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California Consumer Privacy Act Notice (CCPA Notice)

(Cal. Civ. Code 1798.100 - 1798.199) Effective date 01/01/2020

PILOT

Loan #: 8010113263 PUSHBACKTEST

MIN: 100611800001565037

This CCPA Notice supplements the information contained in the privacy policies of **NATIONS DIRECT MORTGAGE, LLC.**, and its subsidiaries (collectively, "we," "us," or "our") and applies solely to visitors, users, and others who reside in the State of California ("consumers" or "you"). This notice is intended to comply with the California Consumer Privacy Act of 2018 ("CCPA") and other California privacy laws. Any terms defined in the CCPA have the same meaning when used in this notice.

Under the CCPA, 'Personal Information' is information that identifies, relates to, or could reasonably be linked directly or indirectly with a particular California resident. The CCPA, however, does not apply to certain information, such as information subject to the Gramm-Leach-Bliley Act ("GLBA").

The specific Personal Information that we collect, use, and disclose relating to a California resident covered by the CCPA will vary based on our relationship or interaction with that individual. For example, this CCPA Notice does not apply with respect to information that we collect about California residents who apply for or obtain our financial products and services for personal, family, or household purposes. For more information about how we collect, disclose, and secure information relating to these customers, please refer to our GLBA Privacy Policy at www.NationsDirectMortgage.com.

Keeping Personal Information secure is one of our most important priorities. Consistent with our obligations under applicable laws and regulations, we maintain physical, technical, electronic, procedural and organizational safeguards and security measures that are designed to protect personal data against accidental, unlawful, or unauthorized destruction, loss, alteration, disclosure, or access, whether it is processed by us or elsewhere.

Information We Collect

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device ("personal information"). In particular, we have collected the following categories of personal information from consumers within the last twelve (12) months:

| Category | Examples | Collected |
|---|--|-----------|
| A. Identifiers. | A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers. | YES |
| B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)). | A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories. | YES |
| C. Protected classification characteristics under California or federal law. | Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information). | YES |
| D. Commercial information. | Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies. | YES |
| E. Biometric information. | Genetic, physiological, behavioral, and biological characteristics, or | NO |

| | | |
|---|--|-----|
| | activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data. | |
| F. Internet or other similar network activity. | Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement. | NO |
| G. Geolocation data. | Physical location or movements. | NO |
| H. Sensory data. | Audio, electronic, visual, thermal, olfactory, or similar information. | NO |
| I. Professional or employment-related information. | Current or past job history or performance evaluations. | YES |
| J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)). | Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records. | NO |
| K. Inferences drawn from other personal information. | Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes. | NO |

Personal Information does not include:

- Publicly available information from government records.
- De-identified or aggregated consumer information.
- Information excluded from the CCPA's scope, including, but not limited to:
 - personal information collected, processed, sold, or disclosed pursuant to the federal Gramm-Leach-Bliley Act (Public Law 106-102), and implementing regulations, or the California Financial Information Privacy Act (Division 1.4 (commencing with Section 4050) of the Financial Code).
 - personal information collected, processed, sold, or disclosed pursuant to the Driver's Privacy Protection Act of 1994 (18 U.S.C. Sec. 2721 et seq.). This subdivision shall not apply to Section 1798.150.
 - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data.

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from a California resident or the individual's representatives. For example, from documents that our clients provide to us related to the services for which they have requested from us.
- Indirectly from a California resident or the individual's representatives.
- Directly and indirectly from activity on our website (www.myndm.com). For example, from submissions through our website portal or website usage details collected automatically.
- From third-parties that interact with us in connection with the services we perform. For example, from government agencies when we originate loans that are guaranteed by said agencies.
- Business Partners, Service Providers, and other third parties
- Public Record Sources (Federal, State or Local Government Sources)

Use of Personal Information

We may use or disclose the personal information we collect for one or more of the following business purposes:

- To fulfill or meet the reason for which the information is provided. For example, if you provide us with personal information in order for us to make a loan to you guaranteed by a governmental agency such as the Veterans Administration, we will use that information to request the guarantee and submit that information to the relevant governmental agency.
- To provide you with information, products or services that you request from us.
- To facilitate the process of determining credit eligibility for purposes of obtaining a mortgage.

- To enable use of our site, services, and products.
- To communicate with you, to provide you with support and to respond to your inquiries, including to investigate and address your concerns
- To provide you with email alerts, event registrations and other notices concerning our affiliates or subsidiaries products or services, or events or news, that may be of interest to you.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collections.
- As necessary or appropriate to protect the rights, property or safety of us, our clients or others.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.
- Vendors and Service Providers who provide services such as website hosting, data analysis, payment processing, order fulfillment, information technology and related infrastructure, customer service, email delivery, auditing, marketing and marketing research activities.
- Partners and Third Parties who provide services such as payment, banking and communication infrastructure, storage, legal expertise, tax expertise, notaries and auditors.
- Other Third Parties who enable customers to conduct transactions online and via mobile devices, support mortgage and fulfillment services.
- Government Agencies as required by laws and regulations.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Sharing Personal Information

We do not provide your personal information to third parties for their direct marketing purposes. We may disclose your personal information to a third party for a business purpose. When we disclose personal information for a business purpose, we enter a contract that describes the purpose and prohibits the service providers receiving the information from retaining, using, or disclosing the personal information for any purposes other than for the specific purpose of performing the services specified in the contract.

In the preceding twelve (12) months, we have disclosed the following categories of personal information for a business purpose:

| | |
|-------------|---|
| Category A: | Identifiers. |
| Category B: | California Customer Records personal information categories. |
| Category C: | Protected classification characteristics under California or federal law. |
| Category I: | Professional or employment-related information. |

We disclose your personal information for a business purpose to the following categories of third parties:

- Service providers.
- Third parties to whom you or your agents authorize us to disclose your personal information in connection with products or services we provide to you.

In the preceding twelve (12) months, we have not "sold" Personal Information subject to the CCPA, including Personal Information of minors under the age of 16. For purposes of this Disclosure, "sold" means the disclosure of Personal Information to a third-party for monetary or other valuable consideration.

Children

Our Services are not directed to children, and we do not knowingly collect Personal Information from children under the age of 16. If you learn that a child has provided us with Personal Information, then you may contact us as indicated above.

Do Not Track Requests

You may be using an Internet browser that has the ability to communicate your privacy preferences to the website, including requests not to track your usage and browsing history. Currently, our websites do not respond to any of these signals.

Your Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
 - sales, identifying the personal information categories that each category of recipient purchased; and
 - disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

Deletion Request Rights

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 seq.).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Right to Opt-out of the Sales of Personal Information

You may have the right to request that we refrain from selling your Personal Information, unless and until you provide express authorization for the Sale of your Personal Information. However, we do not sell your information to third parties.

Exercising Access, Data Portability, and Deletion Rights

If you are a California resident, you may submit a request to exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- Calling us at 1-866-762-3950
- Visiting <https://www.requesteasy.com/5d9fb453cc8656000497ce23>

Only you or a designated authorized agent may make a verifiable consumer request related to your personal information. You must provide us with written permission to allow your authorized agent to act on your behalf.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. Making a verifiable consumer request does not require you to create an account with us. We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

If you submit a request on behalf of another person, we may require proof of authorization and verification of identity directly from the person for whom you are submitting a request.

Response Timing and Format

We will advise you in our response if we are not able to honor your request. We will not provide social security numbers, driver's license numbers or government issued identification numbers, financial account numbers, health care or medical identification numbers, account passwords or security questions and answers, or any specific pieces of information if the disclosure presents the possibility of unauthorized access that could result in identity theft or fraud or unreasonable risk to data or systems and network security.

We endeavor to respond to a verifiable consumer request within 45 days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing. If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option. Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

Changes to Our CCPA Notice

We may change or update this Disclosure from time to time. When we do, we will post the revised Disclosure on our website with a new last updated date.

Questions or Concerns

If you have any questions or comments about this notice, our CCPA Notice, the ways in which we collect and use your personal information, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: 1-866-762-3950

Website: www.NationsDirectMortgage.com

Email: Privacy@myndm.com

Postal Address: 5 Hutton Centre Dr., Suite 200, Santa Ana, CA 92707