

DATA PROCESSING STATEMENT

relating to the processing of data in targeted contact and direct marketing activities

Table of contents

I.	INTRODUCTION.....	2
II.	THE DATA CONTROLLER	2
	a) Joint Data Controllers in the LIVING Group of Companies:	2
	b) The legal relationship among the joint data controllers in the LIVING Group of Companies and key particulars of the agreement between them in terms of content	3
III.	DEFINITION OF TERMS	4
IV.	DATA PROCESSING RELATING TO TARGETED CONTACT (SEEKING CALL BACK).....	4
V.	DATA PROCESSING RELATING TO DIRECT MARKETING ACTIVITIES (SECURING BUSINESS DIRECTLY)	5
VI.	FURTHER KEY INFORMATION IN RELATION TO DATA HANDLING FOR THE ABOVE PURPOSES.....	7
VII.	RIGHT OF THE DATA SUBJECTS CONCERNED	8
VIII.	REMEDIES	10
IX.	DATA TRANSMISSION AND DATA PROCESSING	10
X.	MISCELLANEOUS PROVISIONS	11

I. INTRODUCTION

The purpose of this data processing statement (hereinafter: **Statement**) is to provide a transparent and easily understandable information for the Data Subjects relating the processing of data in targeted contact and direct marketing activities in accordance with the provisions of the General Data Protection Regulation (2016//79/EU) (hereinafter: **GDPR**¹).

Please note that this Statement provides detailed guidance on specific data processing in targeted contact and direct marketing activities only.

As regards data processing activities not mentioned in this Statement, the provisions of the General Data Processing Statement on the Data Controller's website (www.livinghomes.hu) - and also available at its headquarters and business premises - and the specific and individual data processing notices related to the services and activities concerned will apply.

II. THE DATA CONTROLLER

a) Joint Data Controllers in the LIVING Group of Companies:

Joint Data Controllers in the LIVING Group of Companies:

- 1) LIVING I. Ingatlanfejlesztő Befektetési Alap (*seat: H-1095 Budapest, Máriássy utca 7*)
- 2) LIVING II. Ingatlanfejlesztő Befektetési Alap (*seat: H-1095 Budapest, Máriássy utca 7*)
- 3) LIVING III. Ingatlanfejlesztő Befektetési Alap (*seat: H-1095 Budapest, Máriássy utca 7*)
- 4) LIVING IV. Ingatlanfejlesztő Befektetési Alap (*seat: H-1095 Budapest, Máriássy utca 7*)
- 5) PW3 Ingatlanfejlesztő Korlátolt Felelősségű Társaság (*seat: H-1095 Budapest, Máriássy utca 7*)
- 6) LIVING-Szabolcs Kft. (*registered seat: H-1095 Budapest, Máriássy utca 7*)
- 7) ParkWest 2 Kft. (*registered seat: H-1095 Budapest, Máriássy utca 7*)
- 8) V45 Kft. (*registered seat: H-1095 Budapest, Máriássy utca 7*)
- 9) LIVING-Service Kft. (*registered seat: 1095 Budapest, Máriássy utca 7.*) - Data Controller selected to act as contact entity (gdpr@livinghomes.hu);

hereinafter jointly referred to as: **LIVING, joint data controllers** or **Data Controller**

Detailed information about the LIVING Group of Companies, in particular the definition of the participating Data Controllers, the legal relationship between the joint data controllers, the processing of data related to the group of companies, etc., are available in the General Data Processing Statement available on the Data Controller's website www.livinghomes.hu).

¹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.

b) The legal relationship among the joint data controllers in the LIVING Group of Companies and key particulars of the agreement between them in terms of content

The Joint Data Controllers have appointed **LIVING-Service Kft.** (seat: H-1095 Budapest, Máriássy utca 7.) to keep contact with Data Subjects.

Website:		www.livinghomes.hu
Contact options:	e-mail:	info@livinghomes.hu
	Phone:	+36 70 705 23 69
Contact details of the Data Protection Officer:		gdpr@livinghomes.hu

Personal data collected by the Joint Data Controllers in relation to marketing and/or targeted contacts are processed in a joint electronic system.

The Joint Data Controllers organise joint campaigns to promote the making of statements relating to marketing and targeted contacts.

In possession of a consent statement that is compliant with the relevant data protection regulations, LIVING-Service Kft. will contact the Data Subjects in order to promote certain services, however, other Data Controllers may contact the Data Subjects individually and the Joint Data Controllers may also contact the Data Subjects jointly to recommend to them additional services, events and products.

Responsibility for the fulfilment of obligations arising from data processing is as defined below. Tasks within the scope of obligations arising from data protection laws and regulations will be performed by LIVING-Service Kft., in its capacity as the contact entity selected for the Data Subjects. Data Subjects may exercise their rights they may have in relation to the processing of their personal data by sending a request or complaint to LIVING-Service Kft. (By mail to its address: H-1095 Budapest, Máriássy utca 7., or by email to its email address gdpr@livinghomes.hu).

If a Data Subject wishes to withdraw, amend (restrict) his/her consent given for the processing of his/her data, or if s/he wishes to object to data processing in a postal mail, s/he may do so by sending such mail to the address of LIVING-Service Kft.

The Joint Data Controllers must jointly provide information to Data Subjects in the form of this (joint) Statement in relation to marketing and targeted contacts.

The sharing of responsibility as above for the processing of personal data between the Joint Controllers does not affect the right of Data Subjects to exercise their rights under data protection law in relation to and against each of the controllers.

III. DEFINITION OF TERMS

- 1) **Profiling:** Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.
- 2) **Advertising:** any communication, information or representation which is intended to promote the sale or otherwise result in the use of a marketable movable tangible property, including money, securities and financial instruments, and natural resources which can be used as such (hereinafter jointly referred to as "products"), services, immovable property, rights in rem (hereinafter together referred to as "goods"), or, in association with this purpose, to promote the name, designation or activity of an enterprise or to increase the awareness of goods or trademarks.
- 3) **Contact for direct marketing purposes:** the Data Subject's statement to the effect that s/he consents to the Data Controller's contacting him/her by using the contact data provided by the Data Subject for predefined various purposes (e.g. to offer services), until such consent is withdrawn.
- 4) **Targeted contact:** the Data Subject's statement to the effect that s/he consents to the Data Controller's contacting him/her by using the contact data provided by the Data Subject in relation to the product or service designated by him/her, until such consent is withdrawn, but for not longer than 60 days.
- 5) **Consent of the Data Subject** means any freely given, specific, informed and unambiguous indication of the Data Subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him/her.

IV. DATA PROCESSING RELATING TO TARGETED CONTACT (SEEKING CALL BACK)

PURPOSE	CATEGORIES OF PROCESSED DATA	LEGAL GROUNDS	PERIOD OF RETENTION
Contact with the Data Subject made at the initiative of the Data Subject, to receive offers about the products, services or events of the Data Controller or its partners.	Identification data; contact details (phone number).	The consent of the Data Subject concerned [Article 6 (1) (a) of General Data Processing Regulation;]	Until the consent is withdrawn, or 5 (five) years from making the statement at the most,
Identification of the person making the statement.	ID data:	The consent of the Data Subject concerned [Article 6 (1) (a) of General Data	Until the consent is withdrawn.

		Processing Regulation;]	
Verification of the lawfulness of former contacts	<p>Personal data provided on the consent, amendment or withdrawal statement In case of an online statement, the type of the device used by the Data Subject concerned (computer or mobile phone) and device ID (MAC or device ID), date of making the statement and IP address</p> <p>Data relating the fact, date and time, manner and content of former contacts</p>	<p>Legitimate interest associated with the enforcement of lawful claims and verification of compliance.</p> <p>[Article 6 (1) (f) of General Data Processing Regulation;]</p>	The general statutory limitation period as per the Civil Code commencing at the withdrawal of the consent.
Omitting to contact the Data Subject having withdrawn his/her consent to the handling of data or having forbidden the handling of data for the future	Personal data provided on the consent, withdrawal or prohibition statement	<p>Legitimate interest on the part of the Data Controller to avoid complaints or reputation loss that may arise from the omission to contact the Data Subject having withdrawn his/her consent to the handling of data or having forbidden data handling in the future or arising from unsolicited contacts</p> <p>[Article 6 (1) (f) of General Data Processing Regulation;]</p>	From the time when the statement withdrawing consent to data handling / prohibiting data handling until such time when the Data Controller is engaged in marketing activities or until the Data Subject rejects to give his/her consent to the handling of his/her personal data for such purposes.

V. DATA PROCESSING RELATING TO DIRECT MARKETING ACTIVITIES (SECURING BUSINESS DIRECTLY)

PURPOSE	CATEGORIES OF PROCESSED DATA	LEGAL GROUNDS	PERIOD OF RETENTION

<p>To offer the services (products) of the Data Controller</p>	<p>Identification data, contact details (email address, phone number, mobile application ID, mailing address),</p>	<p>The consent of the Data Subject concerned [Article 6 (1) (a) of General Data Processing Regulation;]</p>	<p>Until the consent is withdrawn.</p>
<p>In connection with certain services (products) and events on offer by the Data Controller, to provide the Data Subject with individual - personalized - and general offers, to inform him/her about the availability of discounts and as to how to use them;</p>	<p>Identification data, contact details (email address, phone number, mobile application ID, mailing address), Data at the disposal of the Data Controller about the Data Subject concerned (e.g. Data on services formerly or currently used, age, residence address),</p>	<p>The consent of the Data Subject concerned [Article 6 (1) (a) of General Data Processing Regulation;]</p>	<p>Until the consent is withdrawn.</p>
<p>To offer services, products and events provided by the partners of the Data Controller to the Data Subjects, and informing them about the benefits of services, products and events mediated by the Data Controller.</p>	<p>Identification data, contact details (email address, phone number, mobile application ID, mailing address),</p>	<p>The consent of the Data Subject concerned [Article 6 (1) (a) of General Data Processing Regulation;]</p>	<p>Until the consent is withdrawn.</p>
<p>To conduct market research and client satisfaction surveys;</p>	<p>Identification data, contact details (email address, phone number, mobile application ID, mailing address),</p>	<p>The consent of the Data Subject concerned [Article 6 (1) (a) of General Data Processing Regulation;]</p>	<p>Until the consent is withdrawn.</p>
<p>Identification of the person making the statement.</p>	<p>ID data:</p>	<p>The consent of the Data Subject concerned</p>	<p>Until the consent is withdrawn.</p>

		[Article 6 (1) (a) of General Data Processing Regulation;]	
Verification of the lawfulness of former contacts	<p>Personal data provided on the consent, amendment or withdrawal statement In case of an online statement, the type of the device used by the Data Subject concerned (computer or mobile phone) and device ID (MAC or device ID), date of making the statement and IP address</p> <p>Data relating the fact, date and time, manner and content of former contacts</p>	<p>Legitimate interest associated with the enforcement of lawful claims and verification of compliance.</p> <p>[Article 6 (1) (f) of General Data Processing Regulation;]</p>	The general statutory limitation period as per the Civil Code commencing at the withdrawal of the consent.
Omitting to contact the Data Subject having withdrawn his/her consent to the handling of data or having forbidden the handling of data for the future	Personal data provided on the consent, withdrawal or prohibition statement	<p>Legitimate interest on the part of the Data Controller to avoid complaints or reputation loss that may arise from the omission to contact the Data Subject having withdrawn his/her consent to the handling of data or having forbidden data handling in the future or arising from unsolicited contacts</p> <p>[Article 6 (1) (f) of General Data Processing Regulation;]</p>	From the time when the statement withdrawing consent to data handling / prohibiting data handling until such time when the Data Controller is engaged in marketing activities or until the Data Subject rejects to give his/her consent to the handling of his/her personal data for such purposes.

VI. FURTHER KEY INFORMATION IN RELATION TO DATA HANDLING FOR THE ABOVE PURPOSES

SCOPE OF DATA SUBJECTS	<p>All natural persons described below, who may be identified and have been identified on the basis of the data provided in the statement of consent:</p> <ul style="list-style-type: none"> - Representative of the natural person or legal entity who or which have a contract with the Data Controller (clients):
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	- Representative of the natural person or legal entity who or which does not have a contract with the Data Controller (potential clients):
SOURCE	The source of the data handled is the Data Subject.
STAFF MEMBERS WITH RIGHT TO ACCESS DATA	Employees of LIVING with a right to access data, who have the right to handle data to the degree necessary to perform work within their job responsibilities.
DATA TRANSMISSION	To data processing entities.

VII. RIGHTS OF THE DATA SUBJECTS CONCERNED

Pursuant to Articles 15-22 of the GDPR, Data Subjects have the right:

- a) to seek access to their personal data;
- b) to seek rectification of their personal data;
- c) to seek erasure of their personal data;
- d) to seek restriction of the processing their personal data;
- e) to seek data portability;
- f) *to object processing of their personal data on the basis of the legitimate interest of the Data Controller*
- g) *To request to be excluded from the scope of decisions made on the basis of data processing solely performed in automated manner.*

In addition to the above, Data Subjects also have the right:

- a) to withdraw his/her consent given for data processing, if data processing was based on the preliminary consent so provided; and
- b) to lodge a complaint to the Data Controller about the processing of data, and
- c) to lodge a complaint to the competent supervisory authority or to resort to court action.

This chapter specifically summarizes the special rights Data Subjects may have in relation to data processing in the context of direct marketing and targeted contact. Further rights Data Subjects may have in relation to data processing and the details as to how to exercise them are described in the data processing statement available at the website of the Data Controller (<https://livinghomes.hu/hu/adatkezelesi-tajekoztato>).

❖ The right to object

On any grounds within their personal circumstances, Data Subjects have the right to object any time the processing of his/her personal data based on legitimate interest, and also to profiling.

The Data Controller may continue to process the personal data if the Data Controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the Data Subject or for the establishment, exercise or defence of legal claims.

In case of data processing in the context of marketing or targeted contacts, including profiling, the Data Subject may object the processing of his/her personal data at any time, and may also generally prohibit the use of such data for such purposes.

In such cases, the Data Controller may not use the relevant personal data for these purposes in the future.

The Data Controller specifically draws the attention of the Data Subject to his right to object in this guide.

❖ Automated decision-making and profiling

The Data Controller makes no decisions solely based on automated data processing in relation to the Data Subject.

With the consent of the Data Subject, the Data Controller carries out profiling in order to produce individual offers and personalised advertising content that is genuinely relevant to the Data Subject, by analysing the data provided by the Data Subject and data already available to the Data Controller (e.g. for previous marketing purposes, etc.) in connection with the Data Subject's interest in a given service, product usage habits and use of services.

The Data Subject may object to profiling, and may also withdraw his/her consent given at any time, as set forth herein.

❖ Withdrawal of the consent given to data processing

The Data Subject may withdraw the consent he/she has given for this data processing purposes at any time, without any limitation and explanation, free of charge, in the manner described below.

- **In an e-mail message:** by sending an email to the address: info@livinghomes.hu
- **By phone:** by calling +36 70 705 23 69
- **In person:** in Data Controller's premises in place for client services in its opening hours.

The withdrawal, prohibition and amendment statement may be made by the Data Subject by providing his/her name and identifying data suitable for clear identification of the person having made the statement. The Data Controller accepts the statement even when these data are not provided when it is received from a means of communication (e.g. email address) that was provided by the Data Subject to the Data Controller for contact, marketing, targeted contact or newsletter delivery purposes.

After the consent is withdrawn, the Data Controller will not use the contact data for the purpose of marketing material, targeted enquiries and for sending newsletters, but will keep the data for the purpose of verifying the previous existence and validity of the statement and the lawfulness of previous contacts, on the basis of legitimate interest, and will analyse the effectiveness of previous enquiries - in an anonymised manner - for statistical purposes.

The accuracy, truthfulness and exactness of the personal data will not be checked by the Data Controller. Responsibility for the accuracy, truthfulness and exactness of the personal data is with the person having provided such data, and the Data Subject will be responsible in the context of providing his/her email address for ensuring that the service will be used only by him/her by using the particular email address, and in view of this fact, all responsibility for entries by using a particular email address will be with the particular person having provided the email address for the Data Controller.

VIII. REMEDIES

As set forth in the *General Data Processing Statement*, Data Subjects have the right to lodge a claim regarding the data processing performed by the Data Controllers.

The Data Controller suggests that Data Subjects first contact the Data Controller with their complaint before they resort to authorities or courts.

Complaints relating to personal data of the Data Subject may be lodged with the National Authority for Data Protection and Freedom of Information (NAIH - 1055 Budapest, Falk Miksa utca 9-11.; mailing address: 1363 Budapest, Pf.: 9.; e-mail: ugyfelszolgalat@naih.hu; phone: +36 (30) 683-5969, +36 (30) 549-6838; +36 (1) 391 1400; Fax: +36 (1) 391-1410), and may also resort to courts having jurisdiction as per their place of residence.

IX. DATA TRANSMISSION AND DATA PROCESSING

The processed personal data may be transmitted to other persons (data recipients). Data recipients may include public state authorities, other authorities and other public administration entities, and courts, to which personal data must be provided in fulfilment of statutory obligations (Article 6(1) (c) of GDPR). Further information relating to data transmission are available in the General Data Processing Guide.

The recipients of data transmitted may include third party data processing persons or entities, who or which processes the personal data on behalf of the Data Controller and for the purposes defined by the Data Controller under a contract made with the Data Controller. The Data Controller only uses data processors that provide adequate safeguards for the protection of personal data.

As regards direct marketing activities and targeted enquiries, the Data Controller uses the following processors.

DATA PROCESSING ENTITY	ACTIVITIES PERFORMED
<p>Linemedia Korlátolt Felelősségű Társaság</p> <p><i>(registered seat: H-11141 Budapest, Komócsy utca 29-31. C. ép. 1. em. 1; Co. reg. number: 01-09-940357; Tax ID number: 14898297-2-42)</i></p>	<p>Contacts with Data Subjects for direct marketing or targeted contact:</p>
<p>Dialogue Creatives Korlátolt Felelősségű Társaság</p> <p><i>(registered seat: H-1036 Budapest, Lajos utca 48-66. E. ép.; Co. reg. number: 01-09-909776; Tax ID number: 14567339-2-41)</i></p>	<p>Contacts with Data Subjects for direct marketing or targeted contact:</p>
<p>SalesAutopilot Korlátolt Felelősségű Társaság</p> <p><i>(registered seat: H-1024 Budapest, Margit krt. 31-33., főemelet 4-5.; Co. reg. number: 01-09-286773; Tax ID number: 25743500-2-41)</i></p>	<p>Storage of personal data of Data Subjects</p>
<p>Online Capital Investments Korlátolt Felelősségű Társaság</p> <p><i>(registered seat: H-1033 Budapest, Kéve u. 14.; Co. reg. number: 01-09-95249; Tax ID number: 23091223-2-41)</i></p>	<p>Contacts with Data Subjects for direct marketing or targeted contact:</p>

X. MISCELLANEOUS PROVISIONS

This Statement, and all content herein is protected by copyright and all related rights are held by the Data Controller, and this content may be used subject to preliminary approval from the Data Controller in writing.

This Statement is governed by Hungarian law. Matters not regulated herein are primarily governed by the provisions of GDPR and other relevant Hungarian laws.