

Information to be provided where personal data are collected from the data subject

Art. 13 GDPR

Data Processor

Name and contact details of the responsible person:

Dick Immobilienmanagement e.K.,
Paulstraße 47,
18055 Rostock,
Managing Director: Dipl. Kfm. Christian Dick MRICS,
Registered office: Rostock, Amtsgericht Rostock, HRA 2053,
VAT ID .: DE205319108

Name and contact details of the Data Protection Officer:

Reinhold Okon
Data Protection Officer
Rosenstr. 1
85757 Karlsfeld
Email: info@dsb-okon.de
<http://www.dsb-okon.de>

Which data do we process?

Categories of personal data being processed:

Suppliers (address and functional data) and contact persons of the following groups mentioned, also if they are legal entities (contact details and support information), prospective tenants and buyers of commercial and private properties.

Essential data categories are:

- Name
- Address
- Date of birth, Place of birth
- Telephone number (mobile as well as private number)
- Account numbers and financial institutions data
- E-mail addresses (E-mail addresses provided by you for correspondence)
- Location of your property (apartment, garage, land, etc.)
- Amount of community expenditure (WEG)
- Possible arrears of payment
- Any payment surpluses
- Any outstanding claims
- Identification data (identity card for real estate sales and rentals)
- Creditworthiness data
- Data from documentation (e.g., minutes of meeting)
- Sales data from payment transactions
- Data from fulfilment of contractual obligations
- Data on the use of our services via telemedia (websites, newsletters, apps)
- authentication data (signatures)
- Payment orders

Where does the data come from? (Source)

The stored data were collected within the scope of our contractual relationship, as well as individual orders or they were created in the context of business relations and business initiation. The data is stored for the fulfillment and processing of the orders placed with us as well as the documentation and archiving obligations under commercial and tax law, recording from entries in the management agreement, signatures from e-mail and documents, entries and amendments to the customer master data sheet sent to us by you. In the case of tenancies, the data is taken from the self-disclosure of information provided to us. Preparation of handwritten notes in the presence of the person concerned, dictation recordings (electronic), telephone correspondence.

What do we process your data for and on what legal basis is this done?

Purpose and legal basis for processing. Art. 6 GDPR

We process personal data with the strictest adherence to and in accordance with the provisions of the GDPR and the German Federal Data Protection Act 2018 (BDSG-neu)

Management agreement and rental agreement required obligations, execution of necessary maintenance work on rental and property objects (e.g. house, apartment, garden, garages, etc.), as well as on technical facilities (e.g. elevators, heating, water supply and sewage, house electrics, safety technology, etc.). Preparation of heating cost bills, requirements that concern the whole Homeowner Association trusteeship on the part of the property management (e.g. opening accounts at banks and corresponding financial institutions, administration and management of monetary transactions, processing direct debits), requirements for the fulfilment of safety obligations, including TÜV (Technical Inspection Association) controls and fire protection as well as observance of technical regulations (e.g. for roller shutters, duplex garages, heating systems, elevator equipment, lifting and ventilation systems, legionella sampling according to the Drink Water Ordinance - TrinkwV), monitoring of incoming payments, initiation of claims for arrears, administration and management of funds on checking accounts, invoice control, correspondence with owners, tenants, service providers, complaint handling and house order violations, scheduling appointments, convening of owners' meetings, drawing up agendas and drafting resolutions on the owners' meetings, creation of resolutions including distribution to all owners, house money lawsuits, contesting resolutions, assistance with sales, leases, commercial use, solicitation of offers, auditing, checking of documents, telephone conversations with advisory boards, owners, tenants, service providers, interested parties.

The data storage takes place for the pursuit of the particular business purpose, for the completion of the management agreement with individual owners, as well as the homeowner association (WEG) and other customers and service providers, for the safeguarding of legitimate interests as the person responsible.

Permissible data is also stored to protect the legitimate interests of a third party, to avert threats to public safety and to prosecute criminal offences.

Fulfilment of contractual obligations

(Article 6 (1) (b) GDPR)

The processing of personal data is primarily for the purpose of executing closed contracts or pre-contractual measures with you and the execution of your orders as well as all those related to the operation and management of rented properties, land, real estate (general).

Customer data: Personal data is collected, processed or used for the fulfilment of the business purpose, in the area of property management and services in the real estate sector, as well as for the initiation of business contacts and the information of customers.

Personnel data: The collection, processing or use of personal data of our employees takes place in order to carry out and process the respective employment relationship.

Applicant data: The collection, processing or use of personal data of applicants is used to initiate employment relationships.

balancing of interests

(Article 6 (1) (f) GDPR)

In consideration of and for the protection of legitimate interests (by us or third parties affiliated with us) we process the following data, among others:

Creditworthiness inquiries and data exchange with credit agencies (e.g. Creditreform, SCHUFA, Bürgel), technical presettings to guarantee IT security within our company, measures for safeguarding security (building access) and safeguarding of domiciliary rights, video surveillance (exercise of the domiciliary right, prosecution of vandalism, damage to property, Harassment, criminal acts) provision of evidence.

Consent

(Article 6 (1) (a) GDPR)

Further processing of your personal data is lawful if you have issued a written (in some cases electronic) consent. On the basis of this consent, it is then possible for us to pass on your telephone number (mobile phone, landline) to the associated partner companies in order to fulfil the order. All given consents can be revoked at any time.

Who gets your data?

Recipients (categories) of personal data

Public authorities that receive data on the basis of statutory regulations (e.g. social insurance agencies, tax authorities).

Internal departments involved in the execution of the respective business processes (human resources management, bookkeeping, accounting, real estate brokerage, marketing, sales, telecommunications and IT).

External bodies (contractual partners) as far as these are necessary for the fulfilment of the contract. External contractors (service providers) in accordance with Art. 28 GDPR for the processing of data on our behalf. Furthermore, data is passed on to commissioned companies for which you have given us your consent.

Other external bodies such as credit institutions (salary payments, supplier invoices), companies belonging to the group or other external bodies to fulfil the above-mentioned purposes, insofar as the person concerned has given his written consent, this is necessary for the fulfilment of the contract, or a transfer is permissible for largely legitimate reasons.

Transfer to third countries

A transfer to third countries does not take place at present!

How long will my data be stored?

10 years for documents (according to HGB, AO, EStG, KStG, GewStG, UStG, AktG, GmbHG, GenG)

6 years Commercial and business letters and other documents (HGB, BGB)

4 years review according to § 35 Abs. 2 Nr. 4 BDSG (German Federal Data Protection act)

6 months speculative applications (e-mail), digital applications general tenant self-disclosure of information (in digital form)

3 months tenant self-disclosure in paper form

The storage duration varies between 3 months and up to 30 years. The storage period also follows the statutory limitation periods. In principle, however, the data is processed and stored for as long as it is necessary to maintain our business relationship. It should be noted that a business relationship is a continuing obligation, which continues to exist for years.

I have the following rights:

- ⌚ Right to information
- ⌚ Right to access and to objection
- ⌚ Right to rectification, erasure and restriction
- ⌚ Right to data portability

Information law

The following information will be disclosed upon request:

- ⌚ Name and contact details of the person responsible (and of the representative where applicable)
- ⌚ Contact details of the data protection officer (if available)
- ⌚ Purpose and legal basis of the processing
- ⌚ Legitimate interests (in case of processing according to Art. 6 GDPR)
- ⌚ Recipients or categories of recipients
- ⌚ Transfer to third country or international organization
- ⌚ Duration of storage
- ⌚ Existence of a right of access, rectification, erasure, restriction, objection and data portability
- ⌚ Existence of a right to object to the consent
- ⌚ Existence of a right of appeal to a supervisory authority
- ⌚ Information as to whether the provision of the data is required by law or contract or necessary for the conclusion of a contract and the possible consequences of failure to make the data available
- ⌚ Existence of automated decision making including profiling
- ⌚ Information about a possible change of purpose of the data processing

Right to access and objection

- ⌚ Purposes of data processing
- ⌚ Categories of data
- ⌚ Recipients or categories of recipients
- ⌚ Duration of storage
- ⌚ Right to rectification, erasure and objection
- ⌚ Right of appeal to a supervisory authority
- ⌚ Origin of data (if not collected from data subjects)
- ⌚ Existence of automated decision making including profiling
- ⌚ Transfer to third country or international organization

Right to rectification, erasure and restriction

The following data are deleted according to Art. 17 GDPR if:

- 🕒 the storage of the data is no longer necessary
- 🕒 the person concerned has revoked his consent to data processing
- 🕒 the data was processed unlawfully
- 🕒 there exists a legal obligation to erase under EU or national law

The German Federal Data Protection act §35 BDSG (neu) Right to erase

Where erasure in the case of non-automated data processing is not possible or only possible with disproportionate effort because of the special nature of the storage and where the interest of the data subject in the deletion is low, the data subject shall have the right and the obligation of the data controller to delete personal data in accordance with Article 17(1) of Regulation (EU) 2016/679, in addition to the exceptions referred to in Article 17(3) of Regulation (EU) 2016/679. In this case, the restriction on processing in accordance with Article 18 of Regulation (EU) 2016/679 shall take the place of erasure; the first and second clauses shall not apply if the personal data have been processed unlawfully.

The right to be forgotten does not apply if:

- 🕒 it is outweighed by the right to freedom of expression or freedom of information
- 🕒 data storage serves to fulfil a legal obligation
- 🕒 it is outweighed by public interest in the field of public health
- 🕒 archival or scientific and historical research purposes conflict
- 🕒 the storage is necessary for asserting, exercising or defending legal claims

Please note: We can only comply with your request for erasure of your personal data if the statutory retention periods no longer apply.

Revocation of the consent

Each data subject has according to Art. 6 para. 1 lit. a or Art. 9 para. 2 lit. a the right to revoke any or all of the consent granted for e.g. performance of a contract, at any time and without incurring disadvantages for himself, without affecting the legality of the processing carried out on the basis of the consent until revocation is reached.

Please address the revocation of consent in writing to:

Dick Immobilienmanagement e.K., Paulstraße 47, 18055 Rostock

Automated decision making and profiling

No automated procedures for decisions according to Art. 22 GDPR or other profiling measures according to Art. 4 No. GDPR are utilized.

Right to data portability

Article 20 GDPR grants the data subject the right to data portability. Under this provision, the data subject has the right, under the conditions set out in Articles 20(a) and (b) GDPR, to receive the personal data concerning him which he has provided to the data controller in a structured, current and machine-readable format and to transmit this data to another data controller without obstruction by the data controller.

Right of appeal to a supervisory authority

(Art. 13 II lit. d, 77 I GDPR)

According to Art. 13 II lit. d, 77 I GDPR, each company (responsible party) must inform all parties concerned that they have an extensive right of appeal to the competent supervisory authority of their country. This right of appeal shall be exercised if the data subject considers that the processing, storage and use of their data is unlawful on our part. This right of appeal should be carried out in a targeted manner and exercised on a case-by-case basis. The data subject should be able to provide valid and substantiated information in the complaint. We advise against lodging a complaint with the authority without providing well-founded information and facts. Therefore, it is advisable to contact the data protection officer - Mr Reinhold Okon - before submitting the complaint and to start the dialogue here accordingly. Furthermore, the complaint is to be addressed to only one supervisory authority (recital 141, first sentence, GDPR). This is to avoid so-called "double complaints".

If you have any questions, please do not hesitate to contact our data protection officer.

Information to be provided in cases where the personal data have not been collected from the data subject

(Art. 14 GDPR)

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Reinhold Okon
Data Protection Officer
Rosenstr. 1
85757 Karlsfeld
Email: info@dsb-okon.de
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What do we process your data for and on what legal basis is this done?

Purpose and legal basis for processing Art. 14 GDPR

We process personal data under strict observation and in accordance with the provisions of the GDPR and the German Federal Data Protection Act 2018 (BDSG-neu).

We process for the purpose of handling and initiating transactions concerning a relationship between customers, interested parties, contractual partners, tenants, owners, service providers (Art. 14 I lit. c GDPR).

If our company is subject to a legal obligation which requires the processing of personal data, for example to fulfil tax obligations, the processing is based on Art. 6 I lit. c GDPR.

Fulfilment of contractual obligations

(Article 6 (1) (b) GDPR)

The processing of personal data is primarily for the purpose of executing closed contracts or pre-contractual measures with you and the execution of your orders as well as all those related to the operation and management of rented properties, land, real estate (general).

Customer data: Personal data is collected, processed or used for the fulfilment of the business purpose, in the area of property management and services in the real estate sector, as well as for the initiation of business contacts and the information of customers.

Personnel data: The collection, processing or use of personal data of our employees takes place in order to carry out and process the respective employment relationship.

Applicant data: The collection, processing or use of personal data of applicants is used to initiate employment relationships.

According to Art. 6 lit. f GDPR, processing is permissible for the protection of a legitimate interest on the part of the data controller or a third party, provided that the interests and fundamental freedoms of the data subject do not predominate. In accordance with recital 47 p.2 of the GDPR, processing is permitted as there is a legitimate interest to be assumed if the data subject obtains or has received services (goods or services) from the person responsible.

Data Categories

(Article 14 (1) (d) GDPR)

The following categories of personal data are processed:

Data of customers, suppliers, tenants, owners, employees, interested parties (prospective buyers, prospective tenants)

Who gets your data?

Recipients (categories) of personal data

- 🕒 Public authorities
- 🕒 Internal departments (associated companies, regulated by order processing agreement)
- 🕒 External bodies
- 🕒 Other external bodies
- 🕒 Other positions

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How long will my data be stored?

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