

Privacy Policy

Ocean Club Community Association, Inc. (“OCCA” or “we” or “us”) recognizes that you care how information about you is collected and used. We have created this Privacy Policy to inform you of our information collection, use, and sharing practices. This Privacy Policy explains OCCA’s collection and use of information that may identify you and covers information collected through its websites, including www.oceanclubkeybiscayne.org, and any smartphone, device or other electronic applications or tools or through any social media platform (together, the “Electronic Platforms”), emails, text messages, direct messages, or other communications whether electronic or written (all of the above is referred to collectively as the “Resources”). It is OCCA’s policy to respect your privacy regarding any information we may collect, subject to the terms and conditions of this Privacy Policy and the Terms of Use of any Resources (“Terms of Use”), as either or both may be amended from time to time. In addition, various Resources of OCCA may include different terms or policies, and you should review any such terms and policies carefully, as they will control your use of that Resource. Terms not defined in this Privacy Policy have the meanings ascribed them in the Terms of Use. By providing us any information or accessing one or more Resources, individuals agree to the following terms and conditions as final and binding.

Types of Information We Collect

We collect the following information about you:

- *Personal Information.* This is information that directly or indirectly identifies you, such as your name, email address, property addresses, vehicle information or other identifying information about you, or that would, when combined with other information you provide or that is broadly available, be likely to identify you.
- *Other Information.* Other Information is information that is not Personal Information, i.e., information that, by itself, does not individually identify you, such as browser type, operating system, technical data, and usage. We may link together different types of Other Information or link Other Information to Personal Information.

Individuals may interact with OCCA in ways that require OCCA to gather Personal Information. The amount and type of information that OCCA gathers depends on the nature of the interaction. For example, OCCA may request that residents who wish to use an Electronic Platform provide a username and email address, plus such other information as OCCA may believe useful, including financial or other information, depending on the nature of the transaction contemplated. In each case, OCCA collects such information only insofar as is legal and appropriate. If you do not wish for OCCA to collect any information about you, you can simply not utilize any of the Resources or otherwise supply Personal Information. Your choice not to provide information may, however, prevent you from using certain Resources or engaging in certain activities on an Electronic Platform.

Like most website and application operators, OCCA collects non-Personal Information of the sort that web browsers, applications and servers typically make available to operators, like the

browser type, language preference, referring site, and the date and time of each visitor request. OCCA may use this information for a number of purposes including, for example, to better understand how OCCA's visitors use its website. The purposes for collecting and using this data may change from time to time at OCCA's discretion, and OCCA may release Other Information (for example, formerly Personal Information that has been anonymized) in the aggregate. By utilizing any of the Resources, you agree to such use.

How We Collect Information

We collect Personal Information and Other Information in the following ways:

- *Information you give us.* For example, an Electronic Platform may require you to create an account or a username and password. We may also require Personal Information to facilitate payment of a member's maintenance fees or assessments. If you use the Electronic Platform to schedule any services or amenities, or if you otherwise utilize any of the Resources, we may ask for Personal Information.
- *Information provided to us by members.* In some instances, members may provide us with your Personal Information. For example, members may provide us with contact information about individuals who rent their property or other occupants, or with emergency contact information.
- *Information We Get from Your Use of Services.* We may collect information about the Resources that you use and how you use them. This information includes:
 - **Computer, tablet, or mobile telephone information.** We may collect device-specific information (such as your hardware model, operating system version, unique device identifiers, device sensors and mobile network information including phone number) and device sensors and related information. OCCA may associate your device identifiers or phone number with your account. We will comply with the usage/license restrictions and requirements applicable to the device from which the information comes.
 - **Log information.** When you use an Electronic Platform or view content provided by us, we may automatically collect and store certain information in server logs. This may include, for example:
 - details of how you used our Resources.
 - Internet protocol address.
 - device event information such as crashes, system activity, hardware settings, browser type, browser language, the date and time of your request and referral URL.
 - cookies that may uniquely identify your browser or your account.
 - **Location information.** When you use a location-enabled Electronic Platform, we may collect and process information about your actual location, like GPS signals sent by a mobile device. We also may use various technologies to determine location, such as sensor data from your device that may, for example, provide information on nearby Wi-Fi access points and cell towers.
 - **Unique application numbers.** Certain Electronic Platforms may include a unique application number. This number and information about your installation (for example, the operating system type and application version number) may be sent

to OCCA when you install or uninstall an application or utilize that Electronic Platform or when that Resource periodically contacts our servers, such as for automatic updates.

- **Local storage.** We may collect and store information (including Personal Information) locally on your device using mechanisms such as browser web storage (including HTML 5) and application data caches.
- **Cookies and anonymous identifiers.** We use various technologies to collect and store information when you visit an Electronic Platform as described below, and this may include sending one or more cookies or anonymous identifiers to your device.

How We Use Information We Collect

We take your privacy seriously. We use the information that we collect about you to provide, maintain, protect and improve the services and products that OCCA provides to you. We do not sell your information to any third parties and only use it for legitimate business purposes.

We use, or may in the future use, your Personal Information for various purposes such as the following:

- To help you schedule activities or amenities or provide you with other services you request or that are part of our business operations.
- To manage our properties.
- To facilitate the processing of payments made by you by our third-party service providers.
- To respond to questions that you may have
- If you submit a resume to work at OCCA, we may use it for hiring decisions and retain the resume or information in it for our own records or in order to contact you later.
- To inform you of updates regarding OCCA or services that may be of interest to you.
- To provide administrative notices or communications applicable to your use of the Resources.
- To provide, operate, evaluate and improve our business and the services we offer.
- To analyze and enhance our marketing communications and strategies.
- To analyze trends and statistics regarding visitors' use of our Electronic Platforms including mobile applications and social media assets.
- To protect against and prevent fraud, unauthorized transactions, claims and other liabilities.
- To improve our customer service.
- To let you know about products or services offered by us or a third party that we think might be of interest to you.
- To respond to and support customers regarding their use of the Resources.
- To comply with all applicable legal requirements.

We also may use the information we obtain about you in other ways for which we may provide specific notice at the time of collection. We may ask for your consent before using information for a purpose other than those set out in this Privacy Policy.

Cookies and Other Tracking Technologies

In addition, some of our Electronic Platforms may utilize “cookies” and other tracking technologies like pixel tags and web beacons (often called “smart cookies”) to improve the functionality of the Website. Cookies are text files that are sent by servers to web browsers and stored on your computer. They tell us which parts of the Electronic Platforms you’ve visited so that we are able to provide you more effective services and access, e.g., so that OCCA can alert you to software compatibility issues and save your preferences for future visits to the Electronic Platform. Web beacons and pixel tags are images embedded in a webpage or e-mail for the purpose of measuring and analyzing usage and activity. The Electronic Platforms, or third party service providers acting on our behalf, may use web beacons and pixel tags to help us analyze usage and improve our functionality. Some cookies and other technologies may serve to recall Personal Information previously provided by a user.

We use information collected from cookies and other technologies to improve your user experience and the overall quality of our services. We use cookies to help us identify and track visitors, their usage of the Electronic Platform, and their access preferences. We may use your Personal Information to see which web pages you visit at our websites, which website you visited before coming to our website, and where you go after you leave our website. We can then develop statistics that help us understand how our visitors use our websites and how to improve them. OCCA visitors who do not wish to have cookies placed on their computers should set their browsers to refuse cookies before using the Electronic Platforms; provided, however, that OCCA disclaims, and you hereby waive, any claim or liability that may arise due to your partial or incomplete access to the content of any of the Electronic Platforms as a result thereof.

We also use cookies provided by Google Analytics or other third parties to help us measure how visitors use the Electronic Platforms. The information collected is used for a variety of purposes, including, but not limited to, site traffic reporting, unique visitor counts, and content optimization. Although Google Analytics logs the information coming from the Electronic Platforms on our behalf, we control how the data may and may not be used. If you do not want to help us learn how to improve the Electronic Platforms, you can opt-out of this website analysis tool by clicking: <https://tools.google.com/dlpage/gaoptout>.

How We Share Information We Collect

As part of the use of your information for the above purposes, we may disclose your Personal Information or Other Information to our vendors and other contractors who perform various functions on our behalf. We require these third parties to agree in writing to safeguard your Personal Information against improper disclosure and in accordance with the law.

We also may provide Personal Information to our affiliates or other trusted businesses or persons who provide services to you or us, based on our instructions and in compliance with our Privacy Policy and any other appropriate confidentiality and security measures.

If OCCA or any of our affiliates is involved in a merger, acquisition, asset sale, joint venture or other, similar transaction, we will continue to ensure the confidentiality of any Personal Information. We may transfer or allow access to Personal Information as part of the transaction and in review or preparation for it as described below under “Business Transfers”.

We also may provide information about you to other third parties with your consent or for one of the purposes above, e.g., following a subpoena or other legal process or to a regulatory agency in order to protect against fraud or investigate a criminal or civil matter or when OCCA believes in good faith that disclosure is reasonably necessary to protect OCCA’s rights and interests, third parties, or the public at large.

How We Protect Your Information

Our Resources are intended solely for users located in the United States. If you are outside of the United States and access the Electronic Platforms or submit your Personal Information to us, U.S. law may not offer the same privacy protections as the law of your jurisdiction. Please be advised that: (1) any information you provide to us or that we automatically collect will be received in the United States and may be transferred to other jurisdictions; and (2) that by using the Resources or submitting information, you explicitly authorize its processing in the United States and subsequent transfers outside the United States in accordance with this Privacy Policy. You agree that you will not access the Resources from outside the United States including, for example, from the European Union or the European Economic Area.

OCCA discloses Personal Information to those of its employees, contractors, agents and affiliated organizations that need to know that information in order to process it on OCCA’s behalf or to provide services. By using the Resources or providing us information, you consent to the transfer of such information to them. OCCA will not rent or sell potential Personal Information to anyone.

If you are a registered user of one or more Resources or have supplied your email address, you agree that in addition to any Resources you may have solicited or requested, OCCA may further send you emails to provide you with information, to inform you of new products, to solicit your feedback, or to keep you up to date on OCCA and its products. If you send us a request (for example via a support email or via one of our feedback mechanisms), we reserve the right to publish it in order to help us clarify or respond to your request or to help us support other users. You may choose not to receive marketing email communications from us by clicking on the "unsubscribe" link in our marketing emails. You also may ask us not to send you other marketing communications by contacting us as specified in the "Contact Us" section below, and we will honor your request.

We aim to maintain our services in a manner that protects information from accidental or malicious destruction. Because of this, we may not immediately delete residual copies of Personal Information that is on our active servers and may not remove information from our backup systems. If you believe that Personal Information we maintain about you is inaccurate, subject to applicable law, you may have the right to request that we correct or amend the information by contacting us as indicated below.

OCCA undertakes commercially reasonable efforts to guard against unauthorized access, use, alteration or destruction of Personal Information, which efforts you agree are sufficient, adequate and complete. In some cases, we cannot control, and are not responsible for, information that is shared about you. For example:

- *Information you share.* Some of our Electronic Platforms or other Resources may let you share information with others. Remember that when you share information publicly, it may be indexable by search engines or otherwise further disclosed.
- *Social Media Accounts.* OCCA maintains various social network accounts such as Facebook, Twitter or LinkedIn. Please note that comments and information that you leave in such settings are likely to be broadly visible and may not be controlled by OCCA. We are therefore not responsible for any information or messages you leave in such settings or for how such information may be used by others.
- *Accessing and updating your Personal Information.* If you provide us with information or create an account in order to access or receive Resources, we may or may not be able to provide you with access to your Personal Information. If information that we control about you is incorrect, we strive to give you ways to update it quickly or to delete it (unless we have to keep that information for legitimate business or legal purposes). When updating your Personal Information, we may ask you to verify your identity before we can act on your request.

Business Transfers

In the event (i) OCCA engages in one more asset sales or purchases, (ii) OCCA is acquired, (iii) OCCA engages in one or more business combinations, mergers or acquisitions, (iv) substantially all of OCCA's assets are acquired, or (v) OCCA is subject to an event of bankruptcy, you acknowledge and agree that user information comprises an asset of OCCA and that the same is subject to assignment, transfer and/or acquisition by a third party. Accordingly, and notwithstanding anything to the contrary in this Privacy Policy, you acknowledge and agree that such transfers may occur, and that any acquirer of OCCA may continue to subsequently use your Personal Information, and that such subsequent use may not be consistent with this Privacy Policy.

Comments

You acknowledge and agree that OCCA has no duty or obligation to respond to or save user comments.

Third Party Links

The Electronic Platforms may contain links to webpages or tools operated by parties other than OCCA. We do not control such websites or tools and are not responsible for their contents or the privacy policies or other practices of such websites or service providers. Our inclusion of links to an outside website or tool does not imply any endorsement of the material on such websites or

tools or any association with their operators. Further, it is up to you to take precautions to ensure that whatever links you select or software you download (whether from an Electronic Platform or other websites) is free of such items as viruses, worms, trojan horses, defects and other items of a destructive nature. These websites and services may have their own privacy policies, which you will be subject to upon accessing the third party's website. We strongly recommend you review the third party's terms and policies.

Children

The Electronic Platforms are not intended for use by children. We do not intentionally gather Personal Information about individuals who are under the age of 13. If a child has provided us with Personal Information, a parent or guardian of that child may contact us to have the information deleted from our records. If you believe that we might have any information from a child under age 13, please contact us at admin@oceanclubkeybiscayne.org. If we learn that we have inadvertently collected the Personal Information of a child under 13, or equivalent minimum age depending on jurisdiction, we will take steps to delete the information as soon as possible.

Do Not Track

Some browsers have a "Do Not Track" feature that lets you tell websites and online services that you do not want to have your online activities tracked. Such browser features and industry standards are not uniform, so our websites and online services do not respond to those signals.

Contact Us

If you have any specific questions about this Privacy Policy, you can contact:

OCCA
Attn: Privacy Officer
795 Crandon Blvd.
Key Biscayne, FL 33149
admin@oceanclubkeybiscayne.org

Policy Changes

OCCA reserves the right to change this Privacy Policy from time to time and at any time, without notice, within the sole, independent, absolute and uncontrolled exercise of its discretion. OCCA encourages visitors to frequently check this page for any changes to its Privacy Policy. The Effective Date below is the date of the most recent changes. Your continued use of any Resources after any change in this Privacy Policy will constitute your acceptance of, and consent and agreement to, such change.

Effective Date: January 4, 2021