

## **PRIVACY POLICY**

The website [www.mmiam.ca](http://www.mmiam.ca) (the “**Site**”) is operated by MMI Asset Management Ltd. (also referred to as “**MMI**”, “**us**”, or “**we**”). We respect your right to control your personal information. That is why we have developed this privacy policy (the “**Privacy Policy**”) which describes:

- the types of personal information we collect about you;
- the purposes for which we collect that information;
- how we use that information;
- with whom we share that information;
- how we safeguard that information;
- the choices available to you regarding how we use your personal information; and
- how you can contact us about our privacy practices.

This page contains the Privacy Policy for the Site, as well as for any other websites or microsites operated by MMI (collectively and together with the Site, the “**Sites**”), and for web applications, tools, forums, or social media pages offered by the MMI on the Sites, and for any online services offered by the MMI including, but not limited to information provided on the Sites in relation to MMI’s:

- asset management;
- real estate development;
- real estate investment management;
- acquisition and disposition of real estate;
- disposition and investment management; and
- marketing and promotional emails about real estate services; and

(collectively and together with the Sites, the “**Service**”).

**By accessing or using the Service, you consent to the collection, use and disclosure of personal information by MMI in accordance with the Privacy Policy. You may choose not to provide us with personal information. However, if you make this choice we may not be able to provide you with the application, service or information that you requested.**

We recommend that you read this entire Privacy Policy to ensure that you are fully informed. However, you can access specific sections of the Privacy Policy based on the type of information you are looking for by clicking on the links below.

1. What are the key defined terms used throughout the Privacy Policy?
2. What personal information do we collect?
3. What is the purpose of the collection and use of your personal information?
4. To whom do we disclose your personal information?
5. What if there is a change in the initial purpose of collection of your personal information?

6. Do we knowingly collect personal information about children?
7. How do we safeguard your personal information?
8. Do we transfer your personal information to third parties located in other jurisdictions for storage or processing?
9. How long do we retain your personal information?
10. Do we collect, use, and disclose non-personal information about you?
11. How do we ensure the accuracy of your personal information?
12. How can you access your personal information?
13. What types of “cookies” and/or other technologies do we use and how can you change your “cookie” settings?
14. Do we have links to other websites on the Sites? If so, which Privacy Policy governs?
15. Do we use third party advertising partners? If so, how can you opt out of targeted advertising?
16. What type of analytics services do we use and for what purpose? How can you disable analytics?
17. Whom do you contact if you have an inquiry, complaint, or want to request a review of your personal information?
18. How do we handle complaints?
19. How do you withdraw your consent to the collection, use or disclosure of your personal information?
20. How can you unsubscribe from our commercial electronic messages such as messages regarding new products or services?
21. If changes are made to the Privacy Policy, will you be notified? If so, how will you be notified?

## **1. Definitions**

For the purposes of the Privacy Policy, the following words have the following meanings:

“**collection**” means the act of gathering, acquiring, recording or obtaining personal information from any source, including third parties, by any means.

“**consent**” means voluntary agreement with the collection, use and disclosure of personal information for defined purposes. Consent can be either express or implied and can be provided directly by the individual or by an authorized representative, such as a parent or guardian. Express consent is permission that is granted by an individual taking a positive step to signify consent and may be given orally, electronically or in writing. Implied consent is the assumption of consent that can reasonably be inferred from a user's action or inaction.

“**user**” means an individual who uses the Service provided by MMI, including anyone else who accesses or visits the Sites.

“**disclosure**” means making personal information available to a third party.

“**employee**” means an employee of MMI, and for the purpose of the Privacy Policy only, includes agents, independent and other contractors performing services for MMI.

“**personal information**” means information about an identifiable individual, but not aggregated information that cannot be associated with a specific individual.

“**Subscribing Organization**” means a company, entity or organization, including any business that has subscribed to the Service.

“**third party**” means an individual other than the user, or the user's agent, or an organization other than MMI or a Subscribing Organization.

“**use**” means the treatment, handling and management of personal information by and within MMI.

## **2. Information We Collect**

When you interact with us through the Service, we may collect or receive the following types of information.

### **Personal Information You Provide To Us**

You may provide us with your personal information in different ways. For example, we may collect any or all of the following personal information if the information is reasonably required to provide the Service to you:

- (a) information that you provide when you become a registered user or otherwise complete forms on the Service, such as your name, postal address, telephone number and e-mail address
- (b) your correspondence with MMI employees, including any questions, concerns or comments you may have about the Service or problems that you report;
- (c) comments, videos, photographs, and any other content or information that you may submit to the Service; and/or
- (d) details of your requests made through the Service.

### **Technical Information We Collect Automatically**

When you visit the Sites, we may collect, using electronic means, technical information. This information may include:

- (a) the IP address of your computer and which browser you used to view our Sites;
- (b) operating system;
- (c) resolution of screen;
- (d) location;
- (e) language settings in browsers; and/or
- (f) the site you came from and searched for keywords if arriving from a search engine.

This technical information (some of which in certain instances may be considered personal information) is aggregated and used to measure and improve effectiveness of our Sites. We do not attempt to combine this technical information with other personal information we collect on our Sites.

### **3. Purpose of Collection and Use of Personal Information**

MMI collects your personal information and will use your personal information as is reasonably required for the following purposes:

- (a) to provide web applications, the Service, and/or the other services or information that you request;
- (b) to verify your identity if you submit comments, videos, photographs, opinions, or any other content or information to the Service;
- (c) to respond to questions, comments, requests, job applications, or complaints that you submit to MMI;
- (d) to collect amounts owing from you to MMI, if applicable;
- (e) to track communications with you;
- (f) to analyze use of the Service and to improve the Service;
- (g) to send emails, newsletters, regular mail or other communications you have consented to receive from MMI;
- (h) to provide Service-related announcements or notifications to you;
- (i) to fulfill a purpose that we disclose to you when we request your personal information;

- (j) to aggregate your personal information resulting from the combination and/or aggregation of certain raw personal information collected from you with other data in a way that no longer personally identifies you;
- (k) to process payments made by you; and/or
- (l) to meet legal and regulatory requirements.

Your personal information will only be collected and used by MMI and employees, agents, partners and service providers in a manner consistent with the activities of MMI. Access to your personal information by MMI's employees, agents, partners and service providers is limited only to those authorized, based on their need to deal with the personal information for the reason(s) for which it was obtained, including to enable them to perform a business, professional or technical support function for MMI.

#### **4. Disclosure of Personal Information**

MMI may disclose your personal information to:

- (a) its employees, MMI departments, agents, partners and service providers as is reasonably necessary to enable these parties to perform a business, professional or technical support function for MMI;
- (b) advertisers, advertising exchanges, and marketing agencies that we engage for advertising services, to deliver advertising on the Sites, and to assist us in advertising the Service. Those advertising services may also target advertisements on third party websites based on cookies or other information indicating previous interaction with us and/or the Service;
- (c) a person who, in the reasonable judgment of MMI, is seeking the information as your agent; and
- (d) a third party or parties, where you consent to such disclosure or the disclosure is permitted or required by law.

#### **Corporate Reorganization and Business Transfers**

MMI may also disclose your personal information in connection with a corporate re-organization, a merger or amalgamation with another entity, a sale of all or a substantial portion of our assets or stock, including any due diligence exercise carried out in relation to the same, provided that the information disclosed continues to be used for the purposes permitted by the Privacy Policy by the entity acquiring the information.

#### **5. Change of Purpose**

MMI will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and obtain your express consent to do so pursuant to Section 21.

Please note that we may process your personal data without your knowledge or consent where this is required by law.

## 6. Children

The Service is intended for general audiences and is not directed to children under the age of 13. We do not knowingly collect personal information from children under 13. In the event that we learn that we have collected personal information from a child under the age of 13, we will take appropriate steps to delete that personal information. If you become aware or believe that a child has provided us with personal information, please contact us as provided in Section 17.

## 7. Safeguarding Your Personal Information

MMI is committed to safeguarding your personal information. MMI uses appropriate security measures to protect personal information against risks such as loss or theft, unauthorized access, disclosure, copying, misuse, modification or destruction, and any other unlawful form of processing of the personal information in our possession regardless of the format in which it is held. The methods of protection and safeguards used by MMI include, but are not limited to:

- **Administrative safeguards** such as privacy and security policies and procedures, privacy and data protection training for MMI staff;
- **Technical safeguards** such as security testing, vulnerability scans, and technological measures, including the use of passwords, encryption, firewalls, and secure coding frameworks;
- **Physical safeguards** such as locked filing cabinets, and need-to-know access for MMI employees.

MMI also ensures that its employees with access to personal information are made aware of the importance of maintaining the confidentiality of personal information.

MMI takes care in disposing of or destroying personal information to prevent unauthorized parties from gaining access to the information.

**MMI is committed to safeguarding your personal information, we cannot ensure or warrant the security of any personal information we collect either directly or automatically from you, and you do so at your own risk.**

**MMI cannot guarantee that such personal information may not be accessed, disclosed, altered, or destroyed by breach of any of our security safeguards. To the degree that personal information is of a sensitive nature, in the event of a breach, there may be a risk of significant harm to you which includes bodily harm, humiliation, damage to reputation or relationships, loss of employment, business or professional opportunities, financial loss, identity theft, negative effects on the credit record and damage to or loss of property.**

**MMI also cannot guarantee that information sent or received over the Internet is secure and does not make any representation or warranty concerning the security of personal information communicated to or from MMI via the Internet or regarding the interception by third parties.**

## 8. International Transfers

Your personal information may be stored and processed in any country where we engage third party service providers (e.g. Canada, United States). While such information is outside of your country of residence, it is subject to the law of the country in which it is held, and may be subject to disclosure to the governments, courts, or law enforcement or regulatory agencies of such other country, pursuant to the laws of such country. For example, personal information stored in the United States is subject to the US PATRIOT ACT.

Regardless of where your personal information may be stored and processed, MMI's practices will at all times continue to be governed by this Privacy Policy. In addition, MMI has measures in place to ensure that when your personal information is transferred to a third party for processing, whether within or outside Canada, it is subject to appropriate safeguards in accordance with applicable data protection laws. These measures typically include contractual safeguards stipulating the confidentiality of the information and the purposes for which it is to be used.

Where and when appropriate, we will transmit amended personal information to third parties having access to the personal information in question.

## **9. Retention of Personal Information**

MMI will only keep personal information for as long as reasonably necessary to fulfil the relevant purposes set out in the Policy Privacy and in order to comply with our legal and regulatory obligations. To determine the appropriate retention period for your information, we consider the amount, nature, and sensitivity of the information, the potential risk of harm from unauthorized use or disclosure of your information, the purposes for which we process your information and whether we can achieve those purposes through other means, and the applicable legal requirements.

## **10. Non-Personal Information**

We may collect, use and disclose non-personal information, including aggregated data resulting from the combination and/or aggregation of certain raw data collected from you with other data in a way that no longer personally identifies you. We make no attempt to link this non-personal information with the identity of individuals. We may permanently archive non-personal information for future use in any manner whatsoever.

## **11. Accuracy of Personal Information**

MMI is committed to keeping your personal information as complete, up-to-date and accurate as is necessary for the purposes for which it is to be used. MMI will promptly correct or complete any personal information found to be inaccurate or incomplete. Where appropriate, MMI will transmit amended information to third parties having access to the personal information in question.

## **12. Access to Personal Information**

Upon request, MMI will provide you with a reasonable opportunity to review the accuracy of your personal information. Such personal information will be provided within a reasonable time of the request and at a minimal or no cost to you.

Also upon request, MMI will provide an account of the use and disclosure of your personal information and, where reasonably possible, will state the source of the information. In providing

an account of disclosure, MMI will provide a list of organizations to which it may have disclosed personal information about you when it is not possible to provide an actual list.

In certain situations, MMI may not be able to provide access to all of the personal information we hold about you. In such a case, we will provide the reasons for denying access upon request. Such reasons may include:

- (a) if doing so would likely reveal personal information about another individual that cannot be severed or the information could reasonably be expected to threaten the life or security of another individual;
- (b) if doing so would reveal any of our confidential information;
- (c) if the information is protected by solicitor-client privilege;
- (d) if the information was generated in the course of a formal dispute resolution process; or
- (e) if the information was collected in relation to the investigation of a breach of an agreement or a contravention of a federal or provincial law, or that of a foreign jurisdiction.

Individuals can obtain information or seek access to their personal information by contacting our Privacy Officer pursuant to Section 17 of the Privacy Policy during regular business hours.

### 13. Cookies and Similar Technologies

The Sites use “cookies”, which are small text files placed on your computer or other device when you visit a website. When you visit the site again, the cookie allows that site to recognize your browser. Cookies may store user preferences and other information.

There are three main types of cookies:

- (a) **Session cookies** are specific to a particular visit and limited to sending session identifiers (random numbers generated by the server) so you don't have to re-enter information when you navigate to a new page or check out. Session cookies are not permanently stored on your device and are deleted when the browser closes;
- (b) **Persistent cookies** record information about your preferences and are stored in your browser cache or mobile device and remain on your device between browsing sessions. For example, a persistent cookie may be used on a website to remember your log-in details so you will not need to enter those details each time you visit that website; and
- (c) **Third party cookies** placed by someone other than us which may gather data across multiple websites or sessions.

We use the below listed cookies to perform the following functions:

- (d) **Strictly necessary / technical cookies** that are essential to enable you to move around a website and use its features. You cannot withdraw your consent to the use of these types of cookies because without them, the Service cannot be provided.

- (e) **Analytical / performance cookies** that collect information in aggregated form about how users interact with the Sites so that we may improve functionality. These cookies are sometimes placed by third party providers which enable features or functionality provided by third parties in connection with the Service. For example, advertising, interactive content, and analytics (see Section 16 below). The parties that set these third-party cookies can recognize your device both when it visits the website in question and also when it visits certain other websites.
- (f) **Functional cookies** that allow a website to remember choices you make, recognize you when you return and to personalize content.
- (a) **Targeting / advertising cookies** that track browser habits and used to deliver targeted (interest-based) advertising based on your browsing activities and interests. See Section 15 on how you may opt out of targeting advertising.

You acknowledge that where we allow third parties to drop cookies, we have no control over those cookies or the data generated. Please refer to the third party's privacy policy for information on what information they collect and how they use it. These cookies are likely to be analytical/performance cookies or targeting cookies.

### **Other Technologies**

We may use other technologies similar to cookies like web beacons, which are sometimes called "tracking pixels" or "clear gifs". These are tiny graphics files that contain a unique identifier that enable us to recognize when someone has visited the Sites or opened an email that we have sent them. In many instances, these technologies are reliant on cookies to function properly, and so declining cookies will impair their functioning.

### **Right to Refuse the Use of Information Collection Technologies**

We obtain your consent to our information collection technologies through our opt-in mechanism on the Sites. You have the right to object to the use of information collection technologies such as cookies. Regular cookies may generally be disabled or removed by tools that are available as part of most commercial browsers, and in some but not all instances can be blocked in the future by selecting certain settings. Each browser you use will need to be set separately and different browsers offer different functionality and options in this regard.

**Please be aware that if you disable or remove these technologies you may find that certain functions and features will not work as intended on the Service and that when you revisit our website your ability to limit cookies is subject to your browser settings and limitations.**

### **14. Links to Other Websites**

The Sites may contain links to other sites, such as LinkedIn, Twitter, Facebook, and Instagram. The Privacy Policy only applies to personal information that we collect, use and disclose. We are not responsible or liable for the privacy practices of third parties, and we strongly recommend that you review their privacy policies before you disclose personal information to them.

### **15. Targeted Advertising and How You May Opt Out**

We may use third party advertising partners such as advertising networks, exchanges, and social media platforms to display advertising on the Sites or to manage and serve our advertising on other sites. You have a variety of options to opt out of interest based advertising ranging from browser controls, add on utilities such as ad blockers, and other opt out tools. Opt out tools may include organizations such as:

- Network Advertising Initiative: <https://optout.networkadvertising.org/?c=1>;
- Digital Advertising Alliance ("DAA") of Canada: <https://youradchoices.ca/>;
- DAA YourAdChoices: <https://youradchoices.ca/en/tools>.

## 16. Analytics

The Sites employ Google Analytics, a web analysis service from Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA ("Google"). Google Analytics uses "cookies," which are text files placed on your computer, to help the website analyze how users use the Sites, compiling reports on the Sites' activity for the Sites' operators and providing other services relating to website activity and Internet usage. The information generated by the cookie (including the IP address) is transferred and stored on a Google server located in the United States.

Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf. Google will not associate your IP address with any other information held by Google.

We may also use additional analytics programs from time to time to process non-personal information about you.

We make no attempt to link this non-personal information with the identity of individuals using the Service. Non-personal information may be permanently archived for future use in any manner whatsoever by MMI.

### Disable Google Analytics

You can prevent the collection and processing of cookie created data relating to your utilization of the Sites (including your IP) via Google by downloading and installing the browser-plugin available under the following link (<https://tools.google.com/dlpage/gaoptout?hl=en>).

Google currently offers this opt-out tool for Internet Explorer 11, Google Chrome, Mozilla Firefox, Apple Safari and Opera.

Further information concerning the terms and conditions of Google's use and data privacy can be found at <https://www.google.com/analytics/terms/us.html> or at <https://policies.google.com/privacy>.

## 17. Contact Us

To submit an inquiry, complaint, request a review of your personal information, correct or update your personal information, withdraw your consent or request more information or additional copies of the Privacy Policy contact:

**MMI Privacy Officer**

**Mailing Address:** 55 Donald St, Unit 200 Winnipeg, MB R3C1L8

**Telephone No.:** 204-928-5005

**E-mail:** [Sylvie.Turner@mmiam.ca](mailto:Sylvie.Turner@mmiam.ca)

## **18. Complaints**

MMI will promptly investigate all complaints concerning our compliance with the Privacy Policy and our dealings with your personal information. If a complaint is found to be justified, MMI will take appropriate measures to resolve the complaint, including, if necessary, amending our policies and procedures. You will be informed of the outcome of the investigation regarding your complaint.

## **19. Withdrawing Consent**

You may withdraw your consent to the collection, use or disclosure of your personal information by MMI at any time, subject to legal or contractual restrictions and reasonable notice. In certain circumstances, your withdrawal of consent may result in the inability of MMI to continue providing aspects or optimization of the Service to you. Please contact MMI for more information regarding the implications of withdrawing consent.

## **20. Unsubscribe from Commercial Electronic Messages**

We may send you commercial electronic messages (such as marketing or promotional messages) if you have:

- provided us with your express consent to receive these messages;
- recently purchased a product or service from us;
- entered into a contract with us or some other form of business relationship with us;
- requested information from us; or
- applicable law otherwise permits us to send commercial electronic messages to you.

If you no longer wish to receive commercial electronic messages from MMI regarding our new products or services, promotions or other similar communications, you may unsubscribe anytime. Please note that, after you unsubscribe, MMI may still send electronic communications to you in certain limited circumstances, such as to provide you with Service notifications and billing information, or to provide information that MMI is legally obligated to provide you.

## **21. Privacy Policy Changes**

We may modify the Privacy Policy to accommodate changes in our services, changes in technology and legal developments. If we make changes to the Privacy Policy, we will provide notice through the Service, or by other means to provide you the opportunity to review the changes before they become effective. For example, we may place a prominent notice on the Sites or e-mail you to let you know of an updated Privacy Policy.

If we make significant changes to the Privacy Policy, we will provide at least 30 days' notice through the Service, or by other means, to provide you the opportunity to review the changes and

provide your required consent before they become effective. A significant change may be using personal information for a new purpose or disclosures to new third parties.

You acknowledge that your continued use of the Service after we modify the Privacy Policy, publish or send a notice about our changes to the Privacy Policy means that the collection, use and sharing of your personal data is subject to the updated Privacy Policy.

If you object to any changes to the Privacy Policy you may close your account.

Whenever we update the Privacy Policy, we will change the date below to indicate when the changes were made.

**Date: Wednesday, December 2, 2020**