

PRIVACY NOTICE FOR CALIFORNIA RESIDENTS

Effective Date: January 1, 2020

This notice reflects our good faith understanding of the California Consumer Privacy Act (the “CCPA”) and our data practices as of January 1, 2020, but the CCPA’s implementing regulations are not yet final, and there remain differing interpretations of the law. Accordingly, we may update information regarding our data practices and your rights, modify our methods for responding to your requests, and/or supplement our response to your requests, as we continue to develop our compliance program to reflect the evolution of the law and our understanding of how it relates to our data practices.

This California Privacy Notice (“Notice”) applies to “Consumers” as defined by the California Consumer Privacy Act (“CCPA”) as a supplement to Equity Sales Finance, Inc.’s (“Equity” “us” “we” “our”) other privacy policies or notices. In the event of a conflict between any other Equity policy, statement, or notice and this Notice, this Notice will prevail as to California Consumers and their rights under the California law. Please see also any general privacy policy or notice posted or referenced on our websites, apps, products, or services including, without limitation our online Privacy Policy.

This Notice covers our collection, use, disclosure, and sale of California Consumers’ “Personal Information” (“PI”) as defined by the CCPA, except to the extent such PI is exempt from the notice obligations of the CCPA for the twelve months preceding the Effective Date. Without limiting the foregoing:

- Consistent with the CCPA, job applicants, current and former employees, and independent contractors, other than prospective, current, and former staff of Equity (“Personnel”), and subjects of certain business-to-business communications acting solely in their capacity as representatives of another business are not considered “Consumers” for purposes of this California Privacy Notice or the rights described herein.
- Publicly available information (as defined by the CCPA) is not PI under the CCPA and not included in the disclosures under Section I and is not data to which Consumers have rights as described in Section II.

Information We Collect

Credit applications and pre-qualification offers, as well as our Website may collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device (“Personal Information”). In particular, credit applications, and pre-qualification offers, as well as our Website may have collected the following categories of Personal Information from consumers since January 1, 2020, the effective date of the CCPA:

CATEGORY AND EXAMPLES (NOT ALL WILL BE COLLECTED)

A. Identifiers

Collected

A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver’s license number, passport number, or other similar identifiers.

B. Personal Information categories listed in the California Customer Records statute

Collected

A name, signature, Social Security number, physical characteristics or description, address, telephone number, driver’s license or state identification card number, employment history, bank account number, credit card number, debit card number, or any other financial information. Some Personal Information included in this category may overlap with other categories.

C. Protected classification characteristics under California or federal law.	Not Collected
Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	
D. Commercial Information	Collected
Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	
E. Biometric Information	Not Collected
Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	
F. Internet or other similar network activity	Not Collected
Browsing history, search history, information on a consumer’s interaction with a website, application, or advertisement.	
G. Geolocation Data	Collected
Physical location or movement	
H. Sensory Data	Collected
Audio, electronic, visual, thermal, olfactory, or similar information.	
I. Professional or employment-related information	Collected
Current or past job history or performance evaluations.	
J. Non-public education information	Not Collected
(per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99))	
Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	
K. Inferences drawn from other Personal Information	Not Collected
Profile reflecting a person’s preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	

Personal Information does not include:

- Publicly available information from government records.
- De-identified or aggregated consumer information.
- Information excluded from the CCPA’s scope, like:
 - Health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
 - Personal Information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver’s Privacy Protection Act of 1994.

Equity Sales Finance, Inc. obtains the categories of Personal Information listed above from the following categories of sources:

- Directly from you. For example, from forms you complete or products and services you purchase.
- Records and copies of your correspondence (including email addresses), if you contact us.
- From third parties, such as credit reporting agencies.

Use of Personal Information

We use information to offer products and services to you, fulfill your requests, improve the quality of our services, engage in research and analysis relating to our services, personalize your experience, track usage of our Website, provide customer support, message you, back up our systems, allow for disaster recovery, enhance the security of our Website, and comply with legal obligations. Even when we do not retain such information, it still must be transmitted to our servers initially and stored long enough to process. We also use information that we collect about you or that you provide to us, including any Personal Information:

- To present the content of our services to you.
- To provide you with information, or services that you request from us.
- To fulfill any other purpose for which you provide it.
- To provide you with notices about your account.
- To carry out our obligations and enforce our rights arising from any contracts entered into directly or indirectly between you and us, including for billing and collection.
- In any other way we may describe when you provide the information.
- For any other purpose with your consent.

We may use or disclose the Personal Information we collect for one or more of the following business purposes:

- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to request an offer, or credit, or ask a question about our services, we will use that Personal Information to respond to your inquiry. If you provide your Personal Information to purchase a service, we will use that information to process your payment and provide service.
- To provide, support, personalize, and develop our Websites, products, and services.
- To create, maintain, customize, and secure your account with us.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your Website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our Websites, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our Websites, services, databases and other technology assets, and business.
- For testing, research, analysis, and product development, including to develop and improve our Websites, products, and services.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your Personal Information or as otherwise set forth in the CCPA.

- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Equity Sales Finance, Inc.'s assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by Equity Sales Finance, Inc. about our Website users is among the assets transferred.

Equity Sales Finance, Inc. will not collect additional categories of Personal Information or use the Personal Information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Sharing Personal Information

Equity Sales Finance, Inc. may disclose your Personal Information to a third party for a business purpose. When we disclose Personal Information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that Personal Information confidential and not use it for any purpose except performing the contract.

We share your Personal Information with the following categories of third parties:

- Service providers;
- Merchants who introduced us to you, and with whom you first did business;
- Third parties with whom we partner (e.g., credit reporting agencies), or to whom we are required to send such information; and
- Collection agencies if your account with us becomes delinquent.

Disclosures of Personal Information for a Business Purpose

Since January 1, 2020, Equity Sales Finance, Inc. has disclosed the following categories of Personal Information for a business purpose:

- Category A: Identifiers.
- Category B: California Customer Records Personal Information categories.
- Category D: Commercial information.
- Category F: Internet or other similar network activity.
- Category G: Geolocation data.
- Category I: Current or past job history or performance evaluations.
- Category H: Sensory Data.

Sales of Personal Information

Equity Sales Finance, Inc. has never sold Personal Information since January 1, 2020, the effective date of the CCPA.

Your California Privacy Rights

We do not share Personal Information (as defined by California Civil Code § 1798.83) with other people or non-affiliated businesses for their direct marketing purposes. Our Website does not respond to browser do-not-track signals.

Under the California Consumer Privacy Act of 2018 ("CCPA"), California consumers have the right to request:

The deletion of the Personal Information we have about them

Additional information about whether and how we have collected, used, disclosed, and sold Personal Information about them

The specific pieces of Personal Information we have about them

California consumers also have the right not to receive discriminatory treatment if they exercise the rights listed above.

When you make a request, we may require that you provide information and follow procedures so that we can verify the request and your jurisdiction before responding to it. The verification steps we take may differ depending on the request you make. We will match the information that you provide in your request to information we already have on file to verify your identity. If we are able to verify your request, we will process it. If we cannot verify your request, we may ask you for additional information to help us verify your request.

Consumers will be required to submit their first and last name and email address and may also be asked to provide their telephone number or address so that we can verify the request. Please provide as much of the requested information as possible to help us verify the request. We will only use the information received in a request for the purposes of responding to the request.

California law permits California consumers to use an authorized agent to make privacy rights requests. We require the authorized agent to provide us with proof of the California consumer's written permission (for example, a power of attorney) that shows the authorized agent has the authority to submit a request for the California consumer. An authorized agent must follow the process described below to make a request. The authorized agent must also verify his/her own identity. We will confirm the agent's authority with the California consumer about whom the request was made.

You may submit a privacy rights request to us by:

Calling us at 866-646-8661

Sending us a letter to:

Equity Sales Finance, Inc.
8014 Olson Memorial Hwy #613
Golden Valley, MN 55427

Changes to Our Privacy Notice

Equity Sales Finance, Inc. reserves the right to amend this privacy Notice at our discretion and at any time. When we make changes to this privacy Notice, we will post the updated Notice on the Website and update the Notice's effective date. Your continued use of our Website following the posting of changes constitutes your acceptance of such changes.

Contact Information

If you have any questions or comments about this Notice, the ways in which Equity Sales Finance, Inc. collects and uses your information described above, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Calling us at 866-646-8661

Sending us a letter to:

Equity Sales Finance, Inc.
8014 Olson Memorial Hwy #613
Golden Valley, MN 55427