



The Durham Group
Durham Custom Homes
Durham Lands

August 24th, 2009

PRIVACY POLICY

PHILOSOPHY SURROUNDING PRIVACY:

We, at The Durham Group and all of our affiliates, which shall include without limitation Durham Homes, Durham Property Management and Durham Lands, “we” or “us”) value the trust that you have shown in our business and, in turn, we are committed to maintaining the accuracy, confidentiality, and security of your personal information. To that end, The Durham Group and each of our affiliates have adopted this privacy policy.

This policy explains how we collect, use, disclose and safeguard the personal information provided to us either directly by you or by a third party.

By providing personal information to us or authorizing a third party to provide your personal information to us, you signify your consent to the collection, use and disclosure by us of your personal information in accordance with this privacy policy.

For purposes of this privacy policy, “personal information” shall mean any information that can identify an individual directly or through other reasonably available means. Personal information will not include an individual’s business address or business telephone number.

As part of our commitment to treat your personal information with respect, we operate in accordance with the following ten principles (the “Principles”):

- Principle 1 **Accountability**
- Principle 2 **Identifying Purposes**
- Principle 3 **Consent**
- Principle 4 **Limiting Collection**
- Principle 5 **Limiting Use, Disclosure and Retention**
- Principle 6 **Accuracy**
- Principle 7 **Safeguarding Individual Information**
- Principle 8 **Openness**
- Principle 9 **Individual Access**
- Principle 10 **Handling Individual Complaints and Suggestions**

Principle 1 - Accountability

We will maintain and protect the personal information under our control. We have designated an individual who is accountable for compliance with the Principles. Please see Principle 10 for our Privacy Officer's contact details.

Principle 2 - Identifying Purposes

The purposes for which personal information is collected will be identified to you before or at the time the information is collected.

Principle 3 - Consent

Except where required or permitted by law your informed consent is required for our collection, use or disclosure of your personal information.

Principle 4 - Limiting Collection

The personal information collected by us shall be limited to those details necessary for the purposes identified to you.

Principle 5 - Limiting Use, Disclosure and Retention

We will only use or disclose your personal information in accordance with the purposes for which it was originally collected unless you have otherwise consented, or when it is required or permitted by law. We will retain your personal information only for so long as is required to fulfill the purpose for which it was collected or as required by law.

Principle 6 - Accuracy

We shall make every reasonable effort to ensure your personal information is maintained in an accurate, complete and up-to-date form.

Principle 7 - Safeguarding Personal Information

We shall ensure that your personal information is kept in a safe place.

Principle 8 - Openness

If you would like a copy of our privacy policies we would be more than happy to provide one to you and if you have any questions regarding same, we are more than happy to discuss the merits with you.

Principle 9 – Individual Access

Upon your request, we shall inform you of: (i) the type of personal information we have collected; (ii) how we have used your personal information in the past, and how we may in the future; and (iii) whether or not we have disclosed your personal information to any third parties (and, if so, to whom). Individuals may verify the accuracy and completeness of their personal information, and may request that it be amended, if appropriate.

Please note that before we are able to provide you with any information or correct any inaccuracies we may ask you to verify your identity and to provide other details to help us to respond to your request.

Principle 10 - Handling Individual Complaints and Suggestions

Individuals may direct any questions or enquiries with respect to the Principles or about our information handling practices by contacting:

Victor Fiume
200 Bond Street West, Suite 201, Oshawa, Ontario L1J 2L7
905-576-8805
fax number 905-576-0013
vfiume@thedurhamgroup.ca

WHY WE GATHER PERSONAL INFORMATION:

At The Durham Group and our affiliates, we gather personal information, either directly or through one of our affiliates, and use such personal information for the following purposes:

- to assess and process offers of purchase and sale or a rental application (please note that this may include using your personal information in order to obtain background information from third parties.)
- marketing
- identifying and safeguarding your interests
- communicating with you
- providing information to you about our communities and other services in which we believe you would be interested

We only use personal information for the purposes that we have disclosed to you. If for any reason your information is required to fulfill a different purpose, we will obtain your consent before we proceed.

TYPES OF INFORMATION WE COLLECT:

The type of personal information we may ask for depends on and is related to the reason (or purpose) such personal information was provided to us. We may collect the following types of information about you:

- your name and current address
- description of current home and assessed value
- your age range
- how you learned about our community
- where you have lived in the past
- your financial and credit history (this may be obtained directly from you, or from third parties)

The choice to provide us with your personal information, either directly or through a third party, is always yours. However, your decision to withhold particular information may result in limiting our ability to assess your application and process an offer of purchase or sale.

HOW WE COLLECT SUCH PERSONAL INFORMATION:

We may gather such personal information from you in person, over the telephone or by corresponding with you via mail, facsimile, the Internet, or from third parties (such as credit agencies).

While we try to ensure that every third party who discloses personal information to us has your consent to do so, if you believe that a third party has inappropriately disclosed your personal information to us, please contact that third party. If they do not adequately respond to your inquiries, please let us know immediately.

WHEN INFORMATION MAY BE DISCLOSED TO OUTSIDE PARTIES:

We may disclose your personal information to our affiliates for the purposes of assessing your application and, if appropriate, to process the paper work required for you to purchase a home or enter into a Tenancy Agreement. We may also disclose your personal information to third party credit organizations for purposes of obtaining a credit check and to ensure the integrity of credit reporting process remains in tact. If the results of the credit check are positive, we may also use your personal information in completing an offer of purchase or Tenancy Agreement. We may disclose your personal information to third parties in anticipation of and in the course of an actual or potential sale, reorganization, consolidation, merger or amalgamation of our business.

Except as specifically provided for in this privacy policy, we do not disclose any personal information to third parties, except as required by law or with your consent. The type of information we are legally required to disclose may relate to criminal investigations or government tax reporting requirements. In some instances such as a legal proceeding or court order, we may also be required to disclose certain information to authorities. Only the information specifically requested is disclosed and we take precautions to satisfy ourselves that the authorities that are making the request have legitimate grounds to do so.

There are some situations where we are legally permitted to disclose personal information such as employing reasonable and legal methods to enforce our rights or to investigate suspicion of illegal activities. An instance where we may need to disclose your personal information is to the Municipal Property Assessment Corporation where we are required to send your name, address and amount of rent payable.

OUR EMPLOYEES AND YOUR PERSONAL INFORMATION:

In the course of daily operations, access to private, sensitive and confidential information is restricted to authorized employees or contract employees, who have a legitimate business purpose and reason for accessing it.

As a condition of their employment, all employees, including contract employees of The Durham Group are required to abide by the privacy standards we have established. Employees are informed about the importance of privacy and they are required to agree to a code of conduct that prohibits the disclosure of any personal information to unauthorized individuals or parties.

Unauthorized access to and/or disclosure of personal information by an employee of The Durham Group or any of its affiliates is strictly prohibited. All employees are expected to maintain the confidentiality of personal information at all times and failing to do so will result in appropriate disciplinary measures, which may include dismissal.

HOW WE SAFEGUARD YOUR INFORMATION:

We use industry standard technology and maintain current security standards to ensure that your personal information is protected against unauthorized access, disclosure, inappropriate alteration or misuse. Electronic files are kept in a secured environment with restricted access. Paper based files are stored in filing cabinets in a secure area.

ACCESSING AND AMENDING YOUR INFORMATION:

You have the right to access, verify and amend the information held in your personal files. You may access and verify any of your information by calling us at our offices; The Durham Group 905-576-8805.

To help us keep your personal information up-to-date, we encourage you to amend inaccuracies and make corrections as often as necessary. Despite our efforts, errors sometimes do occur. Should you identify any incorrect or out-of-date information in your file(s), we will make the proper changes. Where appropriate, we will communicate these changes to other parties who may have unintentionally received incorrect information from us.

QUESTIONS, CONCERNS AND COMPLAINTS:

If you have question about our privacy policy or a concern or complaint about privacy, confidentiality or the personal information handling practices of The Durham Group or any of our affiliate companies, or our employees, please contact:

Victor Fiume
200 Bond Street West, Suite 201, Oshawa, Ontario L1J 2L7
905-576-8805
fax number 905-576-0013
vfiume@thedurhamgroup.ca

UPDATING THIS PRIVACY POLICY:

Any changes to our privacy policy and information handling practices will be acknowledged in this policy in a timely manner. We may add, modify or remove portions of this policy when we feel it is appropriate to do so. You may determine when this policy was last updated by referring to the modification date found at the bottom of this privacy policy.