

PRIVACY POLICY

Magnetic Investments Pty Ltd (“Neville Richards Real Estate”), (“we”) or (“our agency”) respects your right to privacy. We are bound by and adhere to the Australian Privacy Principles (“Principles”) contained in the Privacy Act 1988 (“Privacy Act”). Those Principles regulate most of our activities with respect to personal information collected, stored, used and disclosed by us. Our privacy policy is set out below.

The kinds of personal information we collect and hold

Firstly, ‘personal information’ in our privacy policy has the same meaning as in the Privacy Act, namely it means information about an identified individual or an individual who is reasonably identifiable.

The types of personal information we collect from you and hold will vary depending on the context of our dealings with you. We will generally collect the following personal information from you:

- Your full name;
- Contact details;
- Information about the property/properties you express an interest in and/or own.

If you are a client of our agency we will also obtain information contained in instructions you have given us in relation to your property/properties and records obtained generally through our dealings with you.

If you are a prospective tenant we may also collect further information, including:

- Identification evidence i.e. your passport and drivers licence;
- Referee contacts and information received from them;
- Rental and credit history;
- Income details including employment status and history.

We will generally collect and hold any personal information we need in order to conduct our business and/or provide you with our professional services, functions and activities, the administration of our business and our marketing activities.

The Privacy Act also protects your sensitive information (such as information about an individual's race or ethnicity). If we need to obtain this type of information, we will ask for your consent, except where otherwise permitted by law.

Real estate and tax law requires some of this information to be collected. If the information is not provided, we may not be able to act on your behalf effectively or at all.

How we collect and hold personal information

If it is reasonable and practicable to do so, we will collect personal information directly from you. We may do this in a number of ways, for example:

- If you are a vendor, we may obtain personal information from you when we appraise your property or meet with you to list your property and when you complete an agreement or authority with our agency;
- When you use our website or make an enquiry through another medium;
- If you are a potential tenant we will collect personal information from you when you complete an application form;
- If you contact us we may collect personal information from you during the course of that contact.
- If you are a potential purchaser we may obtain personal information from you when you inspect a property at an open inspection or if you call one of our agents about an enquiry that you have about a property.

We may also collect personal information from third parties such as government agencies, the lands titles office, referees and credit-checking agencies and property related service providers.

We will only collect personal information from you by lawful and fair means. We may also collect, use and exchange your information in other ways where permitted by law.

We hold your personal information in a combination of computer storage facilities and paper based files and other records.

These facilities and records are located on site at our offices and off site at secured premises.

We will take reasonable steps to protect the personal information we collect, in both paper and electronic form, from misuse and loss as well as from unauthorised access, modification and disclosure.

How we use and disclose personal information

We will only collect, hold, use and disclose personal and sensitive information that is reasonably necessary for us as an organisation to carry out our activities and functions. These activities and functions include:

- In our agency business we use personal information collected from you for the purpose for which it was collected which is to act as your agent and to perform our obligations under our agreement with you.
- Personal information collected by us in the course of a tenancy application and any subsequent tenancy is necessary for us to verify your identity, to process and evaluate your application and to manage the tenancy. Personal information about you collected in the application and during the course of the tenancy, including through property inspection reports, may be disclosed to other parties as permitted by the Privacy Act including to the landlord, referees, other agents and operators of tenancy reference databases. Information already held on tenancy reference databases may also be disclosed to us. If you fail to comply with your obligations under the tenancy agreement, that fact may also be disclosed to the landlord, other agents and operators of tenancy reference databases.
- We use personal information collected from you for a range of reasons. These include security purposes and to contact you with respect to this property and other properties which we believe may interest you and in providing the information you agree to these uses unless you advise us differently. If the information is not provided, we may not be able to provide an effective service to you. We may provide access to your personal information to third parties with whom we have a business relationship. Other than in the circumstances allowed under the Privacy Act, we do not disclose information of this kind to other parties.

We may use personal information for direct marketing purposes specifically relating to our business. In this case, we will use your contact details, personal email addresses and other electronic media for communication to you. However, you will, at all times, be able to request not to receive such direct marketing from us. If you would like to make a request not to receive marketing from us now, please contact us (our contact details are set out below).

We may also disclose or use your personal information without your consent in the following circumstances:-

- For a reasonably expected purpose which is related to the purposes for collecting the information as contemplated by this policy;
- We are authorised or required to do so by law (for example, we are required by law to provide your details to government-related bodies including the Residential Tenancies Bond Authority and Residential Tenancies Tribunal).
- The disclosure is to a Credit reporting agency in connection with recovering amounts which you owe to us.
- We reasonably believe it is reasonably necessary to assist an enforcement body to perform its functions
- If we believe it is reasonably necessary to prevent a threat to life, health or safety.

How you may access or correct the personal information that we are holding

We shall take all reasonable steps to make sure that any personal information we collect, use, hold or disclose is accurate, complete and up to date.

You can access the personal information we are holding about you at any time (subject to the exceptions provide by the APPs). We ask that such a request is to be in writing. There will be no charge for providing the information to you. If you would like to access such information, please contact us and we will endeavour to respond to your request as soon as possible.

Neville Richards Real Estate will give access in the manner requested unless it is unreasonable or impractical to do so. Access will generally be granted within 30 days of the request.

We will try to make sure that the personal information we hold is up to date, correct, complete and relevant. However, from time to time, we may need your assistance to identify if we are holding incorrect or out of date personal information.

If you would like to update or correct the personal information that we are holding, please contact us (our contact details are set out at the bottom of our privacy policy). A dated record will be kept of any corrections to personal information. We will not charge you for any request to correct your personal information.

How to complain about a breach of the APPs and how we will deal with such a complaint

If you would like to make a complaint about our handling of your personal information or if you think we have breached the APPs or any other binding APP code that has been registered under the Privacy Act, please contact our appointed privacy officer with your complaint in writing. We will endeavour to deal with your complaint as quickly as possible. We may give a copy of your complaint to any affected party for their comment so we can properly investigate any issues. We will determine what (if any) action we should take to resolve the complaint and notify you of our decision and our reasons.

If you are not satisfied with the way we have dealt with your complaint you may file a complaint with the Office of the Australian Information Commissioner.

Overseas disclosure of personal information

It is not expected that, under normal circumstances, personal information will be released to any overseas recipients. If there is a request to release information to an overseas recipient then we will contact you and request your consent to release the information to the specific person or organisation. In addition, we will only release information overseas in accordance with the requirements of the APPs and all Australian data protection and privacy laws.

Where we send your information to overseas service providers, we will make sure that appropriate data handling and security arrangements are in place.

The Privacy Act and the Office of the Australian Information Commissioner

Our privacy policy is subject to the Privacy Act and the APPs. Where our privacy policy conflicts with the Privacy Act and the APPs, the Privacy Act and the APPs shall prevail to the extent of such inconsistency.

For more information in relation to Privacy you can contact the Office of the Australian Information Commissioner by visiting their website at <http://www.oaic.gov.au/>.

Access to Neville Richards Real Estate Privacy Policy

The Neville Richards Real Estate Privacy Policy (as updated from time to time) is available on our website at www.nevillerichards.com.au or a copy can be requested by contacting us. If you request a copy of our Privacy Policy in a particular form, we shall take such steps as are reasonable in the circumstances to give you a copy in that form.

Contact us

You may contact our privacy officer in person or by writing to us at any of the following addresses

1377 Murradoc Road, St Leonards, Victoria 3223

86 Newcombe Street, Portarlington, Victoria 3223

Shop 2, 6 High Street, Drysdale, Victoria 3222

By phone: 03 5257 1778 or 03 5251 3857

By email: info@nevillerichards.com.au

Dispute Resolution

Magnetic Investments Pty Ltd Agency Complaint Handling and Dispute Resolution.

How to make a complaint

Neville Richards Real Estate aims to make it easy for you to bring any problems or complaints to our attention.

You should first raise your issue with the agent, representative or property manager who is handling your business.

If you are not satisfied with the outcome, there are a number of options to make a complaint to us.

You can contact us:

- By telephone (during business hours Monday – Friday 9.00am to 5.00pm)
 - Telephone 03 5257 1778 and ask to speak to Luke Campbell (Director)
- By email: info@neville-richards.com.au
- By post at any of the above addresses

Please provide as much detail as possible about the nature of the complaint, including the outcome that you would like.

If you need assistance in describing or making the complaint or if you would like to discuss your concerns informally first, please feel free to contact us.

How we can handle your complaint

Management will oversee the complaint process. This person is responsible for liaising with you and with the relevant agency staff to ensure that the issues that you have raised are fully examined and that your complaint is handled in accordance with this process.

We will treat the process, and all the details of your complaint, in strict confidence. If we need to discuss any issues arising from your complaint with someone outside of the agency, we will obtain your consent first.

We will always try to give you a fair opportunity to explain your case. You should make your initial complaint as clear as possible. Sometimes we may want to meet you in person to discuss your concerns and try to find a satisfactory solution.

How long will it take?

We will endeavour to resolve your complaint as soon as possible. However, the length of time will depend on the nature and complexity of the issues you have raised.

You will receive acknowledgement of receipt of the complaint from us within two business days. We will give you an estimate of how long it will take us to deal with the matter and we will endeavour to finalise the matter within five business days.

What action will we take in response to your complaint?

If we decide that your complaint is justified, we will then decide what action we should take in response. We will always try to match our response to the nature of your complaint and your desired outcome, but it may not always be possible.

Some of the things we might do include:

- Take steps to rectify the problem or issue you have raised
- Provide you with the additional information or advice so you can understand what happened or how we dealt with it.
- Take steps to change our policies or procedures if your complaint identifies a problem in the way we are doing things.
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What if you're still unhappy?

Sometimes it will not be possible to resolve a complaint to everyone's satisfaction, you might want to escalate the matter to Estate Agents Resolution Services (EARS) at Consumer Affairs Victoria (CAV).

EARS is able to deal with enquires and complaints about real estate agents. The Service has been established within CAV to offer a dedicated service for information, advice and dispute resolution on real estate issues.

You can call EARS on 1300 73 70 30 weekdays to discuss your complaint.