



# Merin

## Privacy Statement



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## 1. Introduction Merin privacy statement

Merin takes your privacy seriously and will process and use information about you (the data subject) in a secure manner. In this privacy statement, we explain to you which personal data we collect, store and use (collectively referred to as 'processing' personal data), and for what purpose we do this. In addition, you can read in this privacy statement about your rights with regard to the personal data that we process about you. We recommend that you read this document carefully.

**For the sake of completeness:** this privacy statement does not apply to employees of Merin or applicants. The internal privacy statement or "the privacy statement for applicants" applies to them.

**What exactly does Merin do?** We focus on acquiring, operating, developing, selling, investing in and renting out offices and industrial premises in the Netherlands. In the context of our services, it is necessary for us to process certain personal data. In this we qualify as controller with regard to personal data that we process about you.

All articles in this privacy statement have been drawn up with the applicable [General Data Protection Regulation](#) (the GDPR) in mind. This European privacy legislation has been applicable in the Netherlands and the other EU member states since **25 May 2018**.

***Do you have doubts or questions about the processing of data by Merin? Please feel free to contact us using the details below.***

[privacy@merin.nl](mailto:privacy@merin.nl)

Hogehilweg 8 | 1101 CC | Amsterdam

Mailbox 94186 | 1090 GD | Amsterdam

Chamber of Commerce no. 33186563

To reinforce our transparent working method, we have appointed a Data Protection Officers (DPO). Our DPO: Weroen Ramautar, can be reached via [privacy@merin.nl](mailto:privacy@merin.nl).

## 2. Categories of personal data

In order to provide our visitors, customers and partners with the best possible support, it is necessary for us to collect certain data, including personal data. Personal data is data that can be traced back to a natural person. The personal data that we (generally) process are:

- First and last name;
- (Company) Address;
- Bank details;
- (Personal) e-mail address (note: on the basis of the GDPR, certain company e-mail addresses may be regarded as a personal e-mail address. Think of the e-mail address [janssen@bedrijf.nl](mailto:janssen@bedrijf.nl)).



In the context of our activities, the categories for which we collect personal data can in any case be defined as follows:

- Representatives, contacts and/or other employees of our current and former contract partners, including (corporate) tenants, suppliers, other business partners and affiliates;
- Tenants with a sole proprietorship or general partnership;

Representatives, contacts and/or other employees of our current and former advisers, consultants and service providers.

We only process and store data that has been provided to us directly, or of which it has unambiguously been stated on submission that they are provided for processing by Merin.

### 3. Basis and purposes for data processing

On the basis of the GDPR legislation, we are obliged to have lawful bases for processing personal data. In the case of Merin, these bases can be defined (in a general sense) as follows: they relate to the processing of personal data on the basis of consent, the performance of an agreement or to comply with a legal obligation.

Also, in accordance with GDPR, we clearly describe for which '*processing purposes*' the personal data are intended. **What exactly are 'processing purposes'?** These are the purposes, also known as the reasons, for which personal data is collected.

Below we indicate for which processing purposes Merin collects your personal data. We always explain the data used for this purpose and what the legal basis is. The retention periods of this data are subsequently described **under 4, Period of storage**.

**For the sake of completeness:** When you provide us with personal data from someone other than yourself, for example from the legal representative of the company you work for or from colleagues, we request that you provide that person with a copy of this privacy statement before submitting his/her personal data to Merin.

Below, the **processing goals** are listed under a category. Do you have direct questions about the processing goals? Please contact us via [privacy@merin.nl](mailto:privacy@merin.nl).

#### **Category: Services, customer management and financial administration**

##### **1. Financial administration**

For this processing purpose we collect the following data: Name, Job title, Contact details including telephone number and e-mail address, Invoice address, Bank details (Name of bank/IBAN/BIC), Outstanding balance and/or data on payment arrears.

The bases for processing in the context of this purpose: Performance of the agreement (in case the agreement has been concluded with the data subject himself); legal obligations (including our administration and retention obligations, tax obligations and obligations regarding the preparation of annual accounts and annual reports); our legitimate interest (to be able to perform our regular business activities correctly and effectively; to be able to provide and improve our services, to represent our interests, for example during a dispute or legal procedure; to prevent fraud, swindling or other unlawful behavior; for communication, commercial and administrative purposes).



## 2. Invoicing

For this processing purpose we collect the following data: Company name, Invoice address, Chamber of Commerce number, VAT number, Customer number, Telephone number, E-mail address.

The bases for processing in the context of this purpose: Execution of the agreement (if the agreement has been concluded with the data subject himself), our legitimate interest (to be able to conduct our regular business operations and to prepare, process and administer invoices).

## 3. Relationship management

For this processing purpose we collect the following data: Name, E-mail address, Order history, Telephone number, Chamber of Commerce number, business address. In some cases, we process data in the context of satisfaction surveys (name, email address).

The bases for processing in the context of this purpose: Performance of the agreement or (if the customer is a business customer) our legitimate interest (being able to initiate, maintain the customer relationship and to be able to perform the associated administration, correspondence and relationship management activities).

## 4. General services: entering into and executing business relationships, contacts with consultants, (legal) advisers, suppliers, contractors and maintenance companies.

For this processing purpose, we collect the following data: Name, Contact data, File data, Financial data (for the payment or assessment of so-called "finder's fee"), data necessary to provide the service and data generated during the service.

The bases for processing in the context of this purpose: Performance of the agreement (in case the agreement has been concluded with the data subject himself); legal obligations (including our administration and retention obligations, tax obligations and obligations regarding the preparation of annual accounts and annual reports); our legitimate interest (to be able to perform our regular business activities in a correct and effective manner; to be able to provide and improve our services, to represent our interests, for example during a dispute or legal procedure; to prevent fraud, swindling or other unlawful behavior; for communication, commercial and administrative purposes and for marketing purposes).

## 5. Conclusion and execution of the rental agreements

For this processing purpose we collect the following data: Name, company name (employer), position/title and business contact details (e-mail, telephone number, etc.), copy of passport (without BSN and photo), for sole proprietorships/private tenants: Name, address, copy of passport, signature, company name, position/title, invoice address (if different from address), bank details (name of bank/IBAN/BIC), payment details, information about rent arrears/outstanding balance, Chamber of Commerce number, VAT number.

The bases for processing in the context of this purpose: Performance of an agreement (for sole proprietorships and private rental), Legal obligations (including our administration and retention obligations) our legitimate interest (to be able to perform our regular business activities in a correct and effective manner; to be able to provide and improve our services, to represent our interests, for example during a dispute or legal procedure; to prevent fraud, swindling or other unlawful behavior; for communication, commercial and administrative purposes).



#### Category: Website(s) of Merin

**6. Contact form on the Merin website (<https://merin.nl/>)**

For this processing purpose we collect the following data: Name, E-mail address, Telephone number, Message, Yes/no tenant.

The grounds for processing in the context of this purpose: Legitimate interest (to be able to communicate with you, to handle and follow up on the questions, complaints or requests that you submit via the contact form).

**7. Cookies, placed via <https://merin.nl/> (Read <https://merin.nl/cookies> for detailed information)**

For this processing purpose, we collect the following data: IP address, location data, statistical and aggregated data about surfing behavior and website visits (scroll and click behavior).

The grounds for processing in the context of this purpose: Legitimate interest: Consent (for the use of analytical cookies, via the cookie banner on the website) and legitimate interest (for our website to function properly, to gain insight into the website visit, to recognize the visitors to our website, count the number of visitors and determine how they use our website (this helps us to improve our website and to allow visitors to find what they need faster and easier).

**Note:** With regard to cookies, we comply with both the GDPR and the Dutch cookie law ([Telecommunications Act article 11.7A](#)). This means that more detailed information about cookies is provided in a separate document: <https://merin.nl/cookies>. In this we also provide clear information about our use of Google Analytics.

#### Category: Merin Service App

**8. Use and proper functioning of the Merin Service App (processing service requests from tenants via this app, and also analyzing/improving Merin services)**

For this processing purpose, we collect the following data: Name, Username, Contact details, Description of the malfunction or other report, Location data, Photo related to the malfunction or other report.

The bases for processing in the context of this purpose: Execution of the agreement (the rental agreement or the agreement with regard to the app) and our legitimate interest (to provide you with the best possible service in dealing with malfunctions and other reports via the app and to analyze and improve our services).

#### Category: Smart meter

**9. Measurement of consumption data in accordance with legal guidelines and in accordance with the Code of Conduct for Processing by Other Service Providers (ODA)**

For this processing purpose, we collect the following data: Information regarding consumption data as stipulated in the rental agreement.

The grounds for processing in the context of this purpose: consent, and also legal obligation.



#### 4. Period of storage

Storage periods also apply to all processing purposes described above. After all, it is nice to know exactly for which period we store certain data before this data is deleted. **Below we indicate the storage period for each processing purpose:**

##### **Category: Services, customer management and financial administration**

###### **1. Financial administration**

The data for this purpose is retained for ten (10) years after the preparation of the documentation. This unless a longer storage period is necessary in connection with legal obligations, limitation periods and/or an expected legal dispute.

###### **2. Invoicing**

The data for this purpose is retained for ten (10) years after the preparation of the documentation. This unless a longer storage period is necessary in connection with legal obligations, limitation periods and/or an expected legal dispute.

###### **3. Relationship management**

For this purpose, data will be kept for five (5) years after the end of a customer relationship, unless longer is necessary in connection with legal proceedings. In this context, the term of five (5) years is also linked to the possibility that a possible customer becomes/still a customer of Merin.

###### **4. General services: entering into and executing business relationships, contacts with consultants, (legal) advisers, suppliers, contractors and maintenance companies.**

For this purpose, data will be kept for five (5) years after the end of a customer relationship, unless longer is necessary in connection with legal proceedings.

###### **5. Conclusion and execution of the lease agreements**

Five (5) years after the termination of the agreement (in case the agreement has been concluded with the data subject himself/herself). In some cases, Merin may keep the personal data longer, namely if Merin is legally obliged to do so or if it has other justified reasons for the longer to keep.

##### **Category: Website (s) of Merin**

###### **6. Contact form on the Merin website (<https://merin.nl/>)**

After entering a contact form on the website, we keep the data for a period that depends on the nature of the contact request. For example, data is placed in our CRM System for any business relations. With a single question, we will delete this data three (3) months after receiving the request. If we enter your data into our CRM System, we will keep this data for a maximum period of two (2) years, if no business relationship follows.

###### **7. Cookies, placed via <https://merin.nl/> (Read <https://merin.nl/cookies> for detailed information)**

All information regarding cookies is extensively explained in our <https://merin.nl/cookies>. In this we also provide clear information about our use of Google Analytics.



**Category: Merin Service App**

**8. Use and proper functioning of the Merin Service App (processing service requests from tenants via this app, and also analyzing/improving Merin services)**

We store data for the application for up to 2 years after you have stopped using it. Information that only applies to a specific complaint will be deleted after handling this complaint.

**Category: Smart meter**

**9. Measurement of consumption data in accordance with legal guidelines and in accordance with the Code of Conduct for Processing by Other Service Providers (ODA)**

This information will be deleted after termination of the lease.

## 5. Recipients of personal data

### How do we obtain your personal data?

Merin has information of you because you have provided us with information and/or because Merin has obtained your information from other parties. Those other parties are, for example, (online) brokers. The following (personal) data may have been obtained from the aforementioned other parties: name of contact person within the company, his/her telephone number and his/her e-mail address. We process this personal data for the same purposes for which you provided the personal data to the other party.

### Recipients of the personal data

We sometimes share your personal data with selected third parties, this is the case if it is necessary for the implementation of the purposes described above, or is required by law, agreement or regulations. Merin can pass on personal data to:

- Service providers, such as IT service providers, software providers, marketing agencies and online brokers;
- Parties that are involved in the implementation or fulfillment of an agreement between you and Merin, such as suppliers, utility companies, contractors, architects, interior builders and stylists;
- External advisors, such as legal advisers, accountants, banks, insurers, experts and collection agencies;
- Companies affiliated with Merin, such as Smart Office;
- Parties involved in a possible sale of real estate owned by Merin.

In some cases, we are (legally) obliged to share certain personal data with third parties. For example, if we are involved in legal proceedings, must comply with a (legal) obligation, must comply with a court decision or instructions from an insurer or government agency (such as the Dutch Data Protection Authority). Another example of this is that the police request (personal) data from us in the context of an investigation. In such a case, we must cooperate and are therefore obliged to provide this information.

Furthermore, we will not provide the information you provide to other parties, unless this is legally required and permitted.





### **Transfer to third country or international organization**

In some cases, your (personal) data will be passed on to recipients located outside the European Economic Area (EEA). We only transfer your personal data outside the EEA in the following situations: this concerns the services provided by Google Analytics. [Read more about this in <https://merin.nl/cookies>. Because privacy protection regulations may not offer the same protection there as within the EEA, Merin will ensure that appropriate measures are taken in these cases to protect your personal data in accordance with applicable law. We will use the EU Model Clauses (if necessary and where possible) to protect your personal data. You can request us to provide a copy of the appropriate safeguards that have been taken. If that is not possible, Merin may request permission from you to transfer your (personal) data to countries without an adequate level of protection. You can withdraw this permission at any time.

## **6. Security**

Viewing personal data is only possible for those who are authorized to do so within Merin. Personal data, both digital and physical, is strictly secured at all times.

Merin takes strict measures to protect your personal data. Both digitally and physically. For example, all our devices are protected with a password and/or fingerprint scan and/or facial recognition. This concerns devices such as (mobile) telephones, laptops, tablets and computers. USB sticks with which information is transported are also secured.

Merin uses firewalls, virus scanners and a periodic backup for the website or digital data sent. Naturally, no data is included in the backup if the retention period has expired. Passwords for systems are changed periodically and e-mails are periodically cleaned.

For physical data, these are kept in a locked filing cabinet within a locked office. The building in which the office is located is also equipped with an alarm system.

## **7. Your rights with regard to your personal data**

Below are the rights that you can exercise with regard to your personal data. We hereby indicate in as much detail as possible how the relevant right can be used.

### **a. Right of access (Article 15 GDPR)**

You always have the right to view the data processed and stored by Merin. To exercise this right, you can send an email with your request to: [privacy@merin.nl](mailto:privacy@merin.nl).

### **b. Right to rectification (Article 16 GDPR)**

You have the right to rectify any data stored by Merin that turns out to be incorrect. Merin will then replace the current incorrect data with the correct data.



#### c. Right to data portability (Article 20 GDPR)

You have the right to have personal data transferred by Merin to a similar party. This refers to a party that offers and performs roughly the same services as Merin.

#### d. Right to erasure of data (Article 17 GDPR)

In certain cases, you can request Merin to have data removed. You have the option to do so with **the right to erasure (right to be forgotten)**. Below you will find a list of situations in which Merin must delete your data:

- If the data processed by Merin is no longer necessary for the processing purpose.
- If the consent for the use of the personal data is withdrawn by you. For example, by means of the "unsubscribe button" on the Merin newsletter.
- If you object to the processing of your data. ***In case of direct marketing, you always have the absolute right to object.*** When your interests with regard to the processing of personal data outweigh those of Merin, you have a relative right. The data will then only be deleted if it has been demonstrated that your interests outweigh those of Merin.
- If Merin processes data unlawfully, you have a direct option to have the data removed by Merin. This is the case, for example, if there is no legal basis for the processing of personal data.
- If a legal retention period has been exceeded, Merin is obliged to delete the processed personal data.
- If you as a data subject are younger than 16 years of age and no consent from a parent or guardian has been granted for the processing of the personal data. In this case, Merin will immediately delete your personal data.

There may be exceptions to the right to erasure. For more information you can consult the next [page](#).

#### e. Right to submit a complaint to the Dutch Data Protection Authority

As soon as you believe that Merin does not properly handle your personal data, you always have the right to file a complaint with the Dutch Data Protection Authority. You can do this via this [link](#) (as of 9 November 2020, there is only a Dutch version available). The Dutch Data Protection Authority further deal with your complaint.

#### f. Right to stop data usage, objection (Article 21 GDPR)

You have the right to object at any time with regard to data processing. Certainly, in the case of "direct marketing".

We also point out the following rights:

- **Right to limit (part of) the processing:** under certain conditions you have the right to obtain from Merin the limitation of the processing of your personal data. In short, this means that Merin temporarily "freezes" the processing of the data. You can invoke this right in four situations: (1) pending the assessment of a correction request, (2) if data should actually be deleted but you do not wish to be deleted, (3) if Merin no longer needs the data while it is still necessary for (the preparation for) a lawsuit and (4) pending the assessment of an objection.
- **Withdrawal of consent:** you have this right insofar as we process your data on the basis of your consent. You have the right to withdraw your consent at any time. This has no consequences for the past, but it does mean that we may no longer process this data. As a result, Merin may no longer be able to provide you with certain services.



### **Make use of the above rights?**

In most cases, an email to our DPO via [privacy@merin.nl](mailto:privacy@merin.nl) is enough to exercise the aforementioned rights. If we are unsure of your identity, we have several ways to verify your identity. For example, because you are requested to provide us with a copy of your proof of identity. This is always done in the manner [prescribed by the national government](#). In most cases, a less invasive means of proof of identity will suffice. The use of the mentioned rights is free of charge; except when abused.

We would like to point out that the rights described above are not absolute rights. There may be circumstances that prevent Merin from complying with a particular request. We will always assess each request on its own merits. If we cannot comply with a specific request, we will of course inform you of this with the reasons.

## **8. Duties**

Merin always processes data on the basis of a legitimate interest. Personal data will never be resold to a third party.

Information that we consider necessary to collect is at least required to perform our services properly. If this information is not provided to Merin, it will not be possible to perform the services adequately.

If it proves necessary to share data with any third party, with due observance of Article 5, permission will always be requested. This can be done by means of changes to Merin's privacy statement or by direct request for permission.

Merin also reserves the right to disclose data if this is required by law or if Merin deems this justified in order to comply with legal proceedings. This will also be the case when it comes to property rights or general protection of Merin. Your privacy is always taken into account.

### **Can this privacy statement be changed?**

This privacy statement can be changed, for example as a result of a change in law or a relevant change in Merin's business operations. We therefore advise you to regularly read the privacy statement for any changes. Changes will be notified to you, by sending the amended privacy statement or via our website. The current version of this privacy statement can always be found at: <https://merin.nl/privacy>.

Merin can - under certain conditions - process your personal data for purposes that are not yet stated in this privacy statement. In that case, Merin will contact you before using your data for these new purposes, to inform you of the changes to our privacy statement and to offer you the opportunity to refuse processing for those new purposes.

**Do you have any questions about our privacy statement? Please feel free to contact us using the details below.**

[Privacy@merin.nl](mailto:Privacy@merin.nl)

Hogehilweg 8 | 1101 CC | Amsterdam  
Mailbox 94186 | 1090 GD | Amsterdam  
Chamber of Commerce no. 33186563

Our Data Privacy Officer: Weroen Ramautar, can also be reached via [privacy@merin.nl](mailto:privacy@merin.nl).

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