

A modern, multi-story building with a curved facade and a balcony. A large tree is growing on the balcony, partially obscuring the building. The building has a light-colored facade and a dark red balcony railing. The sky is overcast.

## **Data protection information in accordance with the EU General Data Protection Regulation**

Information on the handling of your personal data – Art. 13 GDPR

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<b>1. Controller responsible for data processing</b>
Wohn + Stadtbau Wohnungsunternehmen der Stadt Münster GmbH Steinfurter Straße 60 48149 Münster, Germany Mr Stefan Wismann (Managing Director)
<b>2. Data Protection Controller</b>
VdW Treuhand GmbH Kanzlerstrasse 2 40472 Düsseldorf, Germany E-mail: datenschutz(at)immoproconsult.de
<b>3. Purpose of data processing</b>
<p>We process personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the new version of the German Federal Data Protection Act (BDSG-neu). Your personal data will only be collected, processed and stored for the purposes expressly stated here. Insofar as we have been given consent to process personal data for specific, previously stated purposes, processing this data is only lawful after the data subject has given consent.</p> <p><b>Your personal data will be processed for the following purposes:</b></p> <p><b>For providing and managing housing space:</b></p> <ul style="list-style-type: none"><li>- when initiating and executing quasi-contractual obligations</li><li>- to manage interested parties / initiate letting agreements</li><li>- to mitigate credit risks or determine creditworthiness and default risks when renting</li></ul> <p>- to manage lettings - to do billing (rent, operating costs, etc.) - to fulfill letting agreements and the resulting obligations</p> <p>Legal basis: contract or contract initiation, the German Heating Costs Ordinance, registration legislation</p> <p><b>for using the "My W+S" portal</b></p> <ul style="list-style-type: none"><li>- to digitally process data and documents</li></ul> <p><b>when selling real estate:</b></p> <ul style="list-style-type: none"><li>- to plan and execute property sales or real estate development business</li></ul> <p><b>in the course of third-party management, external asset management and administration:</b></p> <ul style="list-style-type: none"><li>- to initiate and execute quasi-contractual obligations</li><li>- to manage interested parties</li><li>- to manage lettings</li><li>- to do billing (rent, operating costs, etc.)</li><li>- to do administrative work</li></ul>

**for residential property management**

- to keep a list of owners
- to archive resolutions
- to settle common expenses/maintenance costs
- to safeguard the legal interests of the ownership association

**for fulfilling tax and company-related obligations****for statistical purposes to the federal and state statistical offices****so that we can adequately inform you during the ongoing contractual relationship**

The data of accompanying persons is collected in accordance with Art. 6(1)(c) GDPR to fulfil a legal obligation under the German Federal Registration Act.

**4. Legal basis for data processing**

The legal basis for data processing is Art. 6 GDPR – Lawfulness of processing:

- Art. 6(1)(b) GDPR – contract, pre-contractual measures at the request of the data subject
- Art. 6(1)(c) GDPR – fulfilment of a legal obligation of the controller
- Art. 6(1)(f) GDPR – legitimate interest of the controller, no conflicting protection-worthy interests of the data subject
- Art. 6(1)(a) GDPR – consent in case of further storage of enquiries about housing enquiries after initial rejection

The legal basis from Art. 6 GDPR is derived from the legal texts relevant to the housing industry. These include:

- Tenancy law
- the German Ordinance on Operating Costs (BetrKV)
- the German Heating Costs Ordinance (HeizKV)
- the German Federal Registration Acts (BMG)
- the German Commercial Code (HGB)
- Census 2022 (ZensG)
- our company's Articles of Association
- German tax law (e.g. German Income Tax Act (EStG))
- German Home Ownership Act (WEG)

**5. Legitimate interest of the controller:**

The legitimate interest of our company is founded on creating, carrying out or terminating a legal or quasi-legal obligation with the data subject as a means of fulfilling our own business purposes. Hence, we intend to check the creditworthiness of a potential tenant and member and to protect ourselves from fraud.

**Reasons we need to obtain your data:**

In order to rent out an apartment, we need to receive certain information from you in order to find a suitable offer. If necessary, we intend to store this data until a letting agreement is concluded, but for no longer than six months.

When concluding a letting agreement, we require further personal data that is necessary to establish and execute a business relationship and fulfil the associated contractual obligations or those we are legally obliged to identify. Without this data, it is not possible to conclude a contract or fulfil a contractual relationship. Whenever information can be provided voluntarily, we have labelled this information in the respective questionnaire.

## **6. Data recipients:**

Your personal data will be processed by us or third parties in line with the necessary balancing of interests and the contractual handover of the apartment. This includes:

### **Internal recipients:**

- The employees of Wohn + Stadtbau who are commissioned with processing activities regarding the fulfilment of obligations arising from the contractual relationship.
- To safeguard the legitimate interests of Wohn + Stadtbau GmbH

### **External recipients:**

- IT service providers or software companies for IT applications (e.g. external IT administration, ERP system manufacturers and CRM system manufacturers, etc.)
- Owners of housing managed for third parties
- Tax advisors, auditors, consultants
- Lawyers (tenant disputes, debt collection, eviction)
- Metering service companies
- Tradesmen (maintenance, modernisation, repairs)
- Cable network operators
- Laboratories (e.g. for drinking water inspections)
- Debt collection companies
- Credit agencies
- Printers
- Banks / credit institutions
- Prospective tenants for follow-up lettings
- Utility companies
- Document destruction service providers

### **Agencies and authorities**

- Municipal authorities, housing authority (required for council housing / housing entitlement certificate)
- Courts
- Social welfare office
- Tax office
- Jobcenter
- Residency Office
- German Federal Central Tax Office
- Federal and state statistical offices

**7. Transfer to third countries:**

Data is not transferred to third countries.

**8. Duration of storage:**

On completion of the respective purpose of processing and use, the relevant statutory retention periods shall apply.

**Interested party data**

The data of prospective tenants is stored for six months. Longer storage of the data of the person concerned requires a declaration of consent from the person concerned.

**Tenant data**

Tenant and member data is stored for the duration of the contractual relationship and the statutory limitation period of ten years. If it is necessary to preserve evidence, for example in the context of legal proceedings, then please refer to the limitation periods of the German Civil Code (BGB). If a court title exists, this period can be up to 30 years (Sections 195 et seq. BGB).

**9. Rights of data subjects:**

As a data subject, you have the right to request information about the data we process about you at any time. Your right to information includes information about your data, the purpose and duration of storage by us, and the recipients of this data. If requested, we will provide you with a copy of your data (see Art. 15 GDPR).

If we have stored incorrect data about you, you have the right to request the rectification of your data (see Art. 16 GDPR). You also have the right to request the erasure of your data. However, the erasure of your data is subject to the proviso that we no longer need it for the purposes for which you provided it to us (see Art. 17 GDPR). If it is not possible to erase your data, you can, under certain conditions, request that we restrict the processing of your data (see Art. 18 GDPR).

If you have given us your consent to process your data, you can revoke this at any time (see Art. 7(3) of the GDPR). In this case, we will no longer process your data. If you have provided us with your data for the purpose of finding housing, you can object to the processing of your data at any time in accordance with Art. 21 GDPR. In this case, we will first block your data and then delete it after a review.

If you wish to exercise your right to have the data transferred to another housing company, we will make it available to you in electronic form for this purpose (Art. 20 GDPR).

**10. Automated individual decision-making:**

Automated individual decision-making (including profiling) within the meaning of Art. 22 GDPR is not used.

**11. Change of purpose:**

It is not intended that your data will be processed for other purposes. If there is a change of purpose, we will inform you in advance and obtain your authorisation.

**12 Competent supervisory authority:**

You can address complaints regarding the handling of your data by us to the competent supervisory authority (Art. 77 GDPR in conjunction with Section 19 BDSG-neu):

State Commissioner for Data Protection and  
Freedom of Information North Rhine-Westphalia  
P.O. Box 20 04 44  
40102 Düsseldorf, Germany  
Tel.: 0211/38424-0  
Fax: 0211/38424-10  
E-mail: [poststelle@ldi.nrw.de](mailto:poststelle@ldi.nrw.de)