

Terms & Conditions And our Privacy Policy

Oyster Properties is a trading name of Rafiki Ltd. This website is the property of Oyster Properties of 845 Honeypot Lane, Stanmore, Middlesex, HA7 1R registered number 03744449.

By using this website, you agree that you consent to and are bound by the following terms and conditions, which together with our privacy policy govern Oyster Properties relationship with you in relation to this website. If you disagree with any part of these terms and conditions, please do not use our website.

Copyright and Trademarks

The copyright and all other intellectual property rights in the Oyster Properties website including all text, graphics, photos, code, files and links belong to Oyster Properties and the website may not be reproduced, transmitted or stored in whole or in part without Oyster Properties prior written consent. However, you may print out, save or download individual selections for your own personal, private and non-commercial use.

Disclaimer

Oyster Properties takes all reasonable care to ensure that the information contained on this website is accurate, however, we cannot guarantee its accuracy and we reserve the right to change the information on this website (including these terms and conditions) at any time. You must therefore check these terms and conditions for any such changes each time you visit this website.

The description of the properties offered are for information purposes only. The information and descriptions contained herein are not intended to be complete descriptions of all the features. While we endeavour to ensure that the information and description is accurate and up-to-date we cannot guarantee this. Any reliance on the information contained is at your own risk.

While we take every care to ensure that the standard of the website remains high and to maintain the continuity of the website, errors, omissions, interruptions of service and delays may occur at any time. In addition, we make no representations or warranties about the accuracy, completeness, and freedom from viruses, availability, reliability or suitability for any purpose of the information and related graphics published on the website (including all texts, advertisements, links or other items) which may contain technical inaccuracies and typographical errors.

Nothing on this website shall be deemed to constitute financial advice and, in the event, that you wish to have any such advice, you should contact a financial advisor.

Please note:

- The content of the pages of this website is for your general information and use only. It is subject to change without notice.
- This website uses cookies to monitor browsing preferences. If you do allow cookies to be used, the following personal information may be stored by us for use by third parties. You can find out full details in the 'Cookies and tracking' section of our Privacy Policy.
- Neither we nor any third parties provide any warranty or guarantee as to the accuracy, timeliness, performance, completeness or suitability of the information and materials found or offered on this website for any particular purpose. You acknowledge that such information and materials may contain inaccuracies or errors and we expressly exclude liability for any such inaccuracies or errors to the fullest extent permitted by law.
- Your use of any information or materials on this website is entirely at your own risk, for which we shall not be liable. It shall be your own responsibility to ensure that any products, services or information available through this website meet your specific requirements.
- This website contains material which is owned by or licensed to us. This material includes, but is not limited to, the design, layout, look, appearance and graphics. Reproduction is prohibited other than in accordance with the copyright notice, which forms part of these terms and conditions.
- All trademarks reproduced in this website, which are not the property of, or licensed to the operator, are acknowledged on the website.
- Unauthorised use of this website may give rise to a claim for damages and/or be a criminal offence.
- From time to time, this website may also include links to other websites. These links are provided for your convenience to provide further information. They do not signify that we endorse the website(s). We have no responsibility for the content of the linked website(s).
- Your use of this website and any dispute arising out of such use of the website is subject to the laws of England, Northern Ireland, Scotland and Wales.

Law

Any disputes arising from the use of this website shall at all times be governed by the laws of England and Wales and the parties shall submit to the exclusive jurisdiction of the English Courts.

Force Majeure

We shall not be liable to you for any breach of conditions of use or any failure to provide or delay in us providing our services through our website resulting from any event or circumstance beyond our reasonable control including (without limitation) strikes, lock-outs and other industrial disputes, break-down of systems or network access, fire, explosion or accident failure of any third-party telecommunications or service provider.

Privacy Policy

At Oyster Properties we are committed to respecting and protecting your privacy.

This Privacy Policy explains when and why we collect personal information about our website visitors, customers and people who contact or interact with us, how we use it, the conditions under which we may disclose it to others and how we keep it secure.

If you do not want us to process your personal information as described in this Privacy Policy, please do not provide information to Oyster Properties or use our website www.oyster-properties.co.uk

For questions relating to this Privacy Policy, please contact us by email at: compliance@oyster-properties.co.uk or write to us at: Compliance Manager, Oyster Properties, 845 HoneyPot Lane, Stanmore, Middlesex, HA7 1AR

What information we may collect about you

If you are purchasing, renting, selling or letting a property through Oyster Properties, we collect and use your personal data in order for us to provide you with our services. The personal data we collect, and use may include:

- Identity Data (name, marital status, title, date of birth, gender, username and password, purchases made by you, your interests and preferences, feedback)
- Contact Data (billing address, delivery address, email address and telephone numbers)
- Financial Data (bank account and payment details)
- Transaction Data (details about payments to and from you and other services you have purchased through us)
- Technical Data (internet protocol address, login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform, identification number, online identifier, location data and other similar identifying information required for the customer's device(s) to communicate with websites and applications on the internet)
- Marketing and Communications Data (your marketing preferences from us and our third parties and your communication preferences)
- The information we collect through our website using automated technical means includes: The Internet protocol (IP) address used to connect your computer to the Internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform, identification number, online identifier and location data. We also collect information about your website visit including which website pages are accessed, page response times and length of visits to pages.

It is important that the personal data we hold about you is accurate and up to date. Please keep us informed if your personal data changes during your relationship with us. You can contact us to edit or update your personal information at any time by email at: compliance@oyster-properties.co.uk or write to us at: Compliance Manager, Oyster Properties, 845 HoneyPot Lane, Stanmore, Middlesex, HA7 1AR

How do we collect personal information about you?

We use different methods to collect data from and about you including:

Directly

You may give us personal data about yourself such as identity and contact details (see paragraph 'What information we may collect about you') by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes data you provide when you:

- Apply for our services.
- Enquire about specific properties for sale or for rent.
- Ask us to value your property.
- Walk-in or telephone our branch.
- Register for our email newsletters.
- Participate in a survey or competition.
- Interact with us on our social media sites.

Third parties or public sources

We may receive personal data about you from various third parties and public sources as set out below:

Contact, Financial and Transaction Data from providers of payment services such as Mastercard based inside the EU.

Identity and Contact Data from data brokers or aggregators such as:

- Rightmove based inside the EU.
- Zoopla Property Group based inside the EU.
- OnTheMarket based inside the EU
- Facebook based outside the EU.
- Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the EU.
- Identity, contact data and interests from social networks.
- Identity, financial and Contact Data from Financial Advisors, Mortgage Brokers, Accountants and other Professional Introducers

How do we use your personal information?

Providing You with Services:

To allow us to provide you with the estate agency services which you have asked us to provide, including but not limited to:

- Helping you to sell your property, or to find a property to purchase;
- Valuing your property;
- Letting services.
- To protect a tenant's deposit by registering it with a deposit protection scheme;
- To take payment from you for the services which we provide;
- To process the receipt and payment of rent, maintenance and tax for you if a property is being let;
- To arrange an energy performance certificate or home report inspection for you;
- To arrange an inventory check or to prepare a report on the condition of a property if it is being let;
- To carry out maintenance or gas safety checks at your property if it is being let;
- To ensure that utilities are in place and that utility companies and local authorities are able to contact you for billing purposes when you move in to a property;
- To carry out tenant referencing and credit checks to assess if you are creditworthy before you move in to a property. To carry out such checks, we may share your personal information with credit referencing companies, please refer to the 'disclosure of information' section below for further details;
- To better understand your requirements and provide you with services specific to your needs;
- To improve our services by analysing your personal information so we better understand how you use our services;
- To keep our client records up to date;

Marketing of Our Services to You:

- To provide you with general updates in relation to the property market, in accordance with your preferences;
- To provide you with information which we reasonably believe may be relevant to you based on the services we are providing to you including information on mortgages, protection, conveyancing and removals;
- To carry out targeted advertising to you on social media websites such as Facebook where you have already shown an interest in our services. This is done through analysing information we collect about your interactions on Our Site and making this available to social media networks;

Responding to Your queries:

- To help answer any questions which you have asked one of our agents or staff members;
- To provide you with a quote for our services;

Improving Our Site:

- To analyse cookie and website usage data to keep improving Our Site;

- To allow us to customise the content which is presented to you based on your likely interests;

Legal and Regulatory Obligations:

- To comply with applicable laws where we are obliged to retain and/or disclose certain information;
- To investigate or address claims or complaints relating to your use of our services;
- For internal and external auditing purposes;
- To carry out anti-money laundering checks;
- To carry out right to rent checks;
- To comply with any other legal or regulatory obligations which apply to us;

Other:

- To transfer information to any entity which may acquire rights in us;
- To collect a debt which is owed to us; and
- For onward referencing where you are a tenant.

Disclosure of your personal data

We will not sell or rent your information to third parties.

We only allow third parties to use your personal data for specified purposes and in accordance with our instructions.

We may pass your information to third party service providers, including but not limited to:

Business partners, suppliers and sub-contractors working on our behalf for the purposes of completing tasks and providing services to you such as:

- Maintenance companies and our contractors to carry out any maintenance works and /or checks and/or Certificates
- The Referencing Company that we use for the purpose of performing tenancy checks;
- Any Third Party we use for the purpose of performing anti Money Laundering Checks;
- A tenancy deposit scheme for the purpose of providing tenancy deposit protection;
- Social media networks such as Facebook for marketing purposes as explained in the 'use of the information we collect' section of this Privacy Notice;
- Debt collection companies to assist us in collecting any monies which you owe to us where payment is overdue;
- Our Marketing Agency who are used for marketing through social media services, including the services of Facebook, Inc.;

We may also share your information with:

- Law enforcement bodies and/or other regulatory entities in order to comply with any legal obligation or court order including the police, HMRC and local authorities.
- The landlord, or tenant or their guarantor to comply with our legal obligations including our obligation to keep the landlord fully informed where we manage a property on their behalf and to allow you to contact each other directly in circumstances where the landlord is managing the property.

When we use third party service providers, we disclose only the personal information that is necessary to deliver the service and we have a contract in place that requires them to keep your information secure and otherwise use your information in accordance with applicable data protection law.

We may transfer your personal information to a third party as part of a sale of some or all of our business and assets, or as part of any business restructuring or reorganisation, or if we're under a duty to disclose or share your personal data in order to comply with any legal obligation or to enforce or apply our terms of use or to protect the rights, property or safety of our customers. However, we will take steps with the aim of ensuring that your privacy rights continue to be protected.

In addition to the specific disclosures set out in this section, we may disclose your personal information where such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person, or for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative out-of-court procedure.

Marketing

We use the information you provide us with to keep you informed about products or services which we provide and which we believe you may be interested in. Where we conduct marketing, we do so in accordance with applicable laws.

Where you contact us through the 'contact' page on www.oyster-properties.co.uk or make an enquiry in branch or on the phone, we will use the details you have supplied to us to provide you with our general property marketing by email unless you choose to 'opt-out' of these communications. If you do 'opt-out' then we will not send you information relating to our general property marketing by email. We may however contact you in future by phone or by post where we reasonably believe (on the basis of services that we are providing to you) that there are additional, different services which you may be interested in. This may be, for example to offer you mortgage and protection services or removal services. We rely on legitimate interests as a lawful basis for processing your information to conduct this above marketing and we ensure you always have the right to opt-out of receiving marketing communications from us. *If you wish to never receive any form of marketing communication from us, you can let us know by contacting us using the details provided at the bottom of this policy.*

Cookies and tracking

A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added, and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an

individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

We use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to tailor it to customer needs. We only use this information for statistical analysis purposes and then the data is removed from the system.

Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but it is possible to switch off cookies by setting your browser preferences but this may prevent you from taking full advantage of the website.

This website uses cookies to monitor browsing preferences. If you do allow cookies to be used, the following personal information may be stored by us, for use by the following third parties listed below.

What cookies do Oyster Properties use?

Favourites:

Cookies are used to help provide you with the service that allows you to 'favourite' listings on our website when clicking on the 'save to favourite' buttons.

Third party sources:

Google Analytics:

Oyster Properties use Google Analytics, which is a web analysis service provided by Google. No data that personally identifies an individual (such as a name, email address or billing information) is tracked, collected or uploaded. Oyster Properties may collect and report on the adoption and usage of specific features, crashes and exceptions and other useful, anonymous metrics. For more information please visit <https://www.google.com/intl/en/privacypolicy.html>.

Google Adwords:

Oyster Properties use Google Adwords to track website behaviours and then remarket or use similar audiences to display adverts on other 3rd party websites. For more information please visit <https://policies.google.com/privacy/update>.

Facebook:

Facebook, may use cookies and other storage technologies to collect or receive specific types

of information. Oyster Properties may use that information to provide targeted ads. For more information please visit <https://www.facebook.com/policies/cookies/>.

Live Chat inc:

We use cookies as part of the live chat system used by us to chat to you live on the website. For more information please visit <https://www.livechatinc.com/privacy-policy/>

Links to other websites

Our website may contain links to other websites run by other organisations. We are not responsible for the privacy practices of those organisations or the content of their websites. You should read the privacy policies of these organisations before providing them with any personal information.

Security precautions in place to protect your information

We take appropriate technical and organisational precautions to secure your personal information and prevent its loss, misuse or alteration. All information you provide to us is stored on our secure servers. Where we have given (or where you have chosen) a password which enables you to access certain parts of our websites, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

The transmission of unencrypted (or inadequately encrypted) data over the internet is inherently insecure, and for this reason we cannot guarantee the security of data sent between us over the internet.

How long do we retain your personal information?

We review our retention periods for personal data on a regular basis. We are legally required to hold some types of information for certain prescribed periods to fulfil our statutory obligations. Outside of specific statutory obligations, we will hold your personal data on our systems for as long as is necessary for the relevant purposes for which we use it, or in accordance with any retention periods set out in any relevant contract you hold with us.

We hold on to your personal data whilst you use our services (or whilst we provide services connected to you) and for at least seven years thereafter, for legal, regulatory and accounting purposes. If we need to hold on to your personal data for longer, we take into consideration the potential risks in continuing to store your data against why we might need to keep it. In some circumstances we might anonymise your personal data, so it is not associated with you, and we may then use this information indefinitely.

Your legal rights

In this section we have summarised the rights that you have under data protection law. Some of the rights are complex, applying only in certain circumstances and subject to certain

exceptions, and in the interests of keeping this policy concise, not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.

You have the right:

- To object to us processing your personal information for marketing purposes. If you object, we will stop processing your personal information for this purpose. When we collect your data, you can choose whether or not you wish to receive marketing communications from us. If you wish to stop receiving marketing communications, you can opt out at any time by clicking an ‘unsubscribe’ link at the bottom of one of our emails.
- To access the information, we hold about you and certain information about our processing of it and your rights in relation to it.
- In certain circumstances, to obtain erasure of the personal information we hold about you, subject to certain exceptions.
- To rectification of the information we hold about you.
- In certain circumstances, to restrict our processing of your personal information or object to us processing it. If you object, we will stop processing your personal information unless certain exceptions apply.
- Where our legal basis for processing your personal information is your consent or the performance of a contract and we process it by automated means, to be provided with the personal information we hold about you in structured, commonly used and machine-readable format and to transmit the information to another controller.
- To not be subject to a decision based solely on automated processing, including profiling, that produces legal effects concerning you or similarly affecting you, subject to certain exceptions.
- Where our processing of your personal information is based on your consent, to withdraw that consent at any time. If you withdraw your consent, we will stop the relevant processing, but it will not affect the lawfulness of our processing before the withdrawal.

To exercise any of these rights, email us at: compliance@oyster-properties.co.uk or write to us at: Compliance Manager, Oyster Properties, 845 HoneyPot Lane, Stanmore, Middlesex, HA7 1AR. In addition, you can exercise your right to object to direct marketing at any time by clicking an ‘unsubscribe’ link at the bottom of one of our emails.

If you consider that our processing of your personal information infringes data protection laws, you have the right to lodge a complaint to a supervisory authority responsible for data protection. You may do this in the EU member state of your habitual residence, your place of work or the place of the alleged infringement. More information about lodging a complaint with the Information Commissioner’s Office (the relevant UK supervisory authority) can be found at <https://ico.org.uk/concerns/>.

Review of this Policy

We keep this Policy under regular review. This Policy was last updated on 27/02/2020.

If we change our Privacy Policy, we will post the changes on this page and may place notices on other sections of the website and/or notify you by email.

Further information

You can obtain further information about data protection laws by visiting the Information Commissioner's Office website at www.ico.org.uk.

How to contact Oyster Properties

We welcome your views. If you would like to contact us with any queries or comments, please send an e-mail to mail@oyster-properties.co.uk

Indemnity

You acknowledge that you are solely responsible for the use to which you put this website and all the results and information you obtain from it and that all warranties, conditions, undertakings, representations and terms whether expressed or implied, statutory or otherwise are hereby excluded to the fullest extent permitted by law.

Save in respect of liability for death or personal injury arising out of negligence or for fraudulent misrepresentation, we and all contributors to this website hereby disclaim to the fullest extent permitted by law all liability for any loss or damage including any consequential or indirect loss or damage incurred by you, whether arising in tort, contract or otherwise, and arising out of or in relation to or in connection with your access to or use of or inability to use this website.

Whilst we take every care to ensure that the standard of this website remains high and to maintain the continuity of it, we do not accept any ongoing obligation or responsibility to operate this website (or any particular part of it).

If any part of our terms and conditions is deemed to be unenforceable (including any provision in which we exclude our liability to you) the enforceability of any other part of these conditions will not be affected.

These terms and conditions and your use of this website are governed exclusively by English law.

This does not affect your statutory rights as a consumer.

Oyster Properties is a trading name of Rafiki Ltd.

Our Registered Office is: 845 Honeypot Lane, Stanmore, Middlesex, HA7 1R And our Company registration number is 03744449.