How long personal information will be kept

- 9.1. **Successful Applications:** For successful applicants, personal information will be retained until the rental application process is finalized and the property is no longer available. Following this, TenantHive will transfer the necessary information to the landlord or rental agent and securely delete all remaining data.
- 9.2. **Unsuccessful Applications:** Personal information from unsuccessful applicants will be deleted immediately upon their application being rejected by the landlord or rental agent, with or without prior notification.

10. How personal information will be protected

10.1. TenantHive understands the significance of information security as an essential component of data privacy. While it is impossible to guarantee the absolute security of data transmissions, including those over the internet or any website, TenantHive employs a range of commercially reasonable physical, technical, and procedural measures to safeguard personal information from unauthorized access, use, disclosure, alteration, or destruction, in accordance with the requirements of data protection laws. To this end, TenantHive have the following measures in place:

- 10.1.1. A risk gap audit was performed and potential risks were identified;
- 10.1.2. The relevant role players have been identified and appointed to safeguard all personal information and manage potential risks;
- 10.1.3. Data processing activities have been mapped the necessary safeguards implemented;
- 10.1.4. An Information Officer has been appointed, whose details are available in paragraph 13 herein, who is responsible for compliance with the conditions of the lawful processing of personal information and other provisions of POPIA;
- 10.1.5. Information provided to TenantHive is stored on secure servers and/or hard drives controlled by TenantHive or its service providers, the access of which is restricted only to persons authorised by TenantHive;
- 10.1.6. All personnel at TenantHive, as well as any third-party service providers engaged by TenantHive for processing personal information on its behalf, are contractually obligated to maintain the confidentiality of such information;
- 10.1.7. TenantHive offers its personnel regular training and awareness campaigns on lawful processing of personal information.

10.2. In addition to TenantHive's responsibilities, please be aware that if TenantHive has provided a person with a password to access specific parts of its online services, it is such a person's responsibility to keep this password confidential and adhere to any other security procedures TenantHive informs such a person of. TenantHive strongly encourages all persons to refrain from sharing a password with anyone.

11. Data subjects' rights in relation to personal information

11.1. Any inquiries regarding the use of personal information must be directed to the Information Officer using the details provided in paragraph 13 below. In accordance with the provisions of POPIA a data subject may have the right to request the following from TenantHive:

11.1.1. Lawful processing of a data subject's personal information;

11.1.2. Notification when personal information about a data subject is being collected;

11.1.3. Notification if a data subject's personal information has been accessed or acquired by an unauthorized person;

11.1.4. Confirmation of whether a responsible party holds a data subject's personal information and the right to access this information;

11.1.5. Correction, destruction, or deletion of such a data subject's personal information where necessary;

11.1.6. Objection to the processing of such a data subject's personal information;

11.1.7. Prevention of processing of such a data subject's personal information for direct marketing purposes through unsolicited electronic communications;

11.1.8. Avoidance, under certain circumstances, of decisions made solely based on automated processing of such a data subject's personal information that provides a profile of such a data subject;

11.1.9. Submission of a complaint to the Information Regulator regarding alleged interference with the protection of personal information or in respect of a determination made by an adjudicator;

11.1.10. Initiation of civil proceedings regarding alleged interference with the protection of a data subject's personal information.

11.2. A data subject may also instruct TenantHive not to process its personal information for marketing purposes. To exercise its right to prevent such processing, a data subject can unsubscribe at any time using the provided facility.

- 11.3. TenantHive is committed to taking reasonable steps to ensure the accuracy of a data subject's personal information. A data subject must inform TenantHive of any changes to its personal information.
- 11.4. While TenantHive strives to respect the rights of data subjects, please note that the exercise of these rights is subject to certain exemptions that safeguard public interest (e.g., crime prevention or detection), TenantHive's interests (e.g., maintenance of legal privilege), and some limitations imposed by law (e.g., the right to withdraw consent). These limitations may require TenantHive to continue processing a person's personal information to defend its legal rights or fulfil its legal and regulatory obligations.
- 11.5. If a data subject's contacts TenantHive to exercise any of these rights, TenantHive will verify such data subject's identity and entitlement, and respond within thirty (30) days. If a data subject is dissatisfied with TenantHive's use of its personal information or if TenantHive's response to any exercise of these rights, a data subject has the right to lodge a complaint with the Information Regulator.

12. Who is the responsible party

- 12.1. TenantHive is the responsible party that processes personal information.

13. Who is the Information Officer

Information Officer	Alno Smit
Postal Address	52 Boog Street, Morgenster Heights, Brackenfell, 7560
Telephone Number	082 055 4912
Email Address	alno@tenanthive.co.za
Website	www.tenanthive.co.za

14. How TenantHive uses cookies and similar technologies

- 14.1. The website of TenantHive may utilize cookies to enhance the browsing experience of visitors. These cookies, which are small data files stored on users' computers, serve to improve functionality and personalize information, offering users more relevant pages. Furthermore, TenantHive reserves the right to analyse website traffic to determine the most engaging areas of its websites, enabling it to customize and optimize the website accordingly.

15. Data Breach Protocol

15.1. In the event of a data breach, TenantHive shall:

- 15.1.1. act in accordance with its Data Breach Policy;
- 15.1.2. notify the affected data subject in writing immediately or as soon as reasonably possible;
- 15.1.3. furnish the affected data subject with details of the compromised personal information and the nature and extent of the compromise, including details of the identity of the unauthorized person who may have accessed or acquired the personal information
- 15.1.4. daily reports on progress made at resolving the compromise.

16. Complaints Procedure

16.1. Data subjects have the right to complain in instances where any of their rights under POPIA have been infringed upon. TenantHive takes all complaints very seriously and will address all POPIA-related complaints in accordance with the following procedure:

- 16.1.1. POPIA complaints must be submitted to the Information Officer in writing;
- 16.1.2. Where the complaint has been received by any person other than the Information Officer, such other person will ensure that the full details of the complaint reach the Information Officer within 2 working days.
- 16.1.3. The Information Officer will provide the complainant with a written acknowledgment of receipt of the complaint within 2 working days.
- 16.1.4. The Information Officer will carefully consider the complaint and amicably address the complainant's concerns. In considering the complaint, the Information Officer will endeavour to resolve the complaint in a fair manner and in accordance with the principles outlined in POPIA.
- 16.1.5. The Information Officer must also determine whether the complaint relates to an error or breach of confidentiality that has occurred and which may have a wider impact on TenantHive's data subjects.

- 16.1.6. Where the Information Officer has reason to believe that the personal information of data subjects has been accessed or acquired by an unauthorized person, the Information Officer will inform the Information Regulator.
- 16.1.7. In all instances, the Information Officer will provide reasons for any decisions taken and communicate any anticipated deviation from the specified timelines.
- 16.1.8. The Information Officer's response to the data subject may suggest a remedy for the complaint, a dismissal of the complaint and the reasons as to why it was dismissed, an apology (if applicable) and any disciplinary action that has been taken against any employees involved.
- 16.1.9. Where the data subject is not satisfied with the Information Officer's suggested remedies, the data subject has the right to complain to the Information Regulator.
- 16.1.10. The Information Officer will review the complaints process to assess the effectiveness of the procedure periodically and to improve the procedure where it is found wanting. The reason for any complaints will also be reviewed to ensure the avoidance of occurrences giving rise to POPIA-related complaints.

17. Disciplinary Action

- 17.1. Where a POPIA complaint or a POPIA infringement investigation has been finalized by the Information Officer, it may recommend any appropriate administrative, legal and/or disciplinary action to be taken against any employee reasonably suspected of being implicated in any non-compliant activity outlined within this policy.
- 17.2. In the case of ignorance or minor negligence, TenantHive will undertake to provide further awareness training to the employee.
- 17.3. Any gross negligence or the wilful mismanagement of personal information, will be considered a serious form of misconduct for which TenantHive may summarily dismiss the employee. Disciplinary procedures will commence where there is sufficient evidence to support an employee's gross negligence.

18. How to contact the Information Officer

Should the reader have any questions about this privacy notice and policy or how TenantHive processes personal information, please contact the Information Officer, the details of whom are furnished in paragraph 13 above.

19. How TenantHive may update this privacy notice and policy

TenantHive reserves the right to its privacy notice and policy without due prior notice. It is therefore recommended that this privacy notice and policy be periodically reviewed to stay updated on how TenantHive utilizes personal information.

Last updated: **August 2024**



The Information Officer