

## Privacy Policy – FLK it over (Real Estate)

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This document describes how FLK It Over Pty Limited (ABN 18 617 026 203) (**we or us or our**) complies with the requirements of the *Privacy Act 1988* (Cth) (**Privacy Act**), including the Australian Privacy Principles (**APPs**), and any other applicable privacy laws in Australia in respect of the web platform accessible at [www.FLKitover.com](http://www.FLKitover.com) (**Platform**) and the services provided by us through the Platform (**Services**).

This Privacy Policy sets out how we handle personal information to comply with our obligations.

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### Collection of personal information

#### What kinds of personal information do we collect and hold?

The kinds of personal information that we collect and hold include names, addresses, phone numbers, contact details, personal signatures, user names, proposed property dealing information, a copy of driver licences, passports, identification photographs and other information that is relevant to our functions and activities.

From time to time, you may be required to provide sensitive information, if necessary, when using the Platform or the Services to create, complete and sign electronically an online form, document or agreement.

We do not use government related identifiers as our own identifiers.

#### How do we collect personal information?

We usually collect personal information directly from individuals for the purpose of providing the Platform to:

- (a) facilitate the entry and electronic signing by the relevant parties into agreements including residential tenancy agreements, sales and/or auction agreements, leasing agreements, licence agreements, property management agreements and other documents (whether as provided on our Platform or provided by you or any other person) (**Documents**);
- (b) facilitating Document management and administration services and other services, as relevant (including administration of rent increases), for those who pay the relevant subscription plan fees to us (**Subscribers**);
- (c) such other services that we may provide from time to time

for the Purposes (as defined below).

We may collect your personal information in a number of ways, such as when:

- you make inquiries about us or our Services or contact us for any other reason so that we can process, deal with and respond to your queries or other issues including any complaints; or

- you register with, access or use our Platform or the Services; or
- you use our Platform or the Services to create, complete and sign electronically a Document; or
- you provide a photograph of your driver licence or passport or a photograph of yourself to comply with any proof of identity requirements for a Document;
- personal information is contained in any documents.

We may collect personal information about individuals from third parties such as:

- property leasing or purchaser agents;
- authorised agents or legal representatives of any party to a Document;
- other parties to a Document, including vendors, purchasers, licensors, licensees, lessors, lessees, co-tenants and landlords;
- tenants who provide a third party's details as an emergency contact; or
- employers who provide their employees' details as part of the registration for our Services.

When you provide us with personal information about other individuals (including when you ask someone to witness your signature in an agreement), you should make them aware of this Privacy Policy and obtain their consent to you providing their details to us.

**What happens if you do not provide your personal information to us?**

If you do not provide personal information that we request in connection with our activities, we may not be able to provide our products or services to you. For instance, if you do not provide all of the information requested through the Platform, when you want to enter into an agreement, we will be unable to assist you to enter into the agreement. If you do not provide any information which is considered necessary for the completion of a Document, the Document may not be able to be completed, signed electronically and/or submitted.

**Why do we collect, use, hold and disclose your personal information?**

We collect, use, hold and disclose your personal information as necessary for purposes directly related to our functions and activities, including to:

- (a) prepare Documents and assist individuals to enter into agreements;
- (b) enable the creation, completion and execution of Documents for our real estate clients;
- (c) provide our Services to you;
- (d) assist you with moving, such as liaising with third parties to arrange utilities connections and removalists for you;
- (e) provide information about our Services to you; and

- (f) use transaction and experience information such as information on your transactions and our communications with you for statistical and analytics purposes to improve and optimise our Services and to provide de-identified and anonymised statistical data to subscribers of our Services,

**(Purposes).**

**Do we use cookies or other web tracking systems?**

We track traffic patterns throughout the URL registered to us.

We use "cookies" on our Platform. A "cookie" is a small amount of information which is transferred to the hard drive of your computer and which can identify your web browser, but not you. If you want, you can disable your web browser from accepting cookies. If you do so, you can still access our Platform, but not all Services may be available.

We may automatically collect general statistical information on our Platform about visitors to our Platform, such as IP addresses, browsers used, dates visited, pages visited and number of visitors.

However, such information does not refer to individuals by name or their contact details. We use this data in aggregate to improve our Platform and our Services. We may provide such aggregated data to third parties, but in so doing, we do not provide personal information without the individual's consent.

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**Will we disclose personal information to anyone else?**

We may disclose personal information to:

- (a) our related companies;
- (b) payment processors and financial institutions;
- (c) nominated representatives authorised to act on our behalf in processing your application;
- (d) third party services providers including your authorised agent;
- (e) other parties involved in the preparation of and entry into the Document, such as real estate agents or legal representatives of any party to a Document;
- (f) other parties to a Document including vendors, purchasers, licensors or licensees, lessors, lessees, co-tenants and landlords; and
- (g) our real estate agent clients, who may require you to create, complete and sign electronically a Document using our Services.

We may also provide your information to others, if required or permitted to do so by law, in accordance with the APPs.

We will only disclose your personal information:

- (a) with your consent; or
- (b) for a purpose which you would reasonably expect; or

- (c) as required or permitted by law; or
- (d) in accordance with this Privacy Policy.

We do not sell any personal information collected or used by us through the Services, to any third party.

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### **Do we disclose personal information overseas?**

We may disclose your personal information overseas if another party to the Document with you resides or is located overseas.

### **Where is your personal information stored?**

We will only store personal information in Australia

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### **Unsubscribing from our marketing materials**

At any stage, should you wish to stop receiving any of our emails or notifications that we send to you for marketing or promotional purposes, simply click on the "Unsubscribe" link at the bottom of the email or otherwise contact us to unsubscribe.

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### **Dealing with us anonymously or using a pseudonym**

You may deal with us on an anonymous basis or by using a pseudonym when making inquiries through our Platform, or when you make general inquiries by telephone and do not require a further response from us. However, we may need certain contact details from you to respond to inquiries.

Generally, we will require your personal information in order to assist you to complete a Document or to otherwise provide our Services.

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### **Security**

We use industry-standard methods and take such steps as are reasonable to protect your personal information from unauthorised access, modification or disclosure and from misuse, interference and loss.

Among other techniques, we usually:

- (a) store such information behind our "firewall" in a secure location; and
- (b) restrict the number of employees internally who can access such data.

We store copies of Documents (in final form) for our clients. The copies are encrypted. While we do not access the copies, we do hold the encryption keys so the Documents may be accessed if required by our clients.

Once personal information is no longer required by us for the purposes for which it was collected or held or otherwise in accordance with the APPs, we will take all steps as are reasonable in the circumstances to ensure that it is either destroyed or de-identified.

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### **Access, Correction and Removal of your Personal Information**

You may seek to access or correct your personal information at any time by contacting the Privacy Officer by **email** to [privacy@FLKItover.com](mailto:privacy@FLKItover.com) or by **mail** to 'Privacy Officer', FLK It Over Pty Limited, Level 32, 200 George St, Sydney 2000.

If we do not agree to provide you with access to your personal information or to amend or annotate the information we hold about you, you may seek a review of our decision.

If we do not agree to make the requested changes to your personal information, you may make a statement about the requested changes and we will attach it to your record.

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### **Complaints**

You can send written complaints about a breach of the APPs in relation to your personal information by **email** to [privacy@FLKItover.com](mailto:privacy@FLKItover.com) or you can **call** our Privacy Officer on 0481 611 212.

Complaints will be reviewed by our Privacy Officer and a response will usually be provided within 30 days of receipt of the complaint.

If you believe that your complaint has not been satisfactorily addressed by us, after following the procedure set out above, you can make a complaint to the Office of the Information Commissioner (**OAIC**). The OAIC can be contacted by telephone on 1300 363 992 or by using the contact details on the website [www.oaic.gov.au](http://www.oaic.gov.au).

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### **Amendments**

We may amend this Privacy Policy at any time. Amendments to this Privacy Policy will be posted on our Platform and will be effective when posted. Please check our Privacy Policy regularly for updates and amendments.

**Updated December 2022**