

ELV Privacy Policy

This Privacy Policy (this “Policy”) describes the ways in which ELV Associates, Inc. (“ELV”) collects, uses, and discloses information about you, including personally identifiable information, in connection with your use of the website at <https://089335elvas.investorcafe.app/content/login#/appaccess/login> (the “System”). Throughout this Policy, “you” refers to the individual or entity that is visiting the System. By using the System, you consent to the use of your information as set forth in this Policy.

1. This Policy.

- a. **Scope.** ELV uses the System to provide certain investment management, investor reporting, and communication services to you (the “Services”). In the course of providing the Services, ELV may collect “**Personal Information**,” which means any information relating to an identified or identifiable natural person (a “**data subject**”) (an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person).
- b. **Changes to this Policy.** ELV reserves the right to update this Policy from time to time by posting a new Policy on this page, and in cases where changes are material ELV will also contact you via electronic mail or post a notice on the homepage to let you know of such changes. You are advised to consult this Policy regularly for any changes. Your continued use of the System after such changes have been made constitutes acceptance of those changes. If we materially change this Policy, the new terms will apply only to (i) Personal Information provided under a prior version of this Policy by users who affirmatively consent to the new terms and (ii) Personal Information provided after this Policy has been amended. In other words, your continued use of the System after we have posted the revised Policy constitutes your agreement to be bound by the revised Policy on a prospective basis, but we will honor the terms that were in effect when we gathered data from you.

2. Collection of Information.

- a. **Information that You Provide.** ELV collects any information that you voluntarily provide, including when you create an account on the System or when you use the Services available through the System. Information that you may provide includes your email address, name, phone number, location, and online social accounts. ELV may also collect information that you provide by electronic mail, telephone or other means.
- b. **Automatically Collected Information.** ELV may automatically collect certain technical information from your computer or mobile device when you use the System, such as your Internet Protocol address, your web browser type and version, the name and version of your operating system, the pages you view on the System, the pages you view immediately before and after you access the System, and the search terms you enter on the System. This information allows ELV to recognize you and personalize your experience if you return to the System using the same computer or mobile device, and to improve the System and the Services.
- c. **Information about Legal and Other Materials.** In addition, ELV may collect technical information from your computer or mobile device concerning your receipt of communications, access to materials and approval or execution of contracts, consents or other statements or agreements by means of the System, including the System’s Terms of Use and this Policy.
- d. **Cookies.** ELV may collect this information using “cookies,” which are small text files that the System saves on your computer or mobile device, or similar technologies. You can disable cookies in your browser settings, but doing so may affect the functionality of the System. ELV may also collect information using “web beacons,” which are clear electronic images that can recognize certain types of information on your computer, such as cookies, when you viewed a particular website tied to the web beacon, and a description of a website tied to the web beacon or using unique links that can distinguish when individual users click the link. Web beacons and unique links, alone or in conjunction with cookies, may help ELV compile information about your interactions with electronic mail sent to you in connection with the Services. For further information, see the Cookie Policy in Section 5 below.
- e. **Cross-Site Tracking.** ELV does not use technical measures in the System to track your activities across different web sites or online services, whether you configure your browser’s Do Not Track feature or otherwise. The System does use third-party application programming interfaces controlled by third parties, such as to display maps and graphs, that may attempt to track your activity across other sites that use those interfaces.
- f. **Reviewing and Correcting Information.** You may update or correct contact information and other Personal Information stored about you on the System by accessing your account/profile page, or by sending a written request to ELV at IR@elvassoc.com.

3. **Use and Disclosure of Information.** ELV may collect, use, share, and otherwise process your Personal Information for a number of purposes, including, but not limited to:
- a. Accessing the System and Providing the Services. ELV uses your Personal Information to provide you with the Services, or products, services or information related to the System or the Services, including: providing you with information about the System, Services or required notices; customizing your experience when using the System, such as by providing interactive or personalized elements on the System; and providing you with content based on your interests. The legal bases for such use are the System's Terms of Use and this Policy.
 - b. Analysis. ELV may use your Personal Information for improving the System and/or the Services, including by (i) combining or aggregating any of the information collected through the System or elsewhere for generating and analyzing statistics about your use of the System and user demographics and traffic patterns and (ii) using anonymized data that may or may not be derived from Personal Information but does not personally identify you, both for disclosure to third parties and for the purpose of enhancing the Services and developing new Service offerings. The legal bases for such use are the System's Terms of Use and this Policy and ELV's legitimate interest in improving the System and Services.
 - c. Security. ELV may use your Personal Information for safety and security purposes, including sharing of your information for such purposes, when it is necessary to pursue ELV's legitimate interests in ensuring the security of the System and Services, including detecting, preventing and responding to fraud, intellectual property infringement, violations of the System's Terms of Use, violations of law or other misuse of the System; and when ELV believes in good faith that disclosure is necessary (A) to protect ELV's rights, the rights of other users of the System, the integrity of the System, or your safety or the safety of others, or (B) to detect, prevent or respond to fraud, intellectual property infringement, violations of the System's Terms of Use, violations of law or other misuse of the System.
 - d. Service Providers. ELV may engage third-party service providers (such as payment processors, hosting providers and analytics and security providers) to assist in operating and expanding the functionality and reach of the System. ELV's engagement of third-party service providers may often be necessary for ELV to provide the Services to you, particularly where such third-party service providers ensure that the System and Services are operating and secure. In other cases, ELV has a legitimate interest in third-party service providers that can help improve the System and the Service. ELV requires its third-party service providers to maintain the confidentiality of Personal Information and not use Personal Information for purposes other than those for which they were engaged by ELV.
 - e. Other Disclosure. ELV may disclose Personal Information about you to others: (a) with your valid consent to do so; (b) to comply with a valid subpoena, legal order, court order, legal process, or other legal obligation; (c) to enforce any of the terms and conditions or policies; or (d) as necessary to pursue available legal remedies or defend legal claims. ELV may also transfer your Personal Information to an affiliate, a subsidiary or a third party in the event of any reorganization, merger, acquisition or sale, joint venture, assignment, transfer or other disposition of all or any portion of ELV's business, assets or stock, including, without limitation, in connection with any bankruptcy or similar proceeding, provided that any such entity to which ELV transfers Personal Information will not be permitted to process your Personal Information other than as described in this Policy without providing you notice and, if required by applicable laws, obtaining your consent.
 - f. Marketing. If you submit your information to ELV via Yardi Systems, Inc., ELV may provide you with information about the System, Services or required notices. You have the right to ask ELV not to process your Personal Information for marketing purposes.
4. **Storage.**
- a. Jurisdiction. Information collected through the System will be stored in, processed in and subject to the laws of the United States, which may not provide the same level of protection for your information as your home country, and may be available to the United States government or its agencies under a lawful order made in the United States. By using the System, you consent to such transfer to, storage in and processing within the United States.
 - b. Security. ELV is committed to protecting your information from unauthorized access, use or disclosure. The system and its operators maintain administrative, technical and physical safeguards designed to protect the information collected through the System. For example, all information you transmit to the System is encrypted using Transport Layer Security technology (TLS). However, no information or communication system can be 100% secure, so ELV cannot guarantee the absolute security of your information. In addition, ELV is not responsible for the security of information that you transmit to the System over networks that ELV does not control, including the Internet and wireless networks.

- c. **Retention.** ELV will not retain data longer than is necessary to fulfill the purposes for which it was collected or as required by applicable laws or regulations. If you wish to access or correct any information ELV holds about you, you may have your data deleted, blocked or corrected (as long as compliant with applicable law). ELV also collects and retains information through the System in an anonymized form, i.e. tracking the pages you visit and how long was spent on each page.
5. **Cookie Policy.** This section provides ELV’s cookie policy and describes how ELV uses Cookies and similar technologies. For more information on ELV’s general data privacy practices, please see the full Policy.
- a. **Cookies.** Cookies are small pieces of data that are stored on your computer, mobile phone, or other device when you first visit a page. ELV may use cookies, web beacons and similar technologies (“Cookies”) to enhance your user experience, understand your usage of the System and Services and to perform analytics. Cookies may also be set by other websites or services that run content on the page you are visiting. The provision of your data via Cookies is voluntary except for those Cookies that ELV places on your device because it is necessary for the performance of the System or Services. ELV may use “session cookies” and “persistent cookies.” Session Cookies are temporary Cookies that remain on your device until you leave the System or Services. A persistent Cookie may remain on your device for much longer until you manually delete it.
 - b. **Use.** Cookies can contain the following information about you and your use of the System: browser type, search preferences, data relating to which pages of the System that you have visited and the date and time of your use. ELV uses Cookies for the following purposes:
 - i. To enable and support security features, prevent fraud, and protect your data from unauthorized access.
 - ii. To enable features and help us provide you with personalized content.
 - iii. To analyze how you use the System and to monitor site performance. These Cookies help us to identify and fix errors, understand and improve services, research and test out different features, and monitor how you reached the System.
 - c. **Third-Party Cookies.** ELV uses the following third-party Cookies on the System:
 - i. **Google Maps and Google Charts.** The System includes mapping and charting services from Google. These services use cookies in their internal operations. See <https://policies.google.com/privacy> for details.
 - ii. **DocuSign (if applicable).** The System provides the option to execute agreements via DocuSign. If you interact with DocuSign via the System, you may encounter cookies used by DocuSign in their internal operations. See <https://www.docusign.com/company/privacy-policy> for details.
 - iii. **Wistia, YouTube, and Vimeo.** The System provides a capability to embed video from Wistia, YouTube, or Vimeo as part of the marketing materials. If you view materials containing embedded video, the video player may use cookies in its internal operations, including functions such as tracking how many visitors play the video, and how much of the video they play. In addition, Wistia hosts the video content embedded in the System’s help center. See <https://wistia.com/privacy>, <https://policies.google.com/privacy>, and <https://vimeo.com/privacy> for details.
 - d. **Opting Out.** You can control and/or delete cookies as you wish – for details, see <https://www.aboutcookies.org/>. You can delete all cookies that are already on your computer, and you can set most browsers to prevent them from being placed. If you do this, however, you may have to manually adjust some preferences every time you visit a site, and some services and functionalities may not work as intended by ELV.
6. **GDPR and DPA.**
- a. If you are located anywhere in the European Economic Area or in the United Kingdom, you understand and expressly consent as required by the General Data Protection Regulation 2016/679 (“GDPR”) and the UK Data Protection Act of 2018 (“DPA”) (together referred to as the “GDPR/DPA”) that (a) your data is transferred to and stored in the United States of America, which does not provide the same level of protection and safeguards for your data as in your own country; and (b) your data may be subject to lawful requests and access by the courts and law enforcement authorities in the United States without your knowledge or consent. You are entitled to certain rights under the GDPR/DPA, which we provide in this Privacy Policy and as specified here. We will comply with the following additional rights under the GDPR/DPA, subject to its terms and conditions. For information submitted using the System, ELV is the data controller, as defined under GDPR/DPA. In accordance with GDPR/DPA, as a data subject you will be accorded with any applicable rights, which may include the following:

| | |
|---|---|
| Access | You have the right to access the following additional information about your Personal Information to determine that we are processing it lawfully: (i) the purpose of the processing; (ii) the categories of Personal Information; (iii) identification of the recipients and intended recipients of the Personal Information; and (iv) our source of the Personal Information. |
| Data Portability | If we have your Personal Information because of a contract that we entered into with you or because you have consented to providing us your Personal Information, you may request that we provide you with a digital file of the Personal Information that you have provided to us, which includes any records we have collected from observing your digital activities. We will provide you with such digital file if and in a manner compliant with GDPR/DPA. |
| Updates or Corrections | Subject to our separate confirmation, you may request that we update or correct the Personal Information that we have about you. |
| Objection to or Restriction on Processing | If you feel that our access to or our use of your Personal Information impacts your fundamental rights or freedoms, you may object to the processing of such Personal Information or restrict the processing of such data by contacting us through the information provided under Contact Information below. In some cases, we may have legitimate grounds to process such data that may override your rights or freedoms. |
| Erasure/Removal | You may request that we erase your Personal Information if it is determined that we do not have a legal basis for using it, you withdraw your consent to our processing, you object to the processing and we have no overriding legitimate interest, or if required by law. |
| Withdrawal of Consent | If we use your Personal Information in a manner that you have previously consented to, you may withdraw your consent by contacting us through the information provided under Contact Information below. |
| Unsubscribe or Modify Preferences | If at any time you prefer to receive less information from us, you may modify your preferences or unsubscribe by contacting us through the information provided under Contact Information below. |
| Supervisory Authority | If you believe your rights regarding your Personal Information have been breached or if a breach has been inadequately addressed, you have the right to report to or file a complaint with any independent public authority which is established by a European Union member state pursuant to Article 51 of the General Data Protection Regulation. |

If you have further questions about your rights as summarized above, or any questions about the Personal Information that we collect and use, please do not hesitate to contact us at IR@elvassoc.com.

7. **Third-Party Websites.** The System and communications from ELV may contain links to websites operated by third parties. You acknowledge and agree that ELV is not responsible for the collection and use of your information by such websites that are not under ELV's control. ELV encourages you to review the privacy policies of each website you visit.
8. **Children's Information.** The System is not directed to, nor does ELV knowingly collect information from, children under the age of 13. If you become aware that your child or any child under your care has provided information without your consent, please contact ELV immediately using the contact information provided below.
9. **Other Agreements.** You may from time to time enter into binding legal agreements relating to certain Services available through the System, which may have terms that are different from those of this Policy. In the event of any inconsistency, the terms of such other agreement shall control with respect to such Services.

10. Role of Yardi Systems, Inc.

- a. **Host and Operator.** Yardi Systems, Inc., a Delaware corporation ("Yardi") hosts and operates the System on behalf of ELV as a data processor. As operator of the System, Yardi has access to, stores and processes all Personal Information received and collected about you by means of the System, as well as information that ELV furnishes to Yardi about you, for the purpose of hosting and operating the System and facilitating provision of products and services by ELV to you. Yardi does not direct or control ELV's use or storage of Personal Information about you. Yardi's own privacy policy at

<https://resources.yardi.com/legal/privacy-statement/> confirms that its hosting and processing of your Personal Information is governed by this Policy.

- b. **Business Transfer.** If Yardi, or substantially all of Yardi’s assets, are acquired, or in the unlikely event that Yardi were to go out of business or enter bankruptcy, user information will be one of the assets that is transferred or acquired by a third party. You acknowledge that such transfers may occur, and that any acquirer of Yardi may continue to use your Personal Information as set forth in this Policy (as it may be amended from time to time).

11. **Contact Information.** If you have any questions about this Policy or the collection or use of information about you, please write to ELV at IR@elvassoc.com or call us at 617.589.9444.

12. **California Consumer Privacy Rights.** If you are a resident of the State of California, USA, you have certain privacy rights under the California Consumer Privacy Act (“CCPA Rights”) in addition to the disclosures and rights regarding your Personal Information set forth above. This section describes those additional rights and how you can exercise them with ELV. For purposes of this section, Personal Information does not include publicly available information from government records or deidentified or aggregated consumer information.

CCPA Rights Requests

Right to Know and Right to Deletion

You can request what personal information we have collected, used, disclosed, and sold in the preceding 12 months.

You can also request that we delete your personal information. We may not delete all of your personal information if one of the following exceptions applies:

- **Transactional:** to complete a transaction for which the personal information was collected, provide a good or service requested by you, or perform a contract we have with you;
- **Security:** to detect data security incidents;
- **Error Correction:** to debug or repair any errors;
- **Legal:** to protect against fraud or illegal activity or to comply with applicable law or a legal obligation, or exercise rights under the law, such as the right to free speech; or
- **Internal Use:** to use your personal information, internally, in a lawful manner that is compatible with the context in which you provided the information (i.e. to improve our services).

To submit a request to know or a request to delete, please e-mail us at IR@elvassoc.com. In order to verify your identity, we will send you a verification email. In order to designate an authorized agent to act on your behalf you must provide the authorized agent with written permission to do so, and your authorized agent must submit that written proof by mail or e-mail to the address specified in Section 11 of this Policy so that it is received prior to the time the agent makes the request on your behalf. A request to know or a request to delete may alternatively be initiated by calling us at the telephone number specified in Section 11 of this Policy. If you wish to make multiple requests under this section, we recommend sending the deletion request last, as we will not be able to fulfill your other requests once we have deleted your information.

We Do Not Sell Your Personal Information

We do not and will not sell any personal information (as “sell” is defined in CCPA). We do not share any Personal Information with any third party for such third party’s marketing purposes.

Non-Discrimination

We will not discriminate against you for exercising any of your CCPA Rights and we will not deny you goods or services, charge you a different price, or provide you with a lesser quality of goods or services if you exercise any of your CCPA Rights.