

# PRIVACY POLICY

2121 Ella Apartments | Evolve Living

Effective Date: 4/15/2026 | Last Updated: 4/15/2026

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**Drafting note:** This is a master template designed for the Evolve Living portfolio of Texas multifamily properties. Items in [brackets] are property-specific overlays. This draft incorporates Texas Data Privacy and Security Act (TDPSA, eff. July 1, 2024) requirements, FCRA tenant-screening flow-through, fair housing carve-outs, and multi-state catch-all language. Counsel should review before publication on any property website.

This Privacy Policy describes how **KCG 2121 Ella, LLC**, doing business as **2121 Ella** and operating under the Evolve Living brand (“Evolve Living,” “we,” “us,” or “our”), collects, uses, discloses, and protects personal information when you visit [www.2121ellaliving.com](http://www.2121ellaliving.com) use our online resident portal, submit a rental application, or otherwise interact with us in connection with **2121 Ella** (the “Property”).

The Property is located in Texas. This Policy is designed to comply with applicable Texas and federal law, including the Texas Data Privacy and Security Act (“TDPSA”), the Texas Identity Theft Enforcement and Protection Act (Tex. Bus. & Com. Code Ch. 521), the federal Fair Credit Reporting Act (“FCRA”), the federal Fair Housing Act, and the Texas Fair Housing Act.

Our website is intended for residents of the United States. We do not knowingly direct our services to, or solicit personal information from, residents of the European Union, the United Kingdom, or other non-US jurisdictions. If you do not agree with this Policy, please discontinue use of the website.

## 1. Information We Collect

### 1.1 Information You Provide Directly

We collect personal information you voluntarily provide when you:

- Complete a rental application, guarantor application, or inquiry form
- Register for or use our online resident portal
- Submit a maintenance or service request
- Sign up for community announcements, newsletters, or alerts
- Contact us by email, phone, text message, or our website contact form
- Make a rent payment or other transaction

This information may include your name, email address, phone number, mailing address, date of birth, government-issued identification, employment and income information, rental and credit history, emergency contact information, vehicle information, and payment details.

For applicants and residents, we also collect Social Security Numbers solely for tenant screening, identity verification, tax reporting, and other purposes required or permitted by law.

### **1.2 Information Collected Automatically**

When you visit our website, we and our service providers automatically collect:

- IP address, browser type, operating system, and device identifiers
- Pages visited, time spent on the site, and referring URLs
- Cookie data and similar tracking technologies (see Section 5)

### **1.3 Information from Third Parties**

We may receive information about you from:

- Consumer reporting agencies and tenant screening vendors (credit reports, background checks, eviction history, rental history)
- Identity verification services
- Prior landlords and employer references provided in your application
- Government databases for compliance with affordable housing or anti-fraud requirements
- Public records

### **1.4 Sensitive Personal Data**

Some information we collect is considered “sensitive personal data” under the TDPSA, including Social Security Numbers, government-issued identification numbers, and (where applicable for affordable housing compliance) information about race, ethnicity, or other protected characteristics. We process sensitive personal data only for the specific purposes for which it was collected.

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**NOTICE: We do not sell your sensitive personal data. We do not sell your biometric personal data.**

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## **2. How We Use Your Information**

We use the information we collect to:

- Process rental applications and verify applicant eligibility
- Manage your lease, account, tenancy, and renewal
- Respond to inquiries, service requests, and maintenance tickets
- Send community-related communications, lease notices, payment reminders, and emergency alerts
- Process rent payments, security deposits, refunds, and other transactions
- Operate, maintain, and improve our website and resident services

- Comply with legal, regulatory, and reporting obligations (including affordable housing compliance where applicable)
- Detect, prevent, and address fraud, security incidents, and lease violations
- Enforce our lease agreements and protect our legal rights

We do not use sensitive personal data for targeted advertising, and we do not sell personal data.

### 3. Tenant Screening and Consumer Reports

In connection with rental applications, we obtain consumer reports — including credit reports, criminal background checks, eviction history, and prior rental history — from third-party screening providers. By submitting a rental application, you authorize us to obtain these reports.

You will receive a separate FCRA disclosure and authorization at the time of application. If we take adverse action based in whole or in part on a consumer report, we will provide you with an adverse action notice identifying the consumer reporting agency, your right to a free copy of the report, and your right to dispute the accuracy or completeness of the information.

We do not use solely automated decision-making or profiling that produces legal or similarly significant effects without human review. Where our screening vendors apply scoring algorithms, our staff reviews application decisions before they are finalized. You may request human review of any application decision by contacting us at the address in Section 15.

### 4. How We Share Your Information

We do not sell your personal information, and we do not share your personal information for cross-context behavioral advertising.

We share personal information only with the following categories of recipients, and only as needed for the purposes described in this Policy:

- **Property management staff and authorized personnel** of Evolve Living and our affiliates
- **Service providers** who support our operations, including payment processors, tenant screening vendors, maintenance and repair contractors, IT and hosting providers, insurance carriers, and software platforms
- **Professional advisors**, including attorneys, accountants, auditors, brokers, and insurance advisors
- **Consumer reporting agencies and collection agencies** in connection with screening, unpaid rent, lease violations, or property damage
- **Government and regulatory authorities**, including for affordable housing compliance reporting (HUD, TDHCA), tax reporting, or as required by law

- **Law enforcement** when required by valid legal process or to protect our legal rights, the safety of residents, or the security of the Property
- **Prospective purchasers, lenders, or investors** in connection with the sale, financing, or refinancing of the Property, subject to appropriate confidentiality protections

We require service providers and professional advisors with whom we share personal information to maintain its confidentiality and security and to use it only for the purpose for which it was disclosed.

## 5. Cookies and Tracking Technologies

Our website uses cookies and similar technologies, including:

- **Essential cookies** required for basic website functionality
- **Analytics cookies** to understand how visitors use our site
- **Preference cookies** to remember your settings

You can control or disable cookies through your browser settings. If your browser transmits a Global Privacy Control (“GPC”) signal, we will treat it as a valid opt-out request from the sale of personal data and from sharing for cross-context behavioral advertising. Disabling cookies may affect certain website features.

## 6. SMS, Email, and Other Communications

If you provide your phone number through our website, resident portal, or rental application, you consent to receive transactional and account-related text messages from us — including maintenance updates, rent reminders, lease notices, and emergency alerts. Message and data rates may apply. Reply STOP to opt out at any time, or HELP for assistance.

You may unsubscribe from marketing emails at any time using the unsubscribe link in those messages. You will continue to receive transactional and lease-related communications until your tenancy ends.

## 7. Data Security

We maintain reasonable administrative, technical, and physical safeguards designed to protect your personal information from unauthorized access, disclosure, alteration, or destruction. These safeguards include encrypted transmission, secure servers, access controls limiting personal information to authorized personnel with a business need, and additional protections for Social Security Numbers consistent with Tex. Bus. & Com. Code §521.052.

In the event of a security breach affecting your personal information, we will notify you as required by Tex. Bus. & Com. Code §521.053 and any other applicable law.

No method of transmission or storage is 100% secure, and we cannot guarantee absolute security.

## 8. Data Retention

We retain personal information for as long as necessary to fulfill the purposes described in this Policy, comply with legal obligations, resolve disputes, and enforce our agreements. General retention periods include:

- **Denied applications:** two (2) years from the date of denial
- **Resident records:** seven (7) years from the date of lease termination, or longer if required for tax, regulatory, or litigation purposes
- **Website inquiry forms:** two (2) years from submission

When personal information is no longer needed, we dispose of it consistent with the FACTA Disposal Rule and other applicable law.

## 9. Fair Housing

**[Property Name]** is operated in compliance with the federal Fair Housing Act, the Texas Fair Housing Act, and applicable local fair housing ordinances. We do not use race, color, national origin, religion, sex, familial status, disability, or any other protected characteristic to make leasing or housing-related decisions.

Where we collect demographic information for affordable housing compliance reporting (for example, under LIHTC, HUD, or TDHCA programs), that information is used only for required compliance reporting and is segregated from leasing decisions.

## 10. Texas Resident Privacy Rights

Under the Texas Data Privacy and Security Act, Texas residents have the following rights:

- **Right to confirm** whether we are processing your personal data
- **Right to access** the personal data we hold about you
- **Right to correct** inaccuracies in your personal data
- **Right to delete** personal data we have collected from you
- **Right to data portability** in a portable, readily usable format where technically feasible
- **Right to opt out** of (a) the sale of your personal data, (b) targeted advertising, and (c) profiling in furtherance of decisions producing legal or similarly significant effects

To exercise any of these rights, contact us at [info@evovelivingtx.com](mailto:info@evovelivingtx.com) or by mail at the address in Section 15. We may need to verify your identity before fulfilling your request, including by asking for information matching your account or other reasonable verification methods. We will respond within 45 days. If we need additional time, we will notify you within the initial 45-day period.

**Appeals.** If we decline to act on your request, you may appeal our decision by contacting us at [info@evovelivingtx.com](mailto:info@evovelivingtx.com) within a reasonable time after receiving our response. We will

respond to your appeal within 60 days. If your appeal is denied, you may submit a complaint to the Texas Attorney General at <https://www.texasattorneygeneral.gov>.

## **11. Residents of Other US States**

If you reside in California, Virginia, Colorado, Connecticut, Utah, or another state with a comprehensive consumer privacy law, you may have rights similar to those described in Section 10, including rights of access, correction, deletion, portability, and opt-out from sale or targeted advertising. To exercise these rights, contact us at [privacy@evolvelivingtx.com](mailto:privacy@evolvelivingtx.com). We will respond within the timeframes required by your state's law.

We do not sell personal information as defined under those laws, and we do not knowingly engage in cross-context behavioral advertising.

## **12. Children's Privacy**

Our website is not directed to children under the age of 13, and we do not knowingly collect personal information from children. If you believe we have inadvertently collected information from a child, please contact us and we will take steps to delete it.

## **13. Third-Party Links**

Our website may contain links to third-party websites, such as utility providers, community services, payment processors, or social media platforms. We are not responsible for the privacy practices of those websites. We encourage you to review their privacy policies before providing personal information.

## **14. Changes to This Policy**

We may update this Privacy Policy from time to time. When we make material changes, we will revise the "Last Updated" date and, where appropriate, provide additional notice. Continued use of our website after changes become effective constitutes acceptance of the updated Policy.

## **15. Contact Us**

For privacy questions, requests, or concerns:

### **Privacy Contact**

Email: [info@evolvelivingtx.com](mailto:info@evolvelivingtx.com)

### **Property Contact**

**KCG 2121 Ella, LLC**

d/b/a 2121 Ella | Evolve Living

2121 Ella Blvd

Houston, Texas 77008

Phone: 832-415-3330

Email: 2121cm@evolvelivingtx.com

Office Hours: Monday – Friday 8:30 am to 5:30 pm (hours are subject to change)

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See also our **Terms of Use and Accessibility Statement**.

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