

## California FAIR Plan Association Privacy Policy

Effective Date: 04/30/2024

California FAIR Plan Association (“CFP”, “us”, “we”, or “our”) operates the [cfpnet.com](http://cfpnet.com) website (“Website”), and provides various services to clients, aimed at ensuring the availability of basic property insurance to people who own insurable property in the State of California and who have been unable to obtain insurance in the voluntary insurance market. **CFP wants you to know, and assures you, that CFP does not sell your information to anyone.**

This Privacy Policy informs you about how we collect, use, protect, and disclose your information when you apply for insurance coverage with CFP, visit and otherwise use the Website, or use any of the other services that we may make available to you (collectively, “Services”). This Privacy Policy also informs you about certain choices and rights you have associated with that data, and how you can manage the privacy of your Personal Information. Please note that this Privacy Policy does not govern the practices of third parties, including any partners, third party service or marketing providers, or other associated firms, even when those services are branded as, or provided on behalf of, CFP.

Information about data processing and data subject rights for CFP employees and applicants are described in the California Privacy Rights Act Notice to Applicants and Employees available at <https://www.cfpnet.com/wp-content/uploads/2023/01/ApplicantandEmployeeDataCollection.pdf>

CFP’s Website might include links to other sites that are not operated by us. Please note that this Privacy Policy does not extend to or apply to those third party websites. This Privacy Policy does not govern the practices of third parties, including our partners, third-party services providers, and third parties with which we have a business relationship, even if those services are provided on behalf of CFP. CFP is not responsible for and does not control those sites. As such, we encourage you to review the privacy notices governing those sites.

CFP reserves the right to modify this Privacy Policy at any time in our sole discretion without notice.

### **Information We Collect**

CFP may collect certain Personal Information about you in order to provide and improve our Services to you. Over the past 12 months CFP has collected information from the categories described below.

“Personal Information” means any information that identifies, relates to, describes, or could be reasonably associated or linked with a particular person or household. It also includes other information that may be associated with you, such as your usage data, location, preferences, or interests, if that information can be used to identify you, your household, or your device, or any other information as otherwise defined under applicable law. The types of Personal Information we collect about you depend on your interactions with us and are described in more detail below.

**Personal Information:** CFP may collect the following categories of Personal Information about you and other users when you apply for and/or use our Services:

- **Individual Identifiers:** includes your name, age, contact information including mailing address, phone number, and email address. Social Security numbers will be collected for insurance brokers only. Additionally, driver’s license numbers may be collected for the purpose of verifying claimant identification.

- **Insurance Information:** loan number, prior insurance carriers, prior insurance claims, reason for termination, prior denials of coverage, prior existing property damage, and prior unrepaired damage. **Payment and Transactional Information:** includes your payment and transactional information including Services purchased. Note that we use third party payment processors to facilitate your payments and do not store your payment information.
- **Usage and Technical Information:** our Website and other applications include features that gather information about how users use it. This helps us to track user preferences, creating a more tailored user experience, and better serving users' particular interests and needs. This information may include: IP addresses, Website pages viewed and the duration, browser or operating system information, mobile device type, system settings, and aggregate and/or deidentified data related to a person's interaction with our Website.
- **Communications with Us, Preferences, and Other Information you Provide to Us:** includes any messages, opinions, and feedback that you provide to us, your user preferences (such as in receiving updates or marketing information), and other information that you share with us when you contact us directly (such as for customer support services).

Please note that we appreciate all feedback you provide regarding the Website. However, any feedback or comments sent to the Website shall be and remain the exclusive property of CFP. We reserve the right to share your feedback with other CFP personnel or third parties of our choosing in order to improve our Services.

### **Sensitive Personal Information**

With your consent, we may process the following categories of sensitive personal information from certain brokers. We do not collect or process Sensitive Personal Information from other users of our Services:

- Social security number; and/or
- State identification card number.

**Cookies & Tracking Data:** The Website may use third party products and services to gather anonymous Website traffic statistics using cookies and web beacons. A cookie is a small piece of information stored on your device that helps websites and multiple servers recognize you. CFP and its third party service providers may also use other tracking technologies such as pixels, or transparent GIF files, for web site management and user tracking.

Some of the cookies we use are "strictly necessary" for the functionality of our Website. Others improve the functionality of our Website but are not strictly necessary. These cookies help improve the performance of our Website (such as by gathering analytic data).

Examples of cookies we use include:

*Session Cookies:* These are cookies that enable our Website to keep track of movement from page to page so you are not asked for information that you have already provided to the Website.

### **Your Cookie Choices**

You can decide how you want to use or allow cookies to be used on your devices. You can set your browser or modify your device settings to block or refuse all cookies, to indicate when a cookie is being sent, or otherwise control which cookies your browser or mobile device accepts via your browser or mobile device settings. Additionally, you can choose to modify your settings and delete those cookies that are otherwise stored on your device. Please consult the instructions provided by your browser or mobile device manufacturer to find out how you can control the placement of and/or remove cookies or other technologies. Please note, however, that limiting or disabling the use of cookies and other technologies may impact or adversely affect your ability to perform certain transactions on, use certain functions of, and access certain content on our Website.

### **How We Collect Your Information**

CFP collects your information in different ways: there is information that you give us, information we obtain through your use of our Services, and information we obtain from third parties, such as insurance brokers.

#### **A. Information You Provide Us**

We collect information that you share with us. At times, in order to access our Services, we may require you to provide certain information that may include Personal Information. For instance, we may seek your name, address, date of birth and phone number when you submit an application to us. If you are an insurance broker, we may require you to upload your Social Security number as a part of the agency licensing process. Further, we may collect a claimant's driver's license number or other state identification number for the purpose of verifying that claimant's identity.

Additionally, we will collect any information that you choose to provide to us. For instance, when you complete the 24/7 Claims Report on our Website or email us with a question, we will collect and retain the information you choose to give us – including any Personal Information – to fulfill your request.

#### **B. Information We Obtain When You Use Our Services**

We collect certain information from you through your use of our Services, such as Website usage data and other Usage and Technical Information. Further, in using our Website, we may collect information about the device you use to log into, access, and use the Website. We may collect other Usage and Technical Information in relation to how you use our Website or other Services (for example, aggregate metrics on how often certain pages on our Website are accessed and viewed).

#### **C. Information We Obtain from Other Sources**

We may obtain information about you from third parties who help us provide our Services to you. For example, we may obtain information about prior insurance claims you have made, prior denials of coverage, and prior insurance carriers.

We may receive your Personal Information from insurance brokers and underwriters in reference to your application for coverage and claims filed.

### **How We Use Your Information**

#### **A. Business & Other Purposes for Collection**

CFP collects, processes, and uses your information to provide the Services that CFP makes available to you. We therefore collect your information for a variety of reasons, including:

- To process and fulfill your requests for coverage with CFP-affiliated insurance providers.
- You have otherwise given us permission to do so – for example, when you sign up for coverage with CFP, we will collect and process your information to evaluate your application.
- To facilitate our business purposes in relation to the Services that we provide to you. These operational purposes may include but are not limited to:
  - Undertaking tasks related to the operations of our Website.
  - Maintenance and improvement of our Services, including the Website;
  - Detecting security incidents; and
  - Debugging our Services.
- For a purpose otherwise related to the provision of our Services to you. For example, we may collect your information:
  - To gather analytics or valuable information so that we can improve our Services.
  - To monitor usage of our Services.
  - To detect, prevent, and address technical issues.

CFP may also use the information collected from you to:

- Protect or enforce CFP’s rights and properties;
- Protect or enforce the rights and properties of others; and
- Comply with applicable laws, in response to a lawful and enforceable request by a law enforcement, judicial, or other public authority, or in connection with an applicable legal obligation.

## **How We Disclose or Share Your Information**

### **A. Why We Disclose Your Information**

CFP may disclose your Personal Information, as provided to CFP, with service providers who help us provide our Services to you. We may disclose your information for the following purposes:

- To review and process your application for coverage.
- To confirm your identity to insurance providers.
- To clean, maintain, and analyze the CFP database.
- To facilitate and improve the quality and marketing of our Services.
- To protect our users and network against fraud and security threats.
- To investigate, protect against and help prosecute individuals responsible for malicious, deceptive, fraudulent, or illegal activity involving or affecting CFP, our Services, and/or our members. This may include disclosures to law enforcement, prosecutors, and other entities to investigation potential criminal activity and other civil violations.

To comply with applicable laws, in response to a lawful and enforceable request by a law enforcement, judicial, or other public authority, or in connection with an applicable legal obligation.

## **B. Categories of Third Parties That Receive Personal Information**

We share or otherwise disclose individuals' Personal Information to the following categories of third parties:

- **Government Agencies:** We may, from time to time, be required to share information with government agencies such as the California Department of Insurance for compliance purposes or pursuant to a warrant, court order, or other lawful process.
- **Service Providers:** CFP may engage service providers, individuals, and agents to facilitate and help us provide our Services. Such service providers perform tasks, services, or functions on our behalf, or assist us in analyzing how our Services are used or delivered. Service providers may assist us with marketing, shipping, delivery, web hosting or development, technical support and other support services. CFP reserves the right to provide personal information to such companies to the extent it may be necessary for them to provide services to or on behalf of CFP. Any such companies must agree to maintain the confidentiality of any personal information we may provide to them and are contractually obligated not to disclose or use it for any other purpose. Such companies may also collect personal information directly from you in connection with providing their services, and they will have the right to provide that personal information to us. Such other companies may not use your private or personal information for purposes other than providing services through or on behalf of CFP. Categories of service provider with whom we may share personal information include:
  - **Insurance Providers / Brokers:** In order to procure insurance coverage for our customers, we will share your Personal Information with affiliated insurance providers. Additionally, when one broker merges with or acquires another broker, CFP may transfer data to the resulting or acquiring entity.
  - **CFP Clearinghouse Member Companies:** In order to reduce CFP's concentration and number of policies, and encourage maximum use of the standard insurance market, the CFP uses a clearinghouse process to match clients with standard market insurance provider "member companies" for offers of insurance coverage. CFP may share the Personal Information of clients with CFP clearinghouse member companies to enable those member companies to review and process insurance information to provide such offers of insurance coverage.
  - **Inspection Companies:** In order to ensure that policies are activated.
  - **Insurance Adjusters:** To assist and facilitate claims processing and payment.
  - **Financial Institutions:** To facilitate automated clearinghouse (ACH) payment and processing.

- **Actuaries:** To provide policy rate analysis and perform rate change filings.

**C. Categories of Personal Information Sold or Shared**

CFP does not sell, share, rent, or trade Personal Information.

Please note that a “sale” or “sharing” of Personal Information does not include those instances when such information is part of a merger, acquisition, or other transaction involving all or part of our business. If CFP is involved in a merger, acquisition or other transaction involving all or part of our business, we may transfer your Personal Information to a third party as part of that transaction. If such transaction materially affects the manner in which your Personal Information is processed, we will notify you of such change prior to its implementation.

**D. Categories of Personal Information Disclosed in the Preceding 12 Months**

<b>Category of Information</b>	<b>Examples of Information Shared or Disclosed</b>	<b>Categories of Recipients</b>
Identifying Information	Name, mailing address, email address, phone number, date of birth, and other identifiers.	Our service providers, and government entities (where required by law)
Payment Information	Your name and billing totals for payment and invoice processing. Note that we use third party payment processors to facilitate your payments and do not store your payment card information.	Our service providers, and government entities (where required by law)
Communications with Us, Preferences, and Other Information you Provide to Us	Messages, feedback, and other communications you provide directly to us.	Our service providers, and government entities (where required by law)
Usage and Technical Information	Information about your interaction with our Website and content on third-party sites or platforms, such as social networking sites (e.g. IP address; browsing history; search history; device information; information about user’s interaction with Website, such as scrolling, clicks, and mouse-overs via cookies, pixel tags, web beacons, transparent GIFs; browser information; operating system and platform; user content (e.g. photos, videos, audio, images, social media /online posts, first-party works).	Our service providers, and government entities (where required by law)

**Data Retention**

CFP will retain your Personal Information as is necessary to provide our Services, and as necessary to comply with our legal obligations, resolve disputes, and enforce our legal agreements and policies..

### **Transfer of Data**

CFP's Services are offered and available to people who live in the State of California. However, due to our relationships with insurance providers, your information, including Personal Information, may be transferred to or maintained on computers outside of your state, country, or other governmental jurisdiction where the data protection laws may differ from those of your jurisdiction.

While CFP's Website is publicly available for user's informational purposes, CFP does not offer any other Services to individuals outside of the State of California. If you are located outside of the United States and choose to provide information to us, please note that we transfer the data, including Personal Information, to the United States and process it there. If you are located in the European Union, your submission of such information represents your agreement to that transfer.

### **Security of Data**

The security of your data is very important to us. CFP employs reasonable administrative, physical, and technical safeguards to protect the information we collect, process, and store. However, no method of transmission over the Internet or method of electronic storage is 100% secure. While we strive to use an implement commercially acceptable means to protect your Personal Information from loss, misuse, and unauthorized access, alteration, disclosure, and destruction, we cannot guarantee its absolute security. By using our Website and Services, you acknowledge that there are data security and privacy limitations inherent to the use of the Internet, and that the security, integrity, and privacy of any and all information exchanged between you and CFP, or between you and other related entities, cannot be guaranteed. We cannot ensure or warrant the security of any information you transmit to us or that we store, and you do so at your own risk.

### **Our Policy on "Do Not Track" under the California Online Protection Act ("CalOPPA")**

We do not support Do Not Track ("DNT"). DNT is a preference you can set in your web browser to inform websites that you do not want to be tracked. You can enable or disable DNT by visiting the Preferences or Settings page of your web browser. DNT is different from Global Privacy Controls ("GPC"), which may notify websites of consumers' privacy preferences regarding the sale or sharing of Personal Information, or the use of Sensitive Personal Information. As discussed above, CFP does not sell or share Personal Information, and only uses Sensitive Personal Information of certain brokers (and employees as described in the California Privacy Rights Act Notice to Applicants and Employees). As such, the GPC does not apply to CFP.

We do not track consumers' online activities over time and across third-party websites or online services.

Third parties may collect data that relates to you. We cannot control third parties' responses to do-not-track signals or other mechanisms such as GPC. Third parties' use of data relating to you and responsiveness to do-not-track signals is governed by their respective privacy policies.

### **Privacy Information for California Residents**

CFP has in place policies and procedures to facilitate the exercise of privacy rights available to California residents. If you are a California resident, California law requires us to disclose the following information with respect to our collection, use, and disclosure of personal information.

## *Your California Privacy Rights*

California residents are afforded certain rights related to their information under state law. CFP aims to take reasonable steps to allow California residents to access, delete or limit the use of their Personal Information, where applicable, and exercise other rights available under applicable law. Subject to certain limitations, California residents may be entitled to the following rights under California law:

- **Right to Know:** to have access to their Personal Information upon verifiable request – that is, they may receive a copy of such data in a portable form upon receipt of a verifiable request, along with other information related to the collection or processing.
- **Right to Correct:** to correct inaccuracies in the Personal Information that CFP holds about you upon receipt of a verifiable request and confirmation of inaccuracy of the Personal Information.
- **Disclosure of Direct Marketers:** to have access upon simple request, and free of charge, to the categories, names and addresses of third parties that have received their Personal Information for direct marketing purposes. Please see the “Direct Marketers Disclosure” section below for more information.
- **Right to Information About Collecting, Selling, Sharing, or Disclosing Personal Information:** upon receipt of a verifiable request, to obtain a list of:
  - The specific pieces of their Personal Information CFP holds;
  - The categories of Personal Information collected about them, sold to third parties, or disclosed to third parties for business purposes;
  - The categories of Personal Information sold within the last 12 months;
  - The categories of sources from which Personal Information about you is collected;
  - The business or commercial purpose for collecting, selling, or sharing your Personal Information; and
  - The categories of third parties with whom Personal Information is shared, sold, or disclosed for a business purpose.

As noted elsewhere, however, CFP does not sell individuals’ Personal Information.

- **Right to Opt-Out of the Sale or Sharing of Personal Information:** California residents have the right to opt-out of the sale or sharing of their Personal Information under certain circumstances. As noted elsewhere, however, CFP does not sell or share your Personal Information as defined under California law.
- **Right to Deletion:** California residents have the right to obtain the deletion of their Personal Information in the situations set forth by applicable data protection law and upon receipt of a verifiable request.
- **Right to Limit:** to limit certain uses or disclosures of sensitive personal information. Our uses of sensitive personal information are described in the Sensitive Personal Information section above.

- **Right to Non-Discrimination.** As defined under relevant law, California residents have the right to non-discrimination in the Services or quality of Services they receive from us for exercising their rights.

Please contact us utilizing the toll-free number or email address listed in the “Contact Us ” Section below in relation to exercising these rights. We may ask you to provide information about yourself so that we can verify your identity as part of this process. This information may include your name, email address, and any other information necessary to reasonably verify your identity, to ensure that your information is not shared with anyone impersonating you. We may ask for additional information if we have difficulty confirming your identity. We will not share your information or honor other requests in those situations in which we are unable to confirm a request for your information is a “verifiable request.” Once we have verified your identity, we will work to fulfill your request in a timely manner. Please note there may be some situations in which we are unable to fulfill your request, such as if we cannot find any information about you within our systems. Additionally, we may not be able to honor a deletion request in some situations, such as if your information is necessary to fulfill the Services you requested or meet a legal obligation. We will inform you whether we can fulfill your rights request.

Under California law a consumer can appoint an “authorized agent” to make certain verifiable requests upon their behalf, such as the right to know what information we collect about the consumer or to request deletion of the consumer’s information. An “authorized agent” may submit a request on behalf of a California resident who has authorized the agent to act on their behalf. Because the security and privacy of your information is paramount, we will ask that you identify such persons and directly confirm that such persons are authorized to act as your agent and exercise your applicable rights under California law in such situations. This may require us to contact you directly and alert you that an individual has claimed to be your agent and is attempting to access or delete your information. We will also independently verify your identity to ensure that an unauthorized person is not attempting to impersonate you and exercise your rights without authorization. We will not share your information or honor any other requests in those situations where you cannot or do not grant permission in writing for an identified authorized agent to act on your behalf, or where we cannot independently verify your identity.

If you are a California resident and have any questions about this Privacy Policy, our practices, your personal information, or your rights and choices under applicable laws, please contact us at the information below.

### ***Your California Privacy Rights Regarding Direct Marketing Disclosures***

California residents have the right to request information from us regarding the manner in which we share certain categories of Personal Information with third parties for their direct marketing purposes, in addition to the rights set forth above. Under California law, you have the right to send us a request at the designated address listed below to receive the following information:

- The categories of information we disclosed to third parties for their direct marketing purposes during the immediately preceding calendar year;
- The names and addresses of the third parties that received the information; and
- If the nature of the third party’s business cannot be determined from their name, examples of the products or services marketed.

To make such a request, please provide sufficient information for us to determine if this applies to you, and attest to the fact that you are a California resident. Please also provide a current California

address for our response. You may make this request in writing to us at the below address. Any such request must include “California Privacy Rights Request” in the first line of the description, and include your name, street address, city, state and ZIP code. Please note that we are only required to respond to one request per person each year, and we are not required to respond to requests made by means other than through the address provided for this purpose below. Note that responsive information may be provided in a standard format that is not specific to you.

### ***Clearinghouse Disclosures***

CFP may share the Personal Information of clients with CFP clearinghouse member companies to enable those member companies to review and process insurance information to provide such offers of insurance coverage (“Clearinghouse Disclosures”). To opt out of Clearinghouse Disclosures, please visit our Website.

### **Children’s Privacy**

All of our Services, including our Website, are intended for adult audiences, and are not meant to address anyone under the age of 18 (“Children”). As such, we do not knowingly collect personal information from anyone under the age of 18, and Children under the age of 18 may not use our Website or other Services. If you are under 18, do not attempt to register for or use any of our Services, including our Website, and do not provide us any Personal Information about yourself.

If you are a parent or guardian and you are aware that your child has violated this Privacy Policy and provided us with Personal Information, please contact us. If we become aware that we have collected Personal Information from children without verification of parental consent, we will take steps to remove that information from our servers.

### **Updates to this Privacy Policy**

Periodically, CFP may modify or alter this Privacy Policy. CFP will notify all visitors to its Website of any substantive changes to its Privacy Policy by posting those changes and the modification date above. We encourage you to check back to this page for any updates in the future.

### **Contact Us**

If you have any questions about this privacy statement, the practices of this site or your dealings with this site, please contact CFP:

- By Email: [Privacy@cfpnet.com](mailto:Privacy@cfpnet.com)
- By Phone: 866-951-9376
- By Webform: <https://www.cfpnet.com/california-consumer-privacy-act/>

### **Cannot Access this Privacy Policy?**

Individuals with disabilities who are unable to usefully access our privacy policy online may contact us at the above-listed contact information to inquire how they can obtain a copy of our policy in another, more easily readable format.