



Abberly Onyx Website Privacy Policy

Last Updated: September 29, 2022

PLEASE READ THIS POLICY CAREFULLY TO UNDERSTAND HOW WE TREAT YOUR PERSONAL INFORMATION AS WELL AS YOUR CHOICES AND RIGHTS. IF YOU DO NOT AGREE WITH THE TERMS OF THIS POLICY, YOU SHOULD NOT ACCESS OR USE THE SITE.

THE SITE IS INTENDED FOR USERS LOCATED IN THE UNITED STATES, AND IT IS NOT INTENDED FOR USERS LOCATED IN OTHER COUNTRIES, INCLUDING THE EUROPEAN UNION AND THE EUROPEAN ECONOMIC AREA.

INTRODUCTION

Abberly Onyx (referred to as “**we**,” “**us**,” and “**our**”) is committed to protecting the privacy and security of the personal information we collect, use, share, and otherwise process as part of our business. We also believe in transparency, and we are committed to informing you about how we treat the data we collect and process.

This Privacy Policy (the “**Policy**”) describes our practices regarding your personal information when you visit our website, **www.abberlyonyx.com** (the “**Site**”).

WHAT INFORMATION DO WE COLLECT?

We collect the information listed below for the purposes described in the “*How Do We Use and Share Your Information?*” section of this Policy.

Category	Description
Contact Information	When you visit our Site or contact us, we may collect or receive your name, mailing address, email address, and telephone number.
Account Information	When you create a user account with us, we collect your name, e-mail address, telephone number, and the password that you choose to create.

Maintenance Requests	If you submit an online maintenance request, we collect your name, email address, telephone number, apartment unit number, and information you choose to provide regarding your requested maintenance.
Payment Information	To facilitate payments, our payment processing vendor collects your credit card information (credit card number, name on card, expiration date, and cvv) and your billing address. We do not receive or store Payment Information, but we will receive information about your payment.
Application Information	If you complete your application online, we will receive your name, title, phone number, email address, date of birth, social security number, and marital status; your prior addresses and residency and eviction history; your criminal history; information about your current and prior employment, including your employer's name, address and phone number as well as your job title; information about your finances, including your income; information about your vehicles, including license plate numbers; and information about your emergency contacts, including their names, addresses, phone numbers, and relationship to you.
Cookies and Similar Technologies	The Site uses cookies and similar technologies. Please see the <i>"Cookies and Similar Technologies"</i> section of this Policy for more information.
Usage Data	When you visit the Site, we automatically collect information from your device, which includes the date and time of access, your Internet Protocol (IP) address or unique device identifier, your device type, your operating system, your browser type, and information about what pages portions of the Site you visit.

Cookies and Similar Technologies

What are first and third-party cookies? A "cookie" is a small file created by a web server that can be stored on your device (if you allow) for use either during a particular browsing session (a "session" cookie) or a future browsing session (a "persistent" cookie). "Session" cookies are temporarily stored on your device and remain there until they expire at the end of your browsing session. "Persistent" cookies remain stored on your device until they expire or are deleted by you. Local shared objects (or "flash" cookies) are used to collect and store information about your preferences and navigation to, from, and on a website. First-party cookies are set by the website you

are visiting, and they can only be read by that site. Third-party cookies are set by a party other than that website.

What are “similar technologies”? In addition to cookies, there are other data collection technologies, such as Internet tags, web beacons, pixels (clear gifs, pixel tags, and single-pixel gifs), and navigational data collection (log files, server logs, etc.) that can be used to collect data as you navigate through and interact with a website. For example, web beacons are tiny graphics with unique identifiers that are used to understand browsing activity. UTM codes are strings that can appear in a URL when you move from one web page or website to another. The string can represent information about your browsing, such as which advertisement, page, or publisher sent you to the receiving website.

What cookies and similar technologies are in use on the Site? The Site uses cookies and similar technologies to improve Site functionality, to measure and track how you interact with the Site, to perform analytics, to market to you, to track ad-driven activity, and to otherwise tailor our communications with you.

Other third-party technologies. Some third parties may use data collection technologies to collect information about you when you browse the Internet. We do not control these third parties’ technologies or how they may be used. If you have questions about targeted content, you should contact the responsible party directly or consult their privacy policies.

Choices about cookies and similar technologies. Most web browsers are set by default to accept cookies. If you do not wish to receive cookies, you may set your browser to refuse all or some types of cookies or to alert you when cookies are being stored. These settings may affect your enjoyment of the Site’s functionality. Adjusting the cookie settings may not fully delete all of the cookies that have already been created. To delete them, you should review your web browser settings after you have changed your cookie settings. The links below provide additional information about how to disable cookies or manage the cookie settings:

Google Chrome: <https://support.google.com/chrome/answer/95647?hl=en>

Firefox: <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences>

Microsoft Edge: <https://support.microsoft.com/en-us/microsoft-edge/delete-cookies-in-microsoft-edge-63947406-40ac-c3b8-57b9-2a946a29ae09>

Safari: <https://support.apple.com/guide/safari/manage-cookies-sfri11471/mac> and <https://support.apple.com/en-us/HT201265>

For more information about how to modify your browser settings to block or filter cookies, visit <http://www.aboutcookies.org/>. You may learn more about internet advertising practices and related consumer resources at <https://youradchoices.com/control>, <https://thenai.org/about-online-advertising/faq>, and <http://www.networkadvertising.org/choices>.

HOW DO WE USE AND SHARE YOUR INFORMATION?

How do we use the information described in this Policy? To the extent permitted by applicable law, we may use the information described in the “*What Information Do We Collect*” section above for purposes listed below.

- To process rental applications;
- To run credit checks in connection with your rental application;
- To generate leases for our tenants;
- Facilitate, process, and complete payments and other transactions;
- Provide maintenance and repair services;
- Operate and improve our operations, business, services, and the Site;
- Manage our properties;
- Provide you with services, content, customer service, and functionality;
- Honor our terms of service and contracts;
- Manage our relationship with you;
- Improve our services and develop new services;
- Maintain our databases and back-ups, including records of your lease and our communications with you;
- Ensure the privacy and security of our Site and services;
- Detect fraud and prevent loss;
- Verify information;
- Support and improve the Site, including evaluations of functionality and features;
- Improve our customer service;
- Communicate with you and respond to your feedback, requests, questions, or inquiries;
- Promote our properties and services;
- Contact you about other properties, products and services;
- Improve our marketing efforts, including by providing more tailored advertising;
- Assess the success of marketing campaigns;

- Analyze use of the Site and our services and prepare aggregate traffic information;
- Recognize your device and remember your preferences and interactions;
- Provide you with a more personal and interactive experience on the Site;
- Determine and track user interests, trends, needs, and preferences;
- General business support purposes, including but not limited to procurement, financial and fiscal management, risk and compliance management, and external reporting
- Facilitate corporate mergers, acquisitions, reorganizations, dissolutions, or other transfers;
- Obtain and maintain insurance coverage, manage risks, and obtain professional advice;
- Accomplish any other purpose related to and/or ancillary to any of the purposes and uses described in this Policy for which your information was provided to us;
- Accomplish another purpose described to you when you provide the information, for which you have consented, or for which we have a legal basis under law;
- Comply with federal, state, or local laws;
- Comply with a civil, governmental, or regulatory inquiry, order, subpoena, summons, or process;
- Cooperate with law enforcement agencies;
- Exercise or defend legal rights or claims; and
- Create, use, retain, or disclose de-identified or aggregated data.

When we maintain and use de-identified data, we will not attempt to re-identify the data.

How do we disclose or share the information described in this Policy? To the extent permitted by applicable law, we may share the information described in the “*What Information Do We Collect*” section above for purposes listed below.

Category	Description
Affiliates	We may share your information with our subsidiaries and affiliates and with their respective officers, directors, employees, and agents.
Corporate Transactions	We may disclose your information in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of our company or some or all of our assets. If

	our business is acquired by or merged with another company, your information may be transferred to the new owners.
Disclosures with Your Consent	We may ask if you would like us to share your information with other unaffiliated third parties who are not described elsewhere in this Policy. We will only disclose your information in this context with your consent.
Legal Obligations and Rights (Subpoenas, Court Orders, and Warrants)	We may disclose information in response to subpoenas, warrants, court orders or other legal process, or to comply with relevant laws. We may also share information in order to establish or exercise our legal rights or claims; to defend against a legal claim; and to investigate, prevent, or take action regarding possible illegal activities, suspected fraud, safety of person or property, or a violation of our contracts.
Third Parties	We may provide information about you to third parties that may offer products and services specifically requested by you.
Service Providers and Advisors	We may share information with our service providers and professional advisors (accountants, attorneys, etc.) that need access to information to provide services on our behalf.
Deidentified or Aggregated Data	We may share with third parties aggregated information and anonymous or de-identified that does not identify any specific individual, such as groupings of demographic data or user preferences.

HOW LONG DO WE STORE AND USE YOUR INFORMATION?

We will keep your information for as long as is necessary to fulfill the purposes for which it was collected, to comply with our business requirements and legal obligations, to resolve disputes, to protect our assets, to operate our business, and to enforce our agreements.

We may delete your information if we believe it is incomplete, inaccurate, or that our continued storage of it is contrary to our objectives or legal obligations. When we delete data, it will be removed from our active servers and databases, but it may remain in our archives when it is not practical or possible to delete it.

We may retain and use anonymous, de-identified, or aggregated information for as long as is permitted under applicable law.

HOW DO WE PROTECT YOUR INFORMATION?

We have adopted security measures that are designed to protect the personal information under our control. From time to time, we review our security procedures and consider new technologies and methods.

But, no security system is perfect, and no data transmission is 100% secure. Although we strive to protect personal information, we cannot guarantee or warrant the security of any information transmitted to or from the Site. Your use of the Site is at your own risk. We cannot guarantee that your data will remain secure in all circumstances.

If a data breach compromises your personal information, we will notify you and any applicable regulator when we are required to do so by applicable law.

YOUR RIGHTS AND CHOICES REGARDING PERSONAL INFORMATION

Please use the “Contact Us” details provided at the end of this Policy to exercise your rights and choices under this Policy. We honor such requests when we are required to do so under applicable law.

Email Opt-Out. We may send you emails about our services and other updates. If you no longer wish to receive communications from us via email, you may opt-out by clicking the “unsubscribe” link at the bottom of our emails, if applicable, or by submitting a request via the “Contact Us” details at the end of this Policy and providing your name and email address so that we may identify you in the opt-out process. Once we receive your instruction, we will promptly take corrective action. Please note that registered users cannot opt out of receiving transactional e-mails related to their account.

Accuracy and Updating Your Information. Our goal is to keep your information accurate, current, and complete. If any of the information you have provided to us changes, please let us know via the “Contact Us” details at the end of this Policy. We are not responsible for any losses arising from any inaccurate, inauthentic, deficient, or incomplete personal data that you provide to us.

Complaints. If you believe your rights relating to your personal information have been violated, please contact us via the “Contact Us” details provided at the end of this Policy.

California Shine the Light. Under California Civil Code Section 1798.83, California residents who provide personal information in obtaining products or services for personal, family, or household use may be entitled to request and obtain from us once a calendar year information about the information we shared, if any, with other

businesses for direct marketing uses. Please be aware that not all information sharing is covered by the “Shine the Light” requirements and only information on covered sharing, if any, will be included in our response. As part of the California Online Privacy Protection Act, all users of our Site may make any changes to their information at any time by contacting us at **Privacy@AbberlyOnyx.com**.

Nevada Residents. You may submit a verified request to us at **Privacy@AbberlyOnyx.com** to request that we not make any sale (as defined under Nevada law) of any covered information (as defined under Nevada law) that we have collected or will collect about you. Please provide your name and contact information in your request. We will respond to your request in accordance with Nevada law.

Virginia Residents. Virginia residents have the following rights: (1) the right to confirm whether we are processing your personal data and to access such personal data; (2) the right to correct certain inaccuracies in your personal data; (3) the right to delete personal data provided by or obtained about you; (4) the right to obtain a copy of the personal data that you previously provided to us in a portable and, to the extent technically feasible, readily-usable format; (5) the right to opt out of the processing of personal data for purposes of targeted advertising, the sale of personal data, or certain profiling. If we do not take action on a request, you have a right to appeal that decision. You may exercise these rights, including any appeals, by contacting us via the “Contact Us” details provided at the end of this Policy.

THIRD-PARTY SITES AND SERVICES

This Policy only applies to the Site. It does not apply to any websites, applications, or services from third parties.

The Site may include links to, or content from, third parties. These links are to external resources and third parties that have their own privacy policies. It may not always be clear which links are to external, third-party resources. If you click on a third-party link, you will be redirected away from the Site. You can check the URL to confirm whether you have left the Site.

We cannot and do not (1) guarantee the privacy or security practices of third parties or any content provided by third parties; (2) control third parties’ collection or use of your information; or (3) endorse any third-party information, products, services, applications, or websites.

Any information provided by you or collected from you by a third party will be governed by that party's privacy policy and terms of use. You should review their privacy policy and terms of use carefully.

CHILDREN'S ONLINE PRIVACY PROTECTION ACT

Our Site and services are not directed to children under the age of 13, and we do not knowingly collect information from children under the age of 13. No one under the age of 13 may access, browse, or use the Site or provide any information to us. If we learn that we have collected or received personal information from a child under the age of 13 without a parent's or legal guardian's consent, we will take steps to stop collecting that information and to delete it. If you believe we have received information from a child under the age of 13, please contact us using the "Contact Us" details provided below.

For more information about the Children's Online Privacy Protection Act, please visit the Federal Trade Commission's website at: <https://www.ftc.gov/enforcement/rules/rulemaking-regulatory-reform-proceedings/childrens-online-privacy-protection-rule>.

UPDATES AND CHANGES TO THIS POLICY

We may update this Policy from time to time. If we change this Policy, we will post the revised version on our Site. Any changes, updates, and modifications will be effective immediately upon posting. If we make material changes, we may also notify you through a notice on the Site's homepage and/or send you an email regarding the updates.

You should read this Policy carefully before using the Site, and you should review it from time to time so that you are aware of its current terms. Your continued use of the Site after the "Last Updated" date will constitute your acceptance of and agreement to any changes and to our collection, use, and sharing of your information according to the then-current Policy. If you do not agree with this Policy, you should not use the Site.

CONTACT US

For more information or if you have questions about this Policy, you may contact us using the information below:

In Writing: 2532 North Decatur Road Decatur, GA 30033

By Email: Privacy@AbberlyOnyx.com