

Excel Homes Limited Partnership by its General Partner Excel Homes G.P. Ltd (referred to as "Excel Homes") has been, and continues to be, committed to maintaining the privacy, accuracy, confidentiality, security and ethical use of Customers' Personal Information.

## *What are our Objectives?*

The objective of Excel Homes' Privacy Policy is to promote responsible and ethical practices in the management of Customer Personal Information in accordance with the provisions of the applicable privacy protection legislation.

Excel Homes reserves the right to amend this Privacy Policy at any time.

## *Who does this Privacy Policy apply to?*

This Privacy Policy applies to the collection, use and disclosure of Personal Information that Excel Homes obtains from a Customer and maintains in its records.

"**CUSTOMER**" is defined as any person who purchases a new home or a lot through Excel Homes or completes a registration card or survey form.

"**PERSONAL INFORMATION**" is any information relating to an identifiable Customer including, but not limited to: information in any form, contact and mailing information, employment information, credit information, building plans information, insurance information, municipal and legal description of property and personal survey information.

## *What does this Privacy Policy cover?*

This Privacy Policy describes Excel Homes' collection, use and disclosure of Personal Information of its Customers for the purpose of providing our products, our services and for our business activities.

It also governs how third parties, acting on behalf of Excel Homes, handle Customer Personal Information.

Finally, it provides procedures for a Customer to access or update his or her Personal Information or make a complaint regarding the handling of his/her Personal Information.

# EXCEL HOMES'

## 10 Privacy Principles



Excel Homes agrees to abide by these privacy principles in collecting, using and disclosing Customer Personal Information. These principles are:

### *Principle #1 - Accountability*

Excel Homes is responsible for Customer Personal Information under its control.

Accountability for compliance with this Privacy Policy rests with the Senior Management of Excel Homes but, all employees are trained to appreciate the importance of privacy and confidentiality of Personal Information and are required to comply with the provisions of this Privacy Policy as a condition of their employment. Excel Homes has designated the following person to act as Privacy Officer:

**Sue Andrews, CHRP**

Privacy Officer

Excel Homes Limited Partnership by its General Partner Excel Homes G.P. Ltd.

E-mail Address: [sandrews@excelhomes.net](mailto:sandrews@excelhomes.net)

1.1 Senior Management and the Privacy Officer may designate other individuals to assist with compliance of this Privacy Policy.

### *Principle #2 - Identifying Purposes for Collection, Uses and Disclosure*

Excel Homes collects, uses and discloses Customer Personal Information within the organization and with appropriate and reasonable third parties in its normal course of business and to establish and manage its relationship with Customers.

2.1 Specifically, Excel Homes may collect, use and disclose Customer Personal Information as follows: ("identified purposes"):

- to provide information necessary to build your home;
- to provide necessary financial information;
- to establish and maintain a buyer relationship;
- to assess and provide ongoing maintenance and customer care relating to your home;
- to register your home with The Alberta New Home Warranty Program and
- to comply with legal and regulatory requirements.

If a Customer wishes to receive a further explanation/clarification of the "identified purposes", please contact the Privacy Officer.

2.2 We reserve the right to collate/process and disseminate statistics based on the aggregation of data held in our files, provided that information relating to any individual Customer will not be identified from the resulting analysis.

2.3 Certain Excel Homes Employees, Contractors and Consultants may be given access to Personal Information in so far as their duties require access for business purposes. Their access to Customer Personal Information is on a need to know basis.

## ***Principle #3 - Obtaining Consent for Collection, Use or Disclosure of Personal Information***



Customer knowledge and consent is required for the collection, use or disclosure of Personal Information, except where inappropriate, or where required or permitted by law.

### **Collection, Use and Disclosure without Consent of Customers**

- 3.1 In certain circumstances, Personal Information can be collected, used, or disclosed without the knowledge and consent of the Customer,
- In circumstances where consent is not required by law or pursuant to an Order of a Court. Example: detection and prevention of fraud.

### **Form of Consent**

- 3.2 The acceptance of a Contract by Excel Homes or the submission of a registration or survey form to Excel Homes shall be considered consent to collect, use and disclose Personal Information for all identified purposes as set out in this Privacy Policy.
- 3.3 Excel Homes does not sell, trade or rent its Customer Personal Information to any organization for any purpose.

### **Withdrawing Consent**

- 3.4 A Customer may withdraw consent at any time to collect, use or disclose his/her Personal Information, subject to legal or contractual restrictions and with reasonable notice.
- 3.5 Excel Homes shall inform the Customer of the implications of such withdrawal, as withdrawing consent may disentitle the Customer from associated services and products. In order to withdraw consent, an individual must provide notice, in writing, to the Excel Homes Privacy Officer.

### **Personal Information Collected prior to Privacy Protection Legislation**

- 3.6 Personal Information collected prior to the enactment of privacy protection legislation will only be used or disclosed for purposes the information was originally collected for and in accordance with this Policy.

## ***Principle #4 - Limiting Collection, Use and Disclosure of Personal Information***

Collection, Use and Disclosure of Personal Information of Customers shall be limited to identified purposes.

- 4.1 Excel Homes collects most Personal Information relating to Customers directly from the individuals, and occasionally from third parties such as realtors, mortgage brokers or financial institutions.
- 4.2 Similarly, Customers' Personal Information may be disclosed for identified purposes to appropriate and reasonable third parties such as contractors, trades, mortgage brokers or financial institutions.

## ***Principle #5 - Retention***

Personal Information shall be retained as long as reasonably necessary to fulfill identified purposes or as may be required by law.

## *Principle #6 - Accuracy*

Personal Information shall be as accurate, complete, and up-to-date as is reasonably necessary, for the purposes for which Personal Information is to be used.

- 6.1 It is the Customer's responsibility to ensure that Excel Homes receives accurate complete information in a timely manner.



## *Principle #7 - Security Safeguards*

Personal Information shall be protected by security safeguards appropriate to the sensitivity of the information. Excel Homes undertakes to use reasonable methods to protect the security of Personal Information in its custody and under its control, with physical, administrative and technological safeguards, as appropriate.

- 7.1 Excel Homes shall protect Personal Information disclosed to third parties by requiring third parties to sign contractual privacy agreements, protecting the information and limiting the purposes for which the information can be used.

## *Principle #8 - Openness Concerning Policies and Practices*

Excel Homes shall make specific information about the principles and practices relating to its handling of Personal Information available on request.

- 8.1 Excel Homes will make this Privacy Policy available online, by mail, or in a paper format at its Head Office.

## *Principle #9 – Customers' Access to Personal Information*

Upon request, a Customer is entitled to access Personal Information about them which is in the custody of or under the control of Excel Homes. A Customer is entitled to challenge the accuracy and completeness of the information and have it amended, if appropriate.

- 9.1 Upon a written request to the Privacy Officer, and upon presentation of satisfactory identification, Excel Homes shall take all reasonable steps to gather the Personal Information requested.
- 9.2 Excel Homes shall reply to access requests within 45 days unless additional time has been granted by the Privacy Commissioner.
- 9.3 Excel Homes shall provide a written response detailing whether access will be given to all or part of the requested Personal Information and explain the reasons for the refusal, should any part of the access request be refused.
- 9.4 When an individual successfully demonstrates the inaccuracy or incompleteness of Personal Information, Excel Homes shall amend the information as required, subject to legal limitations.

## *Principle #10 - Challenging Compliance, Handling Customer Inquiries*

A Customer shall be able to address a challenge concerning compliance with the above principles to Excel Homes' Privacy Officer.

- 10.1 Excel Homes shall investigate all complaints concerning compliance with Excel Homes' Privacy Policy. If a complaint is found to be justified, Excel Homes shall take appropriate measures, including, if necessary, amending its policies and practices.
- 10.2 If after contacting Excel Homes, a Customer feels his/her concerns have not been addressed satisfactorily, Excel Homes will provide information on other complaint procedures that are available to the Customer, including seeking advice from the Office of the Privacy Commissioner of Alberta at 1-888-878-4044.
- 10.3 The person or persons accountable for compliance with this Privacy Policy may seek external advice where appropriate before providing a final response to individual complaints.