

Development and Residential Estates Ltd. Privacy Policy applies to data collected by us, relating to your use of our services and details the manner in which we may use your personal data.

Terms:

“us”, “we” or “our” means Development and Residential Estates Ltd.

‘you’ and ‘your’ refers to the person using our services or visiting our website

In using any of our services, we will process your personal data in the manner outlines within this policy.

Data Controller:

Development and Residential Estates Ltd. of Kemp House, 160 City Road, London, EC1V 2NX

Company Registration Number: 09969033

ICO Registration Number: A8394279

Tel: 0203 659 3482

Email: info@dar-estates.com

Collecting Data:

We collect data in accordance with the type of service you undertake with us. This data is necessary for us to be able to provide such services and will differ depending on whether you are a Landlord wanting us to advertise and rent your property, an applicant wanting to register for viewings, or a tenant renting a property through us.

The following details are kept by us for the purpose of any such service:

- Full name, contact details including address, telephone number and email
- Data confirming personal or employment status
- Bank account details
- Right to Right checks requiring photo identification and visa documents
- Credit check information
- Guarantor identification, occupation status and bank account information, where necessary
- End of tenancy termination details, forwarding address details and deposit refunds
- Record of move in monies paid
- Details of any court claims or possession proceedings if we are appointed to manage this on a Landlords behalf

- Repairs and maintenance notes, if we are appointed to manage this on a Landlords behalf
- Details of tenancy breaches if reported to us
- Council Tax and utility liability if we are managing this on a Landlord behalf
- Housing/Council benefits if reported to us on a Landlords behalf
- Written complaints received
- Any health or disabilities reported to us
- Electronic mail communication, text message and any other communications including webforms or posted letters
- Information supplied to us via our website or any online portals

Data from Third Parties

In some cases we may receive and collect your data from third parties, including Landlords, other Tenants, Guarantors, neighbours or public organisations including, local authorities, the police and other law enforcement agencies, the Department for Work and Pensions or utility companies and service providers.

We will receive information about you if we are using an external referencing agency to perform a credit check, or if we are collecting character, employment, tenancy or bank references for you. We will also receive personal data if you have supplied this to us via an advertising portal that we are registered with.

How your Data is used:

Below are details of the purposes for which we may require your personal data to be processed:

- To ensure a Landlord has permission to rent out/advertise the property
- To determine whether a Tenant is suitable for a proposed tenancy using identity checks, credit check status, employment and right to rent status
- To determine whether any Guarantors are suitable and meet the financial criteria to act on a Tenants behalf
- To fulfil our obligations to the Landlord and Tenant for the tenant introduction service we offer
- To compile the tenancy agreement
- To secure the initial move in monies and the collection of any other required payments and bank account information
- For contractual performance and our record keeping
- For arranging repairs, if appointed to by a Landlord
- For monitoring and enforcing tenant responsibilities
- For recovering debts and other payments due, if appointed to by a Landlord
- For administering Council Tax and utility liability, if appointed by a Landlord

- For dealing with council benefits (including Universal Credit and housing benefit) if applicable
- For end of tenancy procedures including deposit returns, where we have been appointed to manage this process
- To process complaints
- For any health or disability issues relating to tenants
- To provide information to public or local authorities who are legally entitled to require this information
- For contacting next of in an emergency
- To retain emails, details of telephone calls and other communications for our legitimate records
- To perform our obligation to comply with legal and regulatory requirements
- For our legal interests and defence of legal rights
- For the prevention, detection and investigation of crime or anti-social behaviour

Will your Data be shared?

There are some instances in which it may be necessary for us to share your personal data:

- When using a referencing agency to undertake a credit check. Such agencies are required to protect your data with General Data Protection Regulations
- Third parties that you allow us to share your information with for the purpose of marketing
- Where necessary, other third parties which enable us to enforce or protect our legal rights and the safety of our employees
- Any other third parties to which the disclosure of such information is permitted or required by law

Information for Landlords:

In order for us to provide the service you have requested, it is necessary for us to keep a record of your data on our computer system. This data includes your full name, residential address, contact telephone number and email address and your bank account details for processing initial move in monies. This information may also be provided to a third party company if it forms part of the service, including energy assessors, contractors, inventory clerks or referencing agencies who may be providing a rent guarantee that you have opted for.

Information for Tenants:

It is necessary for us to record applicant registration information, including full names, a contact telephone number and email address, for the purpose of delivering the service you have requested.

Information for Tenants (cont):

For prospective tenants, we will also collect personal data relating to your suitability for tenancy, including photo identification, credit and employment checks, confirmation of student status if applicable, previous tenancy history and in some cases, bank references. This information is passed on to the Landlord to approve.

In some instances, your information will also be provided to third party organisations such as the referencing agency, if this is necessary for us to provide you with the service you have requested.

If we are involved in the registration or management of Council Tax and utilities, we may also provide your data to the local authority, utility companies or any other service providers to ensure you are billed directly for any services provided. Your personal data may be provided to inventory clerks, contractors or workmen visiting the property for the purpose of carrying out inspections, safety certificates or and repair or maintenance work.

It may also be necessary to share your personal data with government departments such as HMRC or the benefit offices, as well as third party companies, such as rent guarantee insurers or the governments tenancy deposit protection agencies.

Categories of Data and how this Information will be Shared

Data Category	With whom we share the data
Personal/background information	Other landlords/employers; debt collectors/tracing agents; next of kin etc.; insurers; banks etc.
Bank details	Our bank, credit reference agency; debt collects/tracing agents
Tenancy details	The landlord, other landlords/employers, benefit authority, taxation authority
Deposits (if any)	Tenancy deposit body; debt collectors/tracing agents; taxation authority
Immigration/right to rent checks (England only) and verification of tenant's identity	Home Office; credit reference agency (for verification of identity)
Rent and other payments	The landlord, Bank, benefits authority, taxation authority, joint tenants/resident's guarantor, insurers, other landlords
Recovery of arrears, claims and possession	Debt collectors/tracing agents, other landlords, taxation authority, joint tenants/residents, guarantors; insurers
Repairs/housing conditions/health and safety	Contractors, tradespeople, etc., deposit protection body, joint tenants/residents, freeholder flat management etc., guarantors
Breach of tenancy agreement/nuisance etc.	The landlord, Contractors, tradespeople etc., deposit protection body, joint tenants/residents, guarantors, educational institution, neighbours, other residents etc., freeholder, flat management agents etc., insurers
Council Tax liability	Local authority
Water charges	Relevant water companies
Utilities and services	Utility suppliers and service providers
Universal Credit, housing benefit etc.	Benefit authority (Department for Work and Pensions or local authority), regulatory authority, joint tenants/residents/guarantors

Termination of tenancy	The landlord, Other landlords, educational institutions, debt collectors/tracing agent, taxation authority, deposit protection body, bank joint tenant/resident/guarantors, freeholder managing agents etc.
Correspondence	Depending upon the applicable category of information relevant correspondence etc. is shared with any of the persons/organisations/authorities listed in Section A.
Online platforms	Joint tenants/residents; guarantors
Insurance	Insurers, banks etc.
Flat management	Freeholders, landlords, block managing agents etc.

Private Persons or Organisations

Categories of persons /organisations	Purpose and legal gateway
The landlord/ Other landlords/employers	To obtain references. This is to ensure suitability for a tenancy in our own legitimate interests. We also provide information to prospective landlords in their legitimate interest to assist them in evaluating suitability for a tenancy/residency. These interests are to ensure that properties are let to reliable tenants/residents.
Contractors/tradespeople/service suppliers	Assisting in carrying out our responsibilities under the tenancy agreement and for the management of the tenancy and the property for contractual performance. In certain cases, this is also to comply with our legal obligations in relation to housing conditions and health and safety, e.g. gas, electrical and fire alarm maintenance and inspection. We will also provide your contact details to contractors etc., to facilitate access to the property for contract performance. On occasion we will arrange for inspections in our legitimate interests. This is so that we can deal with complaints and pursue/defend claims.
Utility companies and service providers	Arranging for utilities/services and establishing liability for payment along with administering their supply in our own legitimate interests and those of the provider. This is to ensure utilities/services are provided and that liability is correctly established.

	<p>Utility companies also have certain statutory obligations to perform, e.g. metering. In the case of utilities or other service providers if we agree to provide any relevant utility or services as part of the tenancy agreement then these arrangements are made for contractual performance.</p> <p>Otherwise, they are in the legitimate interests of the utilities/service providers to ensure that they can effectively carry out their various activities.</p>
Credit reference agencies	We request and consider credit and other referencing relating to deciding on the suitability of tenants and residents for a tenancy. This is in our own legitimate interest to ensure that we let to reliable tenants/residents.
Debt collects/tracing agents	To trace you or make a claim in our legitimate interests. These are to enforce our legal rights.
Joint tenants/residents	Management of the tenancy and the property for contractual performance. Additionally, in our own legitimate interests and those of joint tenants/residents where there are arrears of rent or other payments due or breaches of the terms of the tenancy agreement as they are either jointly liable for performance or non-performance could adversely impact on their continued residence at the property. The legitimate interests are to protect our own property interests and to enforce our rights.
Guarantors	Management of the tenancy and the property for contractual performance. We also inform guarantors of claims and liabilities for contractual performance of the guarantee. It is in our own legitimate interests and those of the guarantor to give and receive information relating to non-performance of tenancy obligations including non-payment of rent and other payments. Our interests are to protect our property interests and to enforce our rights and the guarantor's interests are so that the guarantor is aware of possible liability under the guarantee.
Next of kin etc.	To make contact with them in the event of an emergency to protect your vital interests.

Banks and lenders

In the case of banks, information about you can be shared for the purposes of administering rental and other payments for contractual performance. Your information can also be shared for the purposes of preventing and detecting money laundering and fraud. This is in our own legitimate interests and those of the bank in order to detect crime.

Neighbours, other tenants and residents

The management of the tenancy and the property. This includes information relating to complaints including alleged breaches of the tenancy agreement and anti social behaviour, as well as the abandonment of the property. It can include car registration information. This is in our own legitimate interests to protect our property rights and to enforce compliance with the terms of the tenancy. It is also in the legitimate interests of neighbours for their enjoyment of their own properties and to protect their property, interests and rights.

Flat freeholders, managing agents etc., where the property is a flat.

The management of the tenancy and the property. Under leases/other contractual arrangements they are entitled to certain information, e.g. who occupies the flat and the terms of such occupation. Further, consents/permissions may be required relating to the tenancy for the carrying out of alterations or works or your information may be relevant to repairs. This is done in our own legitimate interests. These are to ensure we comply with our own contractual obligations. Additionally, there may be complaints involving breach of the terms of these leases/other contractual provisions connected with nuisance, non-compliance with leases/other arrangements or anti social behaviour. Consequent upon this information may be shared in our own legitimate interests or those of the freeholder managing agent etc., concerned. This is to ensure compliance with our own contractual legal obligations and/or for the management of the block.

Web sites, portals etc.

Undertaking searches and obtaining publicly available information relevant to your suitability for a tenancy/residency and relating to the management of the tenancy and the property. This is undertaken in accordance with applicable data protection law and guidance and subject to data protection principles. In connection with your application for a tenancy, we may receive information via any online portal involved for contractual performance.

Public Authorities

Home Office

Immigration/right to rent checks for the performance of our legal obligations

Benefit authority

The administration of benefits such as Universal Credit (by the Department for Work and Pensions) and the housing benefit/local housing allowance by the local authority. This includes applications to them for direct payment of benefit to ourselves. It extends to claims by them for overpayment where we receive direct payments. This is for contractual performance and/or in our legitimate interests to ensure that we collect rent and that amounts properly due to us are received.

Deposit body

Under housing legislation the Landlord is required to protect any deposit which you pay in connection with the tenancy. If we are appointed to do this on behalf of a Landlord, we may pay this into a custodial scheme which holds the money or alternatively hold it ourselves in which case it is insured. We have to register the deposit with the deposit body concerned. This is to comply with our legal obligations. During the course of the tenancy it may be necessary to give details of any changes to the deposit body to comply with our legal obligations. On the termination of the tenancy for contractual performance we must arrange for the return of the deposit in whole or in part depending on whether there are any claims on it or not by us. In the event of disputes these can be submitted to adjudication in which case it is necessary for information to be provided to the deposit body concerned (and its adjudicator) in our legitimate interests to pursue or defend claims. This is also contractually required under the rules of the scheme.

Educational institutions	Information relating to non-payment of rent, breach of tenancy terms, nuisance or anti social behaviour may be shared with educational institutions where you are studying. Educational institutions can operate complaints schemes in conjunction with landlords of student properties. This can include information about tenancy terminations. This is in our own legitimate interests to protect our property interests and our rights and in the interests of the educational institution concerned to oversee the conduct of their students.
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Taxation authorities	These are HM Revenue and Customs and (in the case of Council Tax and Council Tax reduction schemes) local authorities, as well as any other public authority having power to levy taxes or charges. We are required by law to make appropriate returns to comply with legislation imposing taxes etc. In the case of Council Tax this is required where statutory notice to that effect is served on us. Otherwise, we share information with the local authority relating to Council Tax in our own legitimate interests to ensure that Council Tax is correctly administered and in the legitimate interests of the local authority to collect information for the same reason.
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Private Persons/Organisations/Public Authorities

Where necessary, we share your information (irrespective of its category) with certain private bodies/organisations/public authorities. This includes transferring your information to them and receiving it from them:

Category of person/organisation/public authority	Purposes and legal gateway
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Professional advisers	Assistance and advice regarding the management of the tenancy and the property for contractual performance. Where we handle your information under some other gateway and a professional adviser assists or advises this will for the same purpose and under the same legal gateway. If it is in the legitimate interests of ourselves or someone else then those interests will be the same. These are to ensure that we act appropriately and properly as well as according to the law.
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Police/law enforcement agencies	Prevention/detection of crime and anti social behaviour in our and their legitimate interests. This is to protect our property and enforce our rights and to enforce the law.
Regulatory authorities	To carry out their functions in their legitimate interests. These are to enforce legal requirements. On occasion, we may be under a legal obligation to provide your information, particularly if a notice to that effect is served on us. This can include an ombudsman or accreditation or similar scheme of which we are a member. It also includes water companies, utility providers who are exercising their functions as statutory undertakers.
Letting and managing agents	To let or manage the property in our and their legitimate interests. These are so that the tenancy and the property are effectively let and managed. Contractually we are required to provide your information to any letting/managing agent we instruct.
Courts	The administration of Justice in our legitimate interests. These are to pursue and defend claims.
Prospective purchaser of the property	In the event of a proposed sale/sale of the property either subject to the tenancy or with vacant possession any prospective purchaser/purchaser will require information about the tenancy and the property. This is in our own legitimate interests and their legitimate interests. This is part of the conveyancing and sales process for both parties. The legitimate interests are to ensure that correct information is provided and received.

How and where is your data held and how long for?

Your personal data will be held as long as is necessary for us to provide you with the service requested, or for as long as we are legally permitted to. Although we have measures in place to protect your information, we cannot always guarantee the security of information sent over the internet.

Personal tenant data is held for the duration of the tenancy and electronically, for seven years after the tenancy has ended. The statutory limitation period is six years, plus a further year to allow for service of proceedings should proceedings commence later.

We are a small business operating from one main server where your information is stored.

What are your rights?

You have a right to:

- Request in writing to the Data Protection Officer, a copy of the personal data held
- Have any incorrect details amended by the Data Protection Officer
- Request that we stop processing your data, or withdraw consent where we are relying on consent as the legal basis for any processing of your data
- Request that we delete all of your personal data

Policy Changes:

We reserve the right to change this Privacy Policy as necessary or as required by law. Any changes will be updated on our web page and you are deemed to have accepted the policy terms on your first use of the website and in opting to undertake our services.

Complaints:

Development and Residential Estates Ltd. have an internal complaints policy and any concerns in relation to the manner in which we collect or handle data can also be directed to the ICO (www.ico.org.uk)