

INFORMATION OBLIGATION ART. 13, 14 GENERAL DATA PROTECTION REGULATION (GDPR) ON OUR PROCESSING OF PERSONAL DATA

The security of your personal data is a central concern of us. In the following, we will inform you about how we process your personal data.

1. RESPONSIBLE BODY FOR DATA PROCESSING

bardehle it. GmbH
Westendstraße 153 rgb
80339 München, Germany
Phone: +49 (0)80 38 9 08 48 34
Mobile: +49 (0)160 92 42 93 31
E-Mail: info@bardehle.it

2. CATEGORIES OF PERSONAL DATA AND DATA SOURCES

Your personal data is collected directly from you or via third parties.

Data received directly from you: post, e-mail, personal, contact form and use of the websites

www.bardehle.it

www.casacarina.com

www.italienimmobilien.de

www.italien-immobilien.de

www.marcherealeates.com

Data received from third parties: property portals, SCHUFA (information office) or credit reports

- Master data (such as first name, last name, name affixes, nationality).
- Contact details (such as private address, (mobile-) phone number, e-mail address).
- Data of the entire transaction: civil status, number of children, date of birth, occupation, age, details of flat mates and co-tenants/co-owners, account details, tenant account details, details of tenant guarantors, rent deposits- and insurances, details from pay slips, evidence of capital for real estate financing, information of national security, tax number, information about property ownership, land register details, ID card details and copies of ID cards, details from registration certificates, settlement data of incidental costs, property values, information on health status (e.g. barrier-free, low-barrier, wheelchair accessible), photos of properties and interior photographs of flats and houses, powers of attorney.
- Data for visitor management (name, if applicable the number plate for the booking of a car park).

4. PURPOSE AND LEGAL BASIS OF THE DATA PROCESSING

- Initiation or implementation of contractual relationships ⇒ Art. 6 para. 1 S. 1 lit. b GDPR
- Providing and brokerage of property transactions, in particular for the execution of contracts or pre-contractual measures ⇒ Art. 6 para. 1 S. 1 lit. b GDPR
- Execution of orders ⇒ Art. 6 para. 1 S. 1 lit. b GDPR
- Operation and management of a property agency ⇒ Art. 6 Para. 1 S. 1 lit. f GDPR
- Execution of other services, such as re-registration of electricity, water, gas, telephone or waste collection charges (with the respective municipality) ⇒ Art. 6 Para. 1 S. 1 lit. b GDPR
- Copies of the identity card or passport ⇒
 - § 11 para. 1 S. 1 in connection with § 11 para. 4 no. 1 Money Laundering Act (GwG) in Germany
 - D.Lgs n.231/2007 and currently D.Lgs 90/2017 articoli 31 and 32 (Italy)
- The processing of special categories of personal data is based on your consent ⇒ Art. 9 para. 2 a GDPR in connection with § 26 paragraph 2 BDSG (Federal Data Protection Act of Germany). Revocation of consent see 10.5.
- Forwarding to third parties, with your consent ⇒ Art. 6 para.1 a, 7 GDPR, § 26 (2) BDSG_neu (Federal Data Protection Act of Germany)
- To fulfil legal obligations or to defend against asserted legal claims ⇒
 - Art. Art. 6 para. 1 lit. f GDPR and Art. 6 para. 1 lit. c GDPR, Art. 652 para. 1 BGB (German Civil Code) (causality of the brokerage service)

- C.C. (Italian Civil Code) 2020 Article 1755 (Italy)

5. STORAGE PERIOD

- As long as knowledge of the data is required for the purposes of the contract or the execution of the service for which it was collected, or as long legal or contractual retention obligations exist.
Legal retention obligations for property agencies:
- § 14 Makler-und Bauträgerverordnung (MaBV) (Regulation for property agents and property developers) ⇒
 - 5 years from the end of the calendar year in which the contractual relationship was terminated.
 - 10 years (Italy (codice civile) 2020 Art. 2220)
- Retention obligations according to the Money Laundering Act ⇒ 5 years (Germany), 10 years (Italy)
- Commercial law (business letters, emails) ⇒ 6 years (Germany), 10 years (Italy)
- Tax law (annual financial statements, invoices and other documents relevant for taxation) ⇒ 10 years (Germany), 10 years (Italy)

6. TRANSFER TO THIRD PARTIES

Within our company, only those persons and positions (e.g. departments, divisions) receive your personal data who need them to fulfill our contractual and legal obligations. We also pass on your data to the following third parties:

- Customers, potential customers and interested parties - only with your consent.
- Transmission of data to providers of digital services such as property portals (e.g. www.immowelt.de, www.immobilienscout24.de).
- Energy providers, water suppliers, telecommunications service providers, municipalities - only with your consent.
- Authorized surveyor, architect or engineer - only with your consent.
- Insurance companies (offer home insurance) - only with your consent.
- Italian tax advisor for property tax calculation - only with your consent.
- Italian tax office to apply for an Italian tax number - only with your consent.
- Providers of externally outsourced IT services and storage providers if there is a corresponding order processing agreement (or comparable protection).
- External service providers who provide services on our behalf and external service providers who, with your consent, provide services on our behalf. (e.g. external consultants, craftsmen, experts, architects, site managers, banks, energy consultants, interpreters, notaries, business partners, lawyers, financial auditors, accountants).
- Banks (SEPA payment medium)
- Internal and external auditors of our customers, if we need to share this data with them upon request in order to fulfil our contractual or regulatory obligations.
- Tax-, audit- or other authorities, government agencies or enforcement authorities if there is a legal obligation to do so.

7. TRANSFERS TO THIRD COUNTRIES

There is no data transfer to third countries (countries outside the European Economic Area - EEA). Should you get in contact with Bardehle it. GmbH from a country outside of Germany, the data will be processed in Germany and in the respective country of the property.

8. NECESSITY TO PROVIDE PERSONAL DATA

In the context of the initiation of a contract (e.g. viewing appointment) you only have to provide the personal data that is necessary for this purpose. Further data is required for the conclusion of a contract. There is no obligation to provide us with this data. Please note that without this data we are generally unable to conclude a contract.

9. AUTOMATED INDIVIDUAL DECISION-MAKING

We do not use purely automated handling processes for making a decision.

10. YOUR RIGHTS ACCORDING TO ART. 15 TO 18 AND 21 GDPR

10.1 Right of access by the data subject

You can request information according to Art. 15 GDPR about your personal data processed by us. In your request for information, you should specify your concerns in order to make it easier for us to compile the necessary data. Please note that your right to information may be restricted under certain circumstances according to statutory provisions (in particular § 34 BDSG - Federal Data Protection Act of Germany).

10.2 Right of rectification

If the information concerning you is not (or is no longer) correct, you can request a correction in accordance with Art. 16 GDPR. Should your data be incomplete, you can request completion.

10.3 Right to erasure

You can request the deletion of your personal data under the conditions of Art. 17 GDPR. Your right of cancellation depends, among other things, on whether we still need the data concerning you to fulfill our legal duties.

10.4 Right to restriction of processing

According to Art. 18 GDPR, you have the right to request that the processing of the data concerning you be restricted.

10.5 Right to object

According to Art. 21 GDPR, you have the right to object to the processing of the data concerning you at any time for reasons that arise from your particular situation. If you object, we will no longer process your personal data, unless we can prove compelling reasons for processing that outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

10.6 Right to no exclusively automated decision-making

You have the right according to Art. 22 GDPR not to be subjected to a decision based solely on automated processing - including profiling - which has legal effect on you or significantly affects you in a similar way.

10.7 Right to complain

If you are of the opinion that we have not observed data protection regulations when processing your data, you can contact us at any time with a complaint.

10.8 Right to lodge a complaint with a supervisory authority

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a regulatory authority, in particular in the member state of your residence, your place of work or the place of the presumed violation, if you are of the opinion that the processing of your personal data is violating the GDPR.

The supervisory authority responsible for bardehle it. GmbH is the Bavarian State Office for Data Protection Supervision (BayLDA). You can contact it by the following contact options:

Bayerisches Landesamt für Datenschutzaufsicht
Postfach 606
91511 Ansbach, Germany
Phone: +49 (0) 981 53 1300
Fax: +49 (0) 981 53 98 1300
E-Mail-address: poststelle@lda.bayern.de

11. OTHER INDICATIONS

11.1 Status of the duty of information and modifications:

Status of the currently valid version: 06.11.2020

We reserve the right to adapt this data protection declaration if necessary, so that it always corresponds to the current legal requirements or to implement modifications of our services in the data protection declaration, e.g. when introducing new services. The new data protection declaration then applies to your next visit.

11.2. Questions about data protection:

Please contact us if you have any questions about data protection.