

**Subject: Privacy Policy****Date Issued: February 2018****Replaces Date Issued: July 2013****Application:** This policy (the “**Policy**”) applies to all employees of Choice Properties Real Estate Investment Trust and its subsidiaries (collectively “**Choice**” or the “**Trust**”).

At Choice, (collectively “Choice”, “we”, “me” or “our”) we respect your privacy and take great care in protecting your Personal Information. This Policy demonstrates our commitment to your privacy. Read on to discover how your Personal Information is being protected.

### **1.0 Scope**

In this policy, we explain what Personal Information we collect, and how we use, share and manage it.

### **2.0 Purpose**

The privacy of individuals connected with our business, including our tenants, contractors, employees, independent operators and website visitors, has always been, and continues to be, of great importance to Choice. We will always strive to protect the privacy of personal information, subject to applicable laws and any consent an individual has provided for its use.

#### Personal Information

“Personal Information” as used in this Policy means information about an identifiable individual, such as the name and date of birth of that individual, and includes non-personal information that we link to Personal Information.

This policy does not cover non-personal information, which is information that does not identify you. However, as stated above, when we collect non-personal information and link that non-personal information to an identifiable individual, then that information will become Personal Information and become subject to this policy.

### **3.0 Accountability**

Choice is responsible for personal information under its control, including any personal information disclosed to third parties for handling or administrative purposes. Choice has designated a Privacy Officer who is responsible, in addition to senior management, for Choice’s compliance with this policy and with privacy legislation.

3.1 While ultimate accountability for Choice’s compliance with the policy rests with the Privacy Officer and senior management of Choice, day-to-day compliance with the policy is delegated to certain employees throughout Choice’s business.

3.2 With respect to personal information that has been transferred to a third party for processing, Choice will use contractual or other means (which may include and not be limited to the examination of such third party’s practices with respect to personal information) to safeguard personal information while it is being processed by a third party.

3.3 Choice has implemented internal guidelines and practices to give effect to this policy, including:

- establishing procedures to protect personal information;
- establishing procedures to receive and respond to complaints and inquiries;
- developing information to explain Choice's policies and procedures;

Choice has implemented practices to effectively monitor compliance with this policy across its business, including the appointment of a privacy officer and regular privacy compliance reviews.

#### **4.0 Identifying the Purposes for which Personal Information is collected**

We identify the purpose for which Personal Information will be used typically at or before the time the Personal Information is collected. Our use of Personal Information is limited to the purposes described in this Policy, those purposes specified at or before the time of collection, or uses that would be reasonable in the circumstances, such as communicating with you and managing our business as new purposes may develop over time.

#### **5.0 Consent**

Choice will not collect, use or disclose the personal information of a person without the individual's knowledge and consent, except in certain limited circumstances permitted by law.

Choice will obtain consent, either express or implied, for the use or disclosure of personal information at the time of the collection of the information. In certain circumstances, consent with respect to use or disclosure will be sought after the information has been collected but before use, particularly if Choice wants to use the information for a purpose not previously identified to the individual.

The way in which Choice seeks consent from an individual may vary, depending on the circumstances and the type of information collected. In determining the type of consent that may be required, Choice will consider the nature of the information, the use to which the information will be put, applicable laws and the type of interaction in which the information is provided.

Consent may be express or implied, given orally, electronically or in writing and provided by an action or inaction. Consent may be given through a legally appointed representative or a legal guardian.

Choice is committed to obtaining meaningful consent to the collection, use and disclosure of personal information. To achieve this aim, the purposes for which the information will be used, if not obvious, will be explained in such a manner that the individual can reasonably understand how the information will be used or disclosed.

Choice will not, as a condition of the supply of a service, unreasonably require an individual to consent to the collection, use or disclosure of information beyond what is required in the circumstances.

An individual, subject to legal or contractual limitations, may withdraw their consent at any time on sufficient notice to Choice. Withdrawal of consent may result in Choice becoming unable to provide or continue to provide the person with certain services or benefits, and the individual will be given notice of the implications of the withdrawal of his or her consent. To withdraw or limit your consent, you can contact [privacy@choicereit.ca](mailto:privacy@choicereit.ca).

Please note that it may take some time for all of our records to reflect changes in your preferences.

## **6.0 Limits on the Collection of Personal Information by Choice**

The collection of personal information by Choice will be limited to that which is necessary for the purposes identified by Choice. At all times, Choice will collect personal information by fair and lawful means.

It is possible that Choice may, with the consent of an individual, collect and use information about that individual received from a third party. For instance, credit references may be checked in appropriate circumstances.

## **7.0 Limits on the Use, Disclosure and Retention of Personal Information by Choice**

Personal information will not be used or disclosed by Choice for purposes other than those for which it was collected, except with the consent of the individual or as required or permitted by law. Personal information will be retained only as long as reasonably necessary for the fulfillment of those purposes or as required by law.

## **8.0 How we Share Personal Information**

We may also share Personal Information about you with other organizations outside of Choice Properties, for example, to help us with our business operations. When Choice Properties shares Personal Information with any such party, we limit the use of such Personal Information to those purposes requested by us and we require that the party has appropriate safeguards for the protection of that Personal Information.

### Other Sharing

Canadian law permits or requires the use of sharing of Personal Information without consent in specific circumstances. These circumstances include situations when required by law or necessary to protect Choice Properties, our employees, or others. Should this occur, Choice Properties will not share more Personal Information than is required to fulfill that particular purpose.

Sale or transfer of business. From time to time, Choice Properties may share/disclose your personal information in the context of a corporate transaction. If your Personal Information is required in connection with any such transactions, we will require that the parties involved, including affiliates, advisors or other service providers, agree to protect your Personal Information with policies meeting standards equivalent to those set out in this Policy both during and after completion of the transaction.

Choice Properties does not sell, trade or share for financial or other benefit any Personal Information with third parties.

## **9.0 Safeguarding Personal Information**

Choice will protect personal information through the use of security safeguards appropriate and proportionate to the sensitivity of the information.

Choice will employ security safeguards that will protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use or modification, regardless of the format in which the information is held.

The nature of the safeguards used by Choice will vary depending on the sensitivity of the information that has been collected, the amount, distribution and format of the information, and the method of storage of the information. More sensitive information will be safeguarded with a higher level of protection.

The methods of protection used by Choice will include, but are not limited to:

- physical measures, for example, locked filing cabinets and restricted access to offices;
- organizational measures, for example, security clearances and limiting access on a “need-to-know” basis;
- technological measures, for example, the use of passwords and encryption; and
- disposing of information when no longer required as per the Records Retention Schedule

Choice will ensure that its employees who are in contact with or have access to personal information are trained in the appropriate protection of personal information and that they are aware of the importance of maintaining the confidentiality of personal information. Employees are required to abide by this policy.

Choice may share personal information within its group of companies and with third parties for employment-related and administrative purposes, including storage and processing. If personal information is disclosed within its group of companies or to third parties, Choice will make reasonable efforts to ensure that the third party users employ safeguards to protect personal information which are comparable to those used by Choice.

Choice generally, but not necessarily, stores, accesses and uses personal information in Canada. Subject to a legal or regulatory requirement to keep such information in Canada, personal information may also be stored, accessed, processed or communicated outside of Canada. Where personal information is stored or processed outside of Canada, it is subject to the laws of the jurisdiction where it is located.

### **10.0 Transparency**

Choice will make available to individuals information about its privacy policies and practices relating to the management of personal information.

Choice will make information regarding its privacy policies and practices readily available to individuals. The information will be made available in a form that is generally understandable.

Choice may make information regarding its privacy policies and practices available in a variety of ways, depending on the nature of the service or product being provided and the nature of the personal information. Choice will make all such information available in both English and French.

### **11.0 Complaints and Questions**

A person about whom personal information is kept may seek further information from Choice concerning its compliance with this policy.

If you are concerned about how we treat your Personal Information, please contact the appropriate Privacy Office using the contact information set out below.

Complaints and questions regarding Choice’s compliance with this policy may be made in writing to the Choice Privacy Officer at 22 St. Clair Avenue East, Suite 500, Toronto, Ontario M4T 2S5, by phone at 1-888-663-6063 or by e-mail at [privacy@choicereit.ca](mailto:privacy@choicereit.ca).

Choice has procedures in place to receive and respond to inquiries or complaints about this policy and its practices relating to the handling of personal information. These procedures will be provided upon request and are easily accessible on Choice's website, [www.choicereit.ca](http://www.choicereit.ca), and in other published material with respect to privacy.

If you are concerned about how we treat your Personal Information, please contact the appropriate Privacy Office using the contact information set out above in "Complaints and Questions".

If the Privacy Office is unable to address your concern to your satisfaction, arbitration may be an option recommended to you to settle the dispute. Arbitration is a form of dispute resolution. If the parties decide to pursue arbitration, then the parties would refer the dispute to an arbitrator who would take into account the evidence of each of the parties and render a decision.

If you remain unsatisfied, you may bring the matter to the attention of the appropriate Privacy Commissioner. Some of our activities are subject to the jurisdiction of the Office of the Privacy Commissioner of Canada; other activities are subject the jurisdiction of the Privacy Commissioner of your province or territory of residence.

## **12.0 Reference Document**

Code of Conduct  
PIPEDA  
Privacy Act

## **13.0 Interpretation**

Responsibility for the interpretation of this Policy rests jointly with the Vice President, General Counsel & Secretary and the Privacy Officer.