

Privacy Policy

Effective December 7, 2017

Welcome to CATCLAR INVESTMENTS, LLC! Your privacy is very important to us. The purpose of this Privacy Policy (the “**Policy**”) is to describe what Personal Information (as defined below) and other information CATCLAR INVESTMENTS, LLC (collectively “**CATCLAR INVESTMENTS, LLC**”, “**us**,” “**our**,” or “**we**”) may collect from you, how we may collect it, with whom we may share it, as well as the choices you have regarding our collection of information and our use and disclosure of that information to other parties.

We may collect information through our website located at catclar.com, sohoscottsdale.com, rosedaleresidences.com, 421west.com and any other site on which this Policy is posted (including any subdomains and mobile versions of each, a “**Site**”, and collectively, the “**Sites**”), as well as our mobile application (the “**Application**”). The Application and Sites are collectively referred to as the “**Services**”. Terms not otherwise defined here will have the same definitions as set forth in our **Terms of Service**.

Except as otherwise discussed in this Policy, this document only addresses the use and disclosure of information we collect from you through our Services. For some services, we may collect and transfer Personal Information to a service provider, or you may visit other sites or service providers through third-party links in our Services, who may collect and use your Personal Information for other purposes. We encourage you to review the privacy policies of these third-party sites before you disclose your Personal Information to others.

If you do not agree to the terms of this Policy, please do not use our Services.

Third-parties

Please note, this Policy does not apply to information collected by third parties, such as when you visit a third-party website, or interact with online advertisements. Please take a moment to review the privacy policies of third-party sites before you disclose your personal Information to them, as we disclaim responsibility for their actions regarding your information.

Information we collect

We may collect personal and other information about you when you use our Services, as described below. “Personal Information” is information about an identifiable individual, such as their name, mailing address, email address, or phone number, whether used alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual. We typically collect Personal Information and other data from you, and use that information as set forth in this Policy or otherwise communicated to you from time to time (subject to your consent when required by applicable laws).

When you register or sign up for our Services

You may register for our Services to save searches, sign up for alerts, access our resources, and for other features we may offer. You may be registered for our Services automatically when you contact one of our agents regarding a property or inquire about us or our Services. If you register for our Services, we collect Personal Information such as your first and last name, email, user name, password and any other Personal Information required on the registration form. If you wish, you may provide us your phone number and a zip code. We primarily use this information to provide information you have requested, manage and

correspond with you about your account, send you information and newsletters related to the real estate market and/or other information we think may interest you, and for other matters described in this Policy.

Newsletters, Inquiries and Emails

We may offer newsletters and/or other communications to share information with you about CATCLAR INVESTMENTS, LLC, CATCLAR INVESTMENT development properties, independent real estate sales associates, real estate, helpful guides and information, and other topics or offers in which we believe you may be interested, about us and our related entities, or about our advertisers, sponsors, or other business partners. You may sign up to receive information about a property, from a specific agent, office, or to join our general mailing list. If you inquire regarding a property, an independent CATCLAR INVESTMENTS, LLC real estate sales associate may contact you regarding that or related properties to the extent related to your inquiry. In addition, if you indicate that a property is one of your “favorites,” you may automatically be placed on a list to receive email updates regarding that property (which will be sent by the listing agent).

Please note, if you choose to provide your email address or other contact information to an independent CATCLAR INVESTMENTS, LLC sales associate, we will submit your information to that associate. However, we cannot control how these independent sales associates use that information, and therefore this Policy does not apply to their use of your Personal Information. Please contact the associate or office directly or follow the links included in the communications you receive from the associate to learn more about their privacy practices.

Mobile Application & Site

If you download our Application or utilize the website-friendly version of our Site, it may request access to certain features or information on your mobile device (as disclosed during the download and/or installation process). For example, we may request access to your location in order to show you local results. We may request access to your phone so that we can add your phone number to your account. We may also use information we collect to facilitate the functionality of our Application, to better tailor our content to visitors’ needs, and to help us and certain third parties to better understand our audience. If you have registered on our Services, it may be possible for us to combine data we collect through our Application with other information we hold about you, so that we can personalize or improve the relevance and quality of services we provide to you.

Contests or Sweepstakes

We may operate or promote contests and sweepstakes through our Services, which may require registration to enter. We may collect information such as your name, phone number, address, email and other information included on the sign-up form. Please note, the privacy practices of a particular contest or sweepstakes may vary from the practices stated in this Policy; for example, when the contest or sweepstakes is sponsored by a third-party and hosted on their site. Where the terms of a sweepstakes or contest include privacy practices that differ from or conflict with this Policy, the privacy practices of the contest or sweepstakes you entered will control, and will be disclosed in the rules for that promotion. Without limiting the foregoing, your Personal Information may be used by us or a third party to contact you for winner notification, prize delivery confirmation or other promotional purposes. Your entry in the contest or sweepstakes may also result in your being added to our mailing/texting lists as well as those of our promotional partners associated with the contest or sweepstakes. Acceptance of a prize may require you (unless prohibited by law) to allow us to post publicly some of your information on the Services, such as on a winner’s page, in the event you win a contest or sweepstakes.

In some instances, a third-party advertiser or sponsor may operate or host a contest or sweepstakes on our Services (or promoted via our Services), and may collect your information. In those cases, where we are not the sponsor, operator or host of the contest or sweepstakes, we may have no control over the information collected and accordingly urge you to review the official rules of the contest/sweepstakes as well as the advertiser's or sponsor's privacy policy applicable to the contest or sweepstakes before participating.

Cookies, web beacons and other tracking technologies

Our Sites use cookies, which are small, commonly-used files that are transferred to your computer by us or a third-party when you allow your browser to accept cookies. Similarly, we or our third-party service providers/advertisers may also use "web beacons," "pixel tags" or other tracking technologies, which are typically small pieces of code placed on a web page to monitor behavior and collect certain data regarding the actions of our guests online.

These cookies and other technologies may be used to track across time and sites. For example, these technologies can be used to analyze your online traffic patterns, to enhance your experience when using our Sites, to store information during your session, to personalize the Sites for you based on your preferences and selections, to target advertising or content to you (as described further below) and to collect information about you and your visit to our Sites for other marketing and business purposes. You can adjust your privacy preferences regarding the use of cookies and similar technologies through your browser. However, disabling cookies may impair your user experience and disable certain features of our Sites.

Data about your activities online may be collected for use in providing advertising tailored to your individual interests, either by us, our affiliates, or third-parties. We may work with third parties such as network advertisers and ad exchanges to serve advertisements across the internet and may use third-party analytics service providers to evaluate and provide us and/or third parties with information about the use of these ads on third party websites and viewing of ads and of our content.

We and these third-party vendors, including Google, may use third-party technologies (such as a Facebook Custom Audience Pixel) together with our own first party technologies to analyze ad impressions, your use of ad services, and interactions with these ad impressions and ad services. The information collected may also include information about your visits to our Sites, include the pages you have viewed and what content you have seen. These third-party tracking technologies may be set to, among other things: (a) help deliver advertisements to you that you might be interested in; (b) prevent you from seeing the same advertisements too many times; and (c) understand the effectiveness of the advertisements that have been delivered to you.

You can opt out of certain advertising by visiting the Network Advertising Initiative opt out page or permanently using the Google Analytics **[opt out browser add on](#)**. If you wish to take steps to opt-out of tracking by certain online advertisers, you can visit the Digital Advertising Alliance's opt-out page at **<https://www.aboutads.info/choices>** or the Network Advertising Initiative at www.networkadvertising.org/optout_nonppii.asp. To learn more about how to opt out of Google's use of cookies, visit Google's Ads Settings, **[here](#)**. You may control Facebook's use of interest-based ads through your Facebook account settings, or may visit the customer support page **[here](#)**. Please note, at this time we do not respond to browser-based "do not track" signals.

To learn about cookies and similar tracking technologies, and how they affect your privacy, visit **allaboutcookies.org**. To learn about, or to opt-out of Google's analytic and marketing services, visit **[Google Analytics Terms of Use](#)**, the **[Google Privacy Policy](#)**, or **[Google Analytics Opt-out](#)**.

IP Addresses and Click-stream Data

Our Sites and servers may collect other information from you when you access our Sites, including your IP address and the pages you visited and content you viewed while on our Sites. The Information collected cannot typically be used to identify you personally. However, if you have registered on the Sites, it may be possible for us to link certain information to information that identifies you personally. Information collected through our Sites includes information sent to us automatically by your web browser, the address of the web page you were visiting when you accessed our Sites, information about your operating system, the browser you are using, the date and time of your visit, and online traffic patterns and content accessed throughout our Sites.

If you contact us through the Services

You may contact us with questions about our Services, our business or other matters. Any information you provide through our Services, including your name, email, phone, and residence information will be used in the context of resolving your request or answering your inquiry, or to provide additional information related to that inquiry. We may also place you on our marketing list for information related to your inquiry or which we otherwise believe would be of interest to you, and we may otherwise use your information as described in this Policy.

How we use information

We use collected information to make available and to improve our high standard of reliable services. We use such information to:

- respond to inquiries or service requests and monitor such responses;
- provide information about and market our products or services or those of CATCLAR INVESTMENTS, LLC and affiliated development properties and/or independent real estate agents;
- resolve problems;
- manage the Services and assess usage;
- enhance or personalize your experience using our Services;
- inform you of offers or new features that we believe may be of interest to you;
- provide information or services you have requested;
- process or maintain your subscription to a newsletter or mailing list;
- facilitate various programs, promotions or contests in which you participate;
- target advertising or content, or for other advertising, promotional or marketing purposes;
- study the use and popularity of various areas of our Services and to improve our Services; and
- analyze general locations where our content is viewed (by reviewing IP addresses). We may also use such information for other purposes related to our business or that of our related entities, as well as for any other purpose described in this Policy or any other agreement you may enter with CATCLAR INVESTMENTS, LLC or otherwise as we may disclose to you or to which you consent from time to time.

How we share information

Generally. Personal Information we collect may be shared with a variety of parties, depending upon the purpose for and context in which that information was provided. When you search for a property, we will redirect you to the site of the specific CATCLAR INVESTMENTS, LLC property and provide information you have submitted to us, including the parameters of the search, and if you have registered, we may provide your contact information to that office. If you request to be contacted by a CATCLAR

INVESTMENTS, LLC Agent or office, we will disclose the Personal Information you provide to those parties to satisfy your request. In addition, sponsors or other third-parties may offer various promotions, and we may share your information with those third-parties to enable them to offer promotions that relevant to you.

Further, we reserve the right to share your Personal Information with our current or future Affiliates. We may also share your Personal Information and other information with trusted third-parties for marketing, advertising, or other commercial purposes, and we may occasionally share your Personal Information with trusted parties who may have information that we believe will interest you.

Anonymized Information. We may share analyses of our server logs, traffic or information relating to customer leads, including details regarding usage of our Sites and general information about our audience, with current or potential advertisers or business partners. Such disclosures typically aggregate usage data from these analyses and other information not generally considered to be Personal Information.

Site Providers. We may, without your consent, share Personal Information and other data with service providers who provide certain services on our behalf, or in the other circumstances noted below. For example, we may share certain Personal Information we collect with third-parties such as providers of data hosting or processing services, payment processors, or other service providers. We also reserve the right to share any information we possess or data derived from it with service providers or others if such information has been reasonably de-identified.

Mergers & Acquisitions. In addition, in the event that we go through a business transition, such as a merger, acquisition, liquidation or sale of all or a portion of our assets, Personal Information will, in most instances, be part of the assets transferred, or may be disclosed (subject to confidentiality restrictions) during the due diligence process. If such a transfer occurs, the acquiring company's use of your Personal Information will still be subject to this Policy and the privacy choices you have made.

Legal Disclosures. Finally, we may, without your consent, access and disclose your Personal Information, any communications sent or received by you, and any other information that we may have about you as may be permitted or as we believe in good faith may be reasonably necessary to comply with any law, regulation, rule or court order; pursuant to subpoenas or other lawful requests from governmental, regulatory or administrative agencies or law enforcement authorities (including in response to law enforcement or national security requirements); to respond to any claims, or to prevent, investigate, identify persons or organizations potentially involved in, or take any action regarding suspected fraud, violations of our Terms of Service, or activity that appears to us to be illegal or we believe may expose us to legal liability. Additionally, we may disclose Personal Information in situations that we believe to be emergencies involving potential threats to the physical safety of any person or property, if we believe that your information in any way relates to that threat.

Your choices

It is possible for you to use most of our Services without giving us any Personal Information. When you do register with us or give us Personal Information, you often will have an opportunity, at the time we collect your information, to limit e-mail communications from us or opt-out of receiving emails from third-parties, or you can unsubscribe from email newsletters or similar communications by clicking on the unsubscribe link in every email. You may get more information or opt out of all information sharing with third-parties for marketing purposes by contacting us at the address or email below.

How can I access, update or delete my Personal Information?

You may access or update any Personal Information included in your profile by logging into your account and updating your profile. If you have trouble or you need more information, you may contact us using our ‘Contact Us’ form. We will respond to reasonable requests for access or revision and will provide access to the extent required or allowed by law. However, we may decide not to grant access or make revisions where the burden or expense of providing access would be disproportionate to the risks to the individual’s privacy in any given case, or when the rights of others would be violated by granting the access.

You may close your account by contacting CATCLAR INVESTMENTS, LLC using the contact information below. Further, you may request that CATCLAR INVESTMENTS, LLC delete any personal information it holds about you. This request must be made in writing to the address provided below. Note that if you request removal of your personal information you will no longer have access to any existing CATCLAR INVESTMENTS, LLC account and will not be able to use any CATCLAR INVESTMENTS, LLC product or service. CATCLAR INVESTMENTS, LLC reserves the right to retain certain account information for its recordkeeping or compliance purposes

Links and Redirection to Third-Party Services

The Services contain links and may redirect you to Third-Party Services (as defined in our Terms of Service). Third-Party Services are not under the control of CATCLAR INVESTMENTS, LLC, and CATCLAR INVESTMENTS, LLC is not responsible for the data privacy or security practices of such Third-Party Services, or how they may use the information you provide. Please be aware that when you enter a Third-Party Service, any information you provide, including financial information, is subject to the terms of use and privacy policy of that site or service.

Information Security

We have implemented reasonable security measures to safeguard the Personal Information you provide us. However, please keep in mind that we cannot be liable for the actions of third-parties to whom we may transfer your Personal Information in accordance with this Policy. Furthermore, please remember that “perfect security” does not exist on the Internet, and accordingly we cannot provide any guarantee that your Personal Information or any other information you provide us will remain secure.

Effective Date; Policy Changes

Each time you use the Services, the current version of the Policy will apply. Accordingly, when you use the Services, you should check the date of this Policy (which appears at the top of the Policy) and review any changes since the last version. We reserve the right to modify this Policy at any time and without notice other than simply posting such modifications. Any such modifications will be effective immediately upon posting on the Services.

Limitation of Liability

By providing us with any Personal Information, you expressly and unconditionally release and hold harmless CATCLAR INVESTMENTS, LLC and each of their related entities, parents, service providers, licensors, and its or their respective officers, directors, employees or agents (collectively the “**CATCLAR INVESTMENTS, LLC Parties**”) from any and all liability for any injuries, loss or damage of any kind arising from or in connection with the use and/or misuse of your collected Personal Information. In addition, while we take reasonable steps to prevent third-party companies from making unauthorized use

of your Personal Information, we cannot be held liable for any injuries, loss or damage of any kind arising from or in connection with the use and/or misuse of your collected Personal Information by those third-parties.

UNDER NO CIRCUMSTANCES SHALL ANY CATCLAR INVESTMENTS, LLC PARTIES BE LIABLE FOR ANY DAMAGES (INCLUDING, BUT NOT LIMITED TO DIRECT, INDIRECT, PUNITIVE, SPECIAL, INCIDENTAL, CONSEQUENTIAL, LOST PROFITS OR LOST REVENUE) THAT RESULT FROM THE USE OF THE INFORMATION OR MATERIALS ON THIS SITE, EVEN IF THE CATCLAR INVESTMENTS, LLC PARTIES HAVE BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

International guests

If you are accessing our Services from outside of the USA, you consent to the transfer of your information to the USA, and the processing, use, and sharing of your information in accordance with this Policy.

Contact Us

You may contact us with your questions or comments regarding this Policy or our information collection and dissemination practices at:

Email:

marketing@catclar.com

By mail:

CATCLAR INVESTMENTS, LLC
16580 North 92nd Street, #2004
Scottsdale, AZ 85260