

## Privacy policy

**Effective Date:** January 1, 2020 (When we update this notice from time to time, we will include the date of the most recent changes.

AvalonBay Communities, Inc., its subsidiaries and related entities ("**Avalon**," "**we**," "**our**" or "**us**") respects your privacy and is committed to protecting your information. This Privacy Policy (alternatively, "Policy") describes our privacy practices with regard to information about you that could reasonably be used to identify you personally, or that is associated with information that identifies you ("**Personal Information**").

"**Personal Information**," also known as "**personal data**," may include, where applicable: your name; your home or other physical address; your email address; your telephone number or other contact information; Social Security number; driver's license or state identification card number; financial information (i.e. bank account number and routing number); your AvalonCommunities or AvalonAccess account username and password; and/or any other identifier that identifies with you. "Personal Information" may also include your AvalonCommunities or AvalonAccess account information – i.e. your username and password.

Please note that this Policy does not govern the practices of third parties, such as our partners, third party service providers, or advertisers except to the extent we provide them with information. Any information you provide directly to a third party while utilizing their website or service, even if you access their website or service through ours, will be governed by the third party's privacy policy and terms of use, and not this Policy. Please review such third party policies and terms of use carefully.

### COLLECTION OF PERSONAL INFORMATION

When you use our Website or other Services, we collect certain information about you. Avalon collects and obtains your information in a few different ways. We collect information that you choose to give to us, information that we obtain through your use of the Web Site, and information that we obtain from third parties or other sources.

#### Information You Choose to Give Us

##### *Information directly provided*

We may ask for your consent to provide Personal Information to use certain services on our Web Site, to communicate with us, to apply for an apartment or employment, or to use other services provided by Avalon. We may ask you to provide certain Personal Information at various places and through various mechanisms on the Web Site. This may include, for example, when you fill out and submit forms (such as forms requesting information needed to consider you for apartment rentals or potential employment opportunities), when you initiate payments to us through the Web Site, when you participate in promotions, contests, or sweepstakes on the Web Site, or when you post information to an interactive forum, bulletin board, or chat room. We may also collect Personal Information when you register for e-mail communications, and when you submit a survey response, question or request to the Web Site or e-mail address link on the Web Site.

##### *Offline collection from you*

AvalonBay Communities, Inc. may also collect Personal Information and non-Personal Information from you through means other than the Web Site. This may include offline collection, such as when you submit a paper application to rent an apartment, make a rent payment by check, or call or visit the management office at an AvalonBay property. It may also include e-mails that you send to us separate from the Web Site. We may also collect information relating to conversations, including recordings monitoring customer service calls for quality assurance or training purpose, and other communications such as SMS. This Privacy Policy does *not* apply to Personal Information or any other information that you provide to us through means other than the Web Site. However, if we combine Personal Information we collect from you outside of the Web Site with Personal Information that we collect through the Web Site, we will apply this Privacy Policy to the combined information, unless specifically disclosed otherwise.

### **Information We Obtain through Your Use of the Website**

Additionally, we will collect other information that you voluntarily provide through your use of the Web Site or our services – for instance, you may ask us questions or provide comments to us via the “Contact Us” page of our Web Site. When using the “Contact Us” form, we will ask you to provide certain Personal Information, such as your name and email address, so that we can respond to your questions or comments. We will also collect any other information that you choose to provide via the “Contact Us” page, including any additional Personal Information beyond your name and contact information. However, we encourage you not to provide or share any Personal Information via the “Contact Us” page that you would not want to be viewed by others or otherwise be made publicly available.

#### *Passive Information Collection.*

When you visit the Web Site, we automatically collect certain information about your activities ("Web Site Usage Information"). Web Site Usage Information is information about how our visitors use and navigate the Web Site. This includes, for example, the number and frequency of visitors to each web page, the length of their stays, the type of browser each visitor is using to view the Web Site (for example, Internet Explorer, Firefox), the type of operating system each visitor is using, (for example, WindowsOS, Mac OS), the domain name of each visitor's Internet service provider, the location data such as the visitor's IP address, the address (or "URL") of the web site that the visitor came from before visiting the Web Site, which pages were visited on the Web Site, what was clicked on, and certain other available information. We maintain a separate Cookie Policy describing how we track cookies and internet activity and what your options are relating to cookies and tracking, which is available [here](#).

### **Information We Collect from Third Parties**

Avalon also works with third party web site operators to provide services such as rental applications, resident services, employment application screening, investor relations information, and in-screen chat applications (“Portal Sites”). For instance, third party operators collect your payment card information via their Portal Site in order to complete certain transactions. When you input Personal Information to one of our Portal Sites, you are providing that information to a third party. Our Portal Sites may use framing techniques to make it appear that the user is still on the Web Site when the user is actually on a Portal Site. For example, if you are on a page that has the look and feel of [www.avaloncommunities.com](http://www.avaloncommunities.com), but the address listed in your browser is a different web site URL, then you should know that any information you provide is being collected by this third party and not governed by this

Privacy Policy. You should carefully review the privacy policy and terms for any third party Portal Site.

### **Information Collected from Other Sources**

We may receive Personal Information about you from other sources. For example, if you are applying for an apartment, condo, corporate housing, or employment, either via the Web Site or offline, we may obtain information from third parties about your creditworthiness, among other information, as part of the application process. Additionally, we may obtain information you provide to a third party via a Portal Site in order to provide certain services to you – for instance, the third party operator of an in-screen chat function may provide us your information in order to review your feedback or resolve a question a question you may have.

Personal Information about you that we receive from other sources may be combined with Personal Information we collect through the Web Site. In those cases, we will apply this Privacy Policy to the combined information, unless specifically disclosed otherwise.

### *Children*

The Web Site is intended only for adults over the age of eighteen (18), and is not directed to children younger than age eighteen (18). Avalon also does not knowingly collect Personal Information from children under the age of thirteen (13) on the Web Site and will delete any information if later determined to be from a person younger than age thirteen (13).

### **USE OF PERSONAL INFORMATION**

At Avalon, we retain and use your Personal Information to: (1) provide you with services or process transactions that you have requested; (2) communicate with you regarding information, features or offers that we believe will be of interest to you; (3) respond to your questions or other requests; (4) contact you with regard to the Web Site or otherwise; (5) process any applications, payments or changes to your account information; (6) process other information or Personal Information that you submit through the Web Site; (7) conduct user surveys; (8) contact you regarding a sweepstakes, contest or promotion in which you have participated; (9) evaluate your application for employment; and (10) fulfill other purposes disclosed at the time you provide your Personal Information. We may also use the information you provide to improve the Web Site or AvalonBay's services, to customize your experience on the Web Site, to serve you specific content, or for other business purposes.

If you are purchasing a service, we will request and collect certain financial information from you. Any financial information we collect is used to bill you for the services you purchased. If you purchase by credit card, this information may be forwarded to your credit card provider. You may also be asked to disclose Personal Information to us so that we may provide online technical support and troubleshooting for these services.

### **SHARING OF PERSONAL INFORMATION WITH THIRD PARTIES**

#### *Non-personally identifiable information*

We may share non-personally identifiable information, such as Web Site Usage Information or other aggregated user statistics, with third parties. In addition, we may share your Personal Information as set forth in this Privacy Policy, in any manner in which you expressly consent via the Web Site, or in the following circumstances:

#### *Affiliated or Subsidiary Companies.*

We may share Personal Information with our affiliated or subsidiary companies who require access to Personal Information for legitimate business purposes related to your tenancy or to process any application, request, inquiry, or other information or Personal Information you submit via the Web Site. This includes the owner of any community where you make application or where you lease, as well as the management company for such community.

#### *Direct Marketing*

We may share information governed by this Policy – including Personal Information – with third party data analytics firms, and/or marketing firms for direct marketing or remarketing purposes. Avalon only shares this information collected from users with US-based IP addresses.

#### *Third parties providing services on our behalf*

We may share your Personal Information with third parties who perform services on our behalf or on behalf of the owner of one of our properties and who may use this information for their own purposes, including sending advertising to you. This includes, without limitation, third parties that send communications, process payments, analyze data, assist with utility billing or renters insurance, provide credit checks, resident screening, or collection services, provide marketing assistance, or create, host and/or provide customer service on our behalf. We also may share Personal Information with our business partners in order to provide services and offerings to you. These third parties may have access to Personal information in order to provide these services to us or on our behalf.

#### *Legal Requirements and Law Enforcement.*

We may disclose Personal Information when we believe in good faith that the law requires it; when we receive and enforceable request of governmental authorities conducting an audit or investigation; pursuant to a court order, subpoena, or discovery request in litigation; to verify or enforce compliance with our Terms of Use or other agreements or policies governing the Web Site and applicable laws, rules, and regulations; or whenever we believe disclosure is necessary to limit our legal liability or to protect or enforce the rights, interests, or safety of the Web Site, its users or other third parties. We also reserve the right to report to law enforcement agencies any activities that we, in good faith, believe to be unlawful.

#### *Sweepstakes and Promotions.*

If you choose to enter a sweepstakes, contest or other promotion, your personal information may be disclosed to service providers in connection with the administration of such promotion, including, without limitation, in connection with winner selection, prize fulfillment, and as required by law, such as on a winners list. Also, by entering a promotion, you are agreeing to the official rules that govern that promotion, which may contain specific requirements of you, including, except where prohibited by law, allowing the sponsor(s) of the promotion to use your name, voice and/or likeness in advertising or marketing associated with the promotion.

#### *Corporate Change.*

We reserve the right to disclose and transfer your Personal Information in connection with a corporate merger, consolidation, restructuring, financing, sale of substantially all assets, or other corporate change. In addition, when a potential buyer is interested in purchasing one of our properties, we may provide the potential buyer with information about the property and the tenants who live there, which may include your Personal Information. Upon the sale of

the property in which you live, all of your Personal Information may be transferred to the purchaser.

## **SECURITY**

While we take reasonable steps to secure your Personal Information, no data transmission over the Internet can be guaranteed to be completely secure. Likewise, no storage or processing of your Personal Information on the Web Site or on other servers or databases to which the information may be transferred can be guaranteed to be completely secure. Please consider this prior to submitting your Personal Information to us via the Web Site.

We use current security measures to safeguard your personal information:

- All of the personal information you provide us is stored in a secure computing environment protected by secure firewalls and intrusion prevention systems to avert unauthorized access.
- We protect the confidentiality of your data by encrypting sensitive information.
- We build information security into our systems and networks using internationally recognized security standards, regulations, and industry-based best practices.
- We control access so that only people who need to access the information are able to. All staff of AvalonBay Communities, Inc. are required to adhere to our policies on confidentiality and security.
- When you access secure areas of our web sites, we use the Secure Sockets Layer (SSL) protocol to provide you with the safest, most secure web experience possible. SSL technology enables encryption (scrambling) of sensitive information, including passwords and banking information, during your online session. There are two cues to show you that you are using a secure area. First, the web site address (or URL) appears as https:// (instead of just http://) - the "s" is for "secure." Second, a lock or key indicator appears in the status bar of your web browser. We use https:// only for secure pages, i.e. pages that transfer confidential information. Pages that are only used for product offerings will still use the regular http:// since no sensitive information is being passed through them.
- Secure areas of the site have a time-out feature. If you leave your secure session inactive for some time, it times-out to prevent unauthorized access.

## **LINKS TO OTHER WEB SITES**

The Web Site may contain links to other web sites whose information practices may be different from ours. You should consult the specific privacy policies posted on these sites when linking to them.

## **PRIVACY POLICY CHANGES**

This Policy may change from time to time. Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please review this Policy periodically for updates. If we make significant changes to the way we process or use your data, we will provide specific notification of those changes to you prior to those changes taking effect.

## **EXERCISING CONTROL OVER YOUR PERSONAL INFORMATION**

In general, you may browse the Web Site without providing Personal Information. However, if you choose not to provide certain information through this Web Site or a Portal Site, we

may not be able to provide certain services or process certain of your requests. You may not be able to submit an application for employment, may not be able to access resident services online, or otherwise use all of the features and products that we make available online.

#### *Updating your information*

Depending on the functionality associated with the Web Site feature you are using, you may be able to update certain of your Personal Information on the Web Site.

#### *Consent to transfer*

The Web Site is operated in the United States. Your Personal Information will be processed and shared in the United States, where data protection and privacy regulations may provide different levels of protection compared with non-United States jurisdictions.

### **CALIFORNIA AND CONNECTICUT RESIDENTS**

#### *Your California Privacy Rights*

We have a separate notice regarding rights of California Consumers, which is available [here](#).

#### *Connecticut Residents*

Connecticut law requires any person or entity that collects Social Security numbers from Connecticut residents in the course of business to create a privacy protection policy and to publish or display it publicly. It is our policy to protect the confidentiality of Social Security numbers in our possession from misuse and improper disclosure by maintaining and enforcing policies and physical and electronic safeguards against misuse and improper disclosure. Unlawful disclosure of Social Security numbers is prohibited, and access to them is limited to personnel who need access to such information in order to perform their job functions.

#### **EU Residents**

Avalon provides services exclusively within the United States (“U.S.”), and does not own or manage property outside the U.S., intentionally market its services extraterritorially, or have a presence outside the United States, including in the European Union (“EU”), any EU-Member State, or any state belonging to the European Economic Area (“EEA”). Avalon also does not market its services to individuals in Europe, including EU residents.

#### *Retention*

Avalon retains all data collected according to this Policy. While we do not currently purge such data, it is encrypted in the storage database.

### **QUESTIONS**

If you have any questions about this Privacy Policy, you may contact us by email at [privacy@avaloncommunities.com](mailto:privacy@avaloncommunities.com).