



## **fosterfroling Real Estate Privacy Policy**

### **Privacy Statement**

fosterfroling Real Estate, its related bodies corporate and franchisees (together fosterfroling Real Estate, we or us) is committed to protecting your privacy and your Personal Information (as that term is defined in the Act) and aims to maintain a high standard of compliance with the Privacy Act 1988 (Cth) (Act). fosterfroling Real Estate respects your rights to privacy under the Act and complies with all of the Act's requirements in respect of the collection, management and disclosure of Personal Information. This Privacy Policy is intended to inform you about the following:

- what type of Personal Information fosterfroling Real Estate collects;
- how fosterfroling Real Estate collects your Personal Information;
- the purposes for which fosterfroling Real Estate uses that information;
- how fosterfroling Real Estate maintains and keeps the information secure; and
- how you may access, correct or update any Personal Information that fosterfroling Real Estate holds about you.

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

When used in this Privacy Policy, the term "Personal Information" has the meaning given to it in the Act. In general terms, it is any information that can be used to personally identify you. This may include your name, address, telephone number, email address and profession or occupation. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered Personal Information.

### **What type of Personal Information does fosterfroling Real Estate collect and hold about me?**

fosterfroling Real Estate may collect any of the following information about you if you are a current or prospective vendor, purchaser or landlord of real estate or if you visit our website or make an enquiry with us via another method:

- contact details (including, name, address, telephone number and email address);
- driver's license number;
- current property ownership and title details;
- desired property ownership details; and
- details of properties sold or acquired by you.

If you are a current or prospective tenant for a rental property, fosterfroling Real Estate may collect the following additional information from you:

- contact details (including, name, address, telephone number and email address);
- driver's license number;



- employment details such as your employment status, employer, salary, length of employment;
- other sources of income; and
- personal and financial referees whom we may contact about your application.

Sometimes fosterfroling Real Estate may also need to ask you for other forms of Personal Information to enable us to provide services to you.

### **How does fosterfroling Real Estate collect Personal Information about me?**

fosterfroling Real Estate collects your Personal Information directly from you unless it is unreasonable or impracticable to do so. When collecting Personal Information from you, we may collect in various ways, including through when you write to or email us, when you access and use our website and during conversations between you and our representatives;

fosterfroling Real Estate may collect information about you from the following third party sources:

- various databases in the public domain such as Telstra White Pages, Australia Post DPID database, Titles Office or other property databases;
- credit reporting bodies, law enforcement agencies and other government entities; and
- referrals and recommendations from existing clients of fosterfroling Real Estate.

As part of its due diligence process prior to entering into lease or rental agreements with you, fosterfroling Real Estate may disclose your information to authorised credit-checking agencies.

### **What happens if we can't collect your Personal Information?**

If you do not provide us with the Personal Information described above, some or all of the following may happen:

- we may not be able to provide our services to you, either to the same standard or at all;
- we may not be able to provide you with information about services that you may want, including information about new properties that are available for lease or purchase; or
- we may be unable to tailor the content of our website to your preferences and your experience of our website may not be as enjoyable or useful.

### **Why does fosterfroling Real Estate collect, hold, use and disclose your Personal Information?**

fosterfroling Real Estate collects this information for a range of purposes including:

- enable fosterfroling Real Estate to provide you with the services and/or products you may require;



- to comply with local, state and federal legislation or regulations, including with respect to real estate property sales, rental and administration;
- to enable fosterfroling Real Estate and its third-party partner businesses to assist you with related or ancillary services, as required;
- for our internal administrative, marketing, planning, product development and research requirements
- to share your Personal Information within the fosterfroling Real Estate group (including between fosterfroling Real Estate related entities and fosterfroling Real Estate franchisees), contractors or service providers;
- to update fosterfroling Real Estate records and keep your contact details up to date;
- to deal with your queries or customer service issues promptly, whether by email, telephone or mail;
- to keep you up-to-date with services we think would be of particular interest to you;
- to conduct relevant business processing functions; and
- to process and respond to any complaint made by you.

Your Personal Information will not be shared, sold, rented or disclosed other than as described in this Privacy Policy.

### **How does fosterfroling Real Estate use the Personal Information held about me?**

Any Personal Information about you that fosterfroling Real Estate collects and records will only be used or disclosed by fosterfroling Real Estate for the purpose of:

- compliance with obligations under real-estate regulations and laws applicable for Victoria;
- helping fosterfroling Real Estate efficiently and effectively deliver and improve on products and services;
- any other purpose if you would reasonably expect fosterfroling Real Estate to use or disclose that Personal Information for that other purpose and that other purpose is related to the purpose for which the information is collected;
- to provide you with access to protected areas of our website and to assess the performance of our website and to improve the operation of our website;
- to conduct business processing functions including sharing Personal Information within fosterfroling Real Estate and with its contractors, service providers or other third parties; and
- for fosterfroling Real Estate administrative, planning, product or service development, quality control and research purposes; and
- complying with any other relevant laws or regulations.

fosterfroling Real Estate may also use or disclose the information it collects for any other purpose specified to you at the time of collection.



If fosterfroling Real Estate wishes to use or disclose any of your Personal Information in any other ways than described above, fosterfroling Real Estate will not do so unless it:

- has your express consent to do so;
- has reasonable grounds to believe that the use or disclosure is necessary to prevent a threat to life or health; or
- has reasonable grounds to believe that the use or disclosure is required by law or to enforce the law.

### **What about direct marketing?**

We may send you direct marketing communications and information about our services that we consider may be of interest to you. These may include:

- offering to provide you with products or services provided by fosterfroling Real Estate and third party business partners; or
- sending you news and other information about fosterfroling Real Estate activities and general promotional material which fosterfroling Real Estate believes may be of interest to you.

These communications may be sent in various forms, including mail, SMS, fax and email, in accordance with applicable marketing laws, such as the Spam Act 2003 (Cth). When fosterfroling Real Estate does this, fosterfroling Real Estate will provide you with an express opportunity to decline receiving any further communication from fosterfroling Real Estate of this type via an opt-out mechanism. If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so.

You may at any time request not to receive direct marketing from fosterfroling Real Estate by contacting us (see the details below) or by using opt-out facilities provided in the marketing communications and we will then ensure that your name is removed from our mailing list.

### **The fosterfroling Real Estate website**

fosterfroling Real Estate privacy policy also applies to our website at [www.hockingstuart.com.au](http://www.hockingstuart.com.au).

When you access our website, we may send a "cookie" (which is a small summary file containing a unique ID number) to your computer. This enables us to recognise your computer and greet you each time you visit our website without bothering you with a request to register. It also enables us to keep track of services you view so that, if you consent, we can send you news about those services. We also use cookies to measure traffic patterns, to determine which areas of our website have been visited and to measure transaction patterns in the aggregate. We use this to research our users' habits so that we can improve our online services and create a better online experience for you. Our cookies do not collect Personal Information, although they do identify your browser. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them. We may log IP addresses (that is, the electronic addresses of computers connected to the internet) to



analyse trends, administer the website, track users' movements, and gather broad demographic information.

As our website is linked to the Internet, and the Internet is inherently insecure, we cannot provide any assurance regarding the security of transmission of information you communicate to us online. We also cannot guarantee that the information you supply will not be intercepted while being transmitted over the Internet. Accordingly, any Personal Information or other information, which you transmit to us online, is transmitted at your own risk.

Our website may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third-party website and we are not responsible for the privacy policies or the content of any third-party website. Third party websites are responsible for informing you about their own privacy practices.

### **Can I be anonymous when I deal with If fosterfroling Real Estate?**

To some extent you can preserve your anonymity when you deal with If fosterfroling Real Estate. You can browse our website without providing any Personal Information, you can access our real-estate advertising in various publications and you can generally attend auctions without providing personal details if you do not intend to bid.

However, when you enter into transactions with If fosterfroling Real Estate (including If fosterfroling Real Estate franchisees) that involve the sale, purchase or rental of real estate property, then various Acts, statutory legislation and regulations require you to provide If fosterfroling Real Estate with Personal Information so as to identify you.

### **What happens if I want to access or correct the Personal Information held about me?**

You may request access to your Personal Information held by If fosterfroling Real Estate, at any time by contacting us (see details below). We will try to provide you with suitable means of accessing your Personal Information (for example, by mailing or emailing it to you), subject to some exceptions. We will respond to your request for access within 14 days and endeavour to provide the requested information within 30 days.

If fosterfroling Real Estate may charge you a reasonable fee to cover its administrative and other reasonable costs in providing the information to you. If fosterfroling Real Estate will not charge for simply making the request and will not charge for making any corrections to your Personal Information.

There may be instances where If fosterfroling Real Estate cannot grant you access to the Personal Information we hold. For example, we may not be able to provide access to information in the following situations:



- where in fosterfroling Real Estate opinion providing, your access may create a serious threat to the life or health of any individual or may be an unreasonable intrusion into the privacy of another individual;
- where your request for access is, in fosterfroling Real Estate opinion, frivolous or vexatious; or
- where providing access would be unlawful, may prejudice an investigation of possible unlawful activity, may prejudice enforcement of law, or denying access is specifically authorised by law.

If for any reason fosterfroling Real Estate does not allow you to access your Personal Information, fosterfroling Real Estate will provide you with reasons in writing for its decision.

If you believe that Personal Information fosterfroling Real Estate holds about you is incorrect, incomplete or inaccurate, then you may request that we amend it. fosterfroling Real Estate will consider if the information requires amendment. If fosterfroling Real Estate does not agree that there are grounds for amendment, then fosterfroling Real Estate will add a note to the Personal Information stating that you disagree with it.

### **Who does fosterfroling Real Estate disclose my Personal Information to?**

We may disclose your Personal Information:

- within fosterfroling Real Estate, including between fosterfroling Real Estate franchisees and subsidiaries of fosterfroling Real Estate;
- to fosterfroling Real Estate employees and our contractors or service providers for the purposes of operation of our website or our business, fulfilling requests by you, and to otherwise provide services to you;
- if you are a tenant of any property that we are managing, to the National Tenancy Database;
- to suppliers and other third parties with whom we have commercial relationships, for business, marketing, and related purposes; and
- to any organisation for any authorised purpose with your express consent.

There are some instances when fosterfroling Real Estate (including fosterfroling Real Estate franchisees) need to provide your Personal Information to third parties. fosterfroling Real Estate or fosterfroling Real Estate may be bound by law to provide your details to government-related bodies, including the Titles Office or the Residential Tenancies Bond Authority.

Sometimes fosterfroling Real Estate or fosterfroling Real Estate franchisees may need to outsource some of our administrative and other property-related functions to external organisations such as advertising agencies, signwriters, building and garden maintenance contractors or consultants such as accountants, lawyers, surveyors and other advisors. Other third parties may include web hosting providers, IT systems administrators, mailing houses, couriers, payment processors, data entry service providers, electronic network administrators, debt



collectors, and other business advisors and consultants. Most of the above organisations are bound by express or implied confidentiality obligations to fosterfroling Real Estate.

fosterfroling Real Estate may also need to provide your details to fosterfroling Real Estate franchisees. fosterfroling Real Estate may also provide your details to third party business partners for the purpose of offering to provide you with products or services provided by fosterfroling Real Estate or these business partners that fosterfroling Real Estate considers relevant to you.

fosterfroling Real Estate does not sell your personal details to other organisations. We may however use the information about you to assist us with internal marketing and research.

We may disclose Personal Information to our related bodies corporate and third party suppliers and service providers located overseas for some of the purposes listed above.

We take reasonable steps to ensure that the overseas recipients of your Personal Information do not breach the privacy obligations relating to your Personal Information.

We may disclose your Personal Information to entities located outside of Australia, including our data hosting and other IT service providers, who may pass information to secondary data hosting providers located outside of Australia.

### **How does fosterfroling Real Estate keep my Personal Information secure?**

fosterfroling Real Estate will take reasonable steps to ensure information fosterfroling Real Estate collects, uses or discloses is stored in a secure environment that is accessed only by persons authorised by fosterfroling Real Estate so as to prevent interference, misuse, loss, unauthorised access, modification or disclosure.

If the Personal Information is no longer needed for any purpose, fosterfroling Real Estate will take reasonable steps to destroy or permanently de-identify the Personal Information.

fosterfroling Real Estate endeavours to provide a secure environment and a reliable system but you should be aware that there are inherent risks associated with the electronic storage and transmission of information (particularly via the Internet) which cannot be guaranteed to be 100% secure.

### **Who do I contact for further information?**

fosterfroling Real Estate Privacy Officer can assist you with any enquiries you have about the information that we hold about you. They can be contacted on (03) 9690 4388 from 9.00am to 5.00pm (Melbourne time), Monday to Friday.

You can also write to the Privacy Officer at:  
fosterfroling Real Estate  
Operations Centre



13 Playne Street  
Frankston VIC 3199  
E-mail [info@fosterfroling.com.au](mailto:info@fosterfroling.com.au)

#### What if I have a complaint or concern?

If you have a complaint or concern you can email, write or phone the fosterfroling Real Estate Privacy Officer on (03) 9690 4388 or write to the Privacy Officer at the address above. We will do our best to try and resolve your complaint within 90 days.

#### What if you are unable to resolve my complaint or concern?

If we are unable to resolve your complaint within this time, or you are unhappy with the outcome, you may refer your complaint to the Australian Information Commissioner. The Australian Information Commissioner can be contacted at the below details:

The Office of the Australian Information Commissioner  
GPO Box 5218  
Sydney NSW 1042  
Phone: 1300 363 992  
Fax: (02) 9284 9666  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
TTY: 133 677 then ask for 1300 363 992

#### How does this policy change over time?

fosterfroling Real Estate may change this Privacy Policy from time to time. Any updated versions of this Privacy Policy will be posted on our website and will be effective from the date of posting.

This privacy policy was last updated on 01 April 2016.

Although fosterfroling Real Estate intends to observe this policy at all times, it is not legally binding on fosterfroling Real Estate in any way unless as otherwise described as required under the relevant legislation. From time to time fosterfroling Real Estate may regard it as necessary or desirable to act outside the policy. fosterfroling Real Estate may do so, subject only to any other applicable contractual rights you have and any statutory rights you have under the Act or other applicable legislation.