

Privacy Policy

This website application (“Application”) is operated by Elm Street Technology, LLC either directly or through one of its affiliates (individually and collectively hereinafter referred to as “Elm Street”). The Application includes both the Elm Street Website and individual websites for real estate agents and brokers (hereinafter together referred to as the “Website”). When using the Website, your privacy on the Internet is of the utmost importance to us. At Elm Street, we want to make your experience online both satisfying and safe.

Because we gather certain types of information about our users, we feel you should fully understand the terms and conditions surrounding the capture and use of that information. This Privacy Policy discloses what information we gather and how we use it.

INFORMATION COLLECTED AND TRACKED BY ELM STREET

In general, when you visit our website, you remain anonymous. When you open an account on the Website, your Website activity may be tracked by the Application and may be viewed, accessed, and tracked by the real estate agent or broker connected to the Website you access (your “Agent” or “Broker”), and Elm Street, including, without limitation, when you log on to the Website, what you view, and information that you save, submit, transmit, or post to or from the Website (collectively, “Website Activity”); provided, however, that any “Private Notes” created by you on the Website are not accessible by your Agent or Broker. Your Agent or Broker may transmit your Website Activity to, and share such Activity with, its affiliated licensed real estate agents without your notice or permission, except for your Private Notes, and your Agent or Broker may reassign responsibility for collaborating with you through your website account either to the Broker directly or another Agent affiliated with Broker, without prior notice to you or your consent.

OUR COMMUNICATIONS WITH YOU (TCPA Consent for United States Residents)

A. EXPRESS WRITTEN CONSENT. By using the Elm Street Application and submitting your contact information, you are providing your express written consent to receive communications

from Elm Street, Elm Street Application or Real Estate Professional Users, at the email address and telephone numbers you entered into your account registration or contact form, or that you later provide to us or enter into the Elm Street Application, via live, automated or prerecorded email, text, or call.

B. E-MAILS, TEXTS, AND CALLS. These communications may include Elm Street Application updates, information about products and services, and telemarketing messages, through the use of email, landline phone, cellular phone, and text messages (including SMS and mms).

C. AUTOMATION. Elm Street, Elm Street Application or Real Estate Professional Users may contact you via live, automated, or prerecorded email, text, or call. Your carrier's standard rates and charges may apply.

D. NO PURCHASE NECESSARY. Agreeing to these communications is not a condition of purchasing any property, goods, or services from us.

E. REVOKING CONSENT AND OPTING OUT. You may revoke your consent to receive communications at any time by replying "stop" to any of our texts, or by any other reasonable means. We will make a commercially reasonable effort to comply with any communications from you opting out but reply "stop" will automatically revoke your consent to further text communications, and we recommend that method. We may take up to 30 days to stop communications if you use a method other than the automatic reply "stop." you consent to receive a final text message confirming you opt-out. You may revoke your consent to receive email communications by using the "unsubscribe" link in an email or by any other reasonable means. We will make a commercially reasonable effort to comply with any communications from you opting out of email, but "unsubscribe" will automatically revoke your consent to further email communications, and we recommend that method. We may take up to 30 days to stop email communications if you use a method other than "unsubscribe". The "unsubscribe" link will also permit you to stop text communications. Your consent here also serves as your express written consent to electronic communications from us in the past. You represent and warrant that you 1) are at least 18 years old; 2) live in the United States (or Canada, in which

case the Canadian consents below apply); 3) have not registered on a national or statewide Do Not Call list; 4) are the account holder for the email addresses and phone numbers you provided, or you have authorization from the account holder to give this consent; and 5) confirm that the email addresses and phone numbers you provided are accurate.

F. ADDITIONAL COMMUNICATIONS PROVISIONS (FOR RESIDENTS OF CANADA). In addition to the consent provided above in the Our Communications With You (United States) section, Canadian residents agree to the following provisions related to compliance with Canada's Anti-Spam Legislation ("CASL"), Canada's Personal Information Protection and Electronic Documents Act ("PIPEDA") and Canadian provincial law including Alberta's Personal Information Protection Act ("PIPA"), and Quebec's Act Respecting the Protect of Personal Information in the Private Sector, 1) you agree to the provisions governing use and disclosure of personal information that are found in our Privacy Policy; 2) because the purpose of our communications include your interest in our services, our communication with you will continue until you revoke your consent or opt-out; and 3) your personal information may also be transmitted to, used in, and stored in the United States.

Optional Voluntary Information

There are occasions where we may ask you to voluntarily submit additional information about yourself, such as your name, address, telephone number, and e-mail address. We may also request your credit card number and expiration date. We may request this information to register you as an account holder, manage your account, be able to better understand your needs, adjust our website to your personal preferences, enable you to order products and services via the website, enable you to participate in any message boards, and send you e-mail and postal mail newsletters and announcements, and for other similar business purposes. We give you the opportunity to elect not to receive future materials from us.

Usage Tracking

We collect tracking information and monitor traffic patterns throughout this website; however, we do not correlate this information with data about individual users unless you are a

registered account holder. We do break down overall usage statistics according to a user's domain name, browser type, and MIME type by reading this information from the browser string (information contained in every user's browser. This information allows us to better tailor our content to users' needs and to help our advertisers and sponsors better understand the demographics of our audience.

Other Data Collection

We may collect data from or about you in other ways not specifically described in this policy. For example, you might contact us with a question. We maintain such data like other business records. All opinions, ideas, suggestions, and other feedback submitted through our website may be used by Elm Street, without any restriction and free of charge, and nothing contained in this policy shall limit or otherwise affect this.

We may also collect non-personally identifiable information such as the type of internet browser you are using, the type of computer operating system you are using, and the domain name of the website from which you linked into our website or an advertisement.

Please note that Elm Street will fully cooperate with any court order or other legal process and will provide your personal information to the extent required in any legal proceeding.

USE OF INFORMATION AND PROTECTION OF YOUR PRIVACY

As mentioned above, Elm Street may use personal information about you and track your usage of our website to register you as an account holder, manage your account, be able to better understand your needs, adjust our website to your personal preferences, enable you to use the services provided by the website, order products and services via the website, enable you to communicate with your Agent or Broker, and send you text, e-mail and postal mail information, and for other similar business purposes. Elm Street does not disclose email addresses, phone numbers, or other personal information to any outside parties other than your Agent or Broker without your permission, unless such disclosure is necessary to comply with applicable law or valid legal process or to protect the personal safety of our users or the public. We may use third

party contractors who can access our databases for the purpose of conducting repairs or upgrades to our computer system. We may also use third party service providers and give access to your personal information as part of the services they provide to us. We hold all such third parties to the same privacy standards to which we hold ourselves. We require these third parties to use and disclose your personal information only as necessary to perform their services.

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CHILDREN

Consistent with the Federal Children's Online Privacy Protection Act (COPPA), Elm Street will never knowingly request personally identifiable information from anyone under the age of 13. If we discover that a child under the age of 13 has provided us with any personally identifiable information, we will delete that information from our systems.

COOKIES

Elm Street may place text files called "cookies" in the browser files of your computer. The cookies themselves do not contain personal information, although they will enable us to relate your use of this website to information that you have specifically and knowingly provided. The only personal information cookies can contain is information you supply yourself. Cookies can't read data off your hard disk or read cookie files created by other sites. Elm Street uses cookies to track user traffic patterns (as described above). We may also use cookies when you register for an account. In these situations, a cookie will store useful information that enables our website to remember you when you return to visit us.

You can refuse cookies by turning them off in your browser. If you've set your browser to warn you before accepting cookies, you will receive the warning message with each cookie. You do not need to have cookies turned on to use this site. However, you do need cookies to participate actively in the message boards and forums. Please refer to your browser instructions for information regarding erasing, blocking, and receiving warnings for cookies.

SECURITY

Elm Street operates secure data networks protected by industry standard security protocols, such as (if and where appropriate) firewalls, encryption, and password protection systems. Our security and privacy policies are periodically reviewed and enhanced as necessary, and only authorized individuals have access to the information provided by our users.

UNSUBSCRIBE / OPT-OUT POLICY

You may unsubscribe or opt-out of receiving electronic correspondence from us by either logging into your account to modify your preferences or following any instructions in such electronic correspondence on how to unsubscribe or opt-out from that list. The foregoing does NOT opt you out of receiving e-mail correspondence about your account.

Third Party Data Services

Elevate uses YouTube API Services to set up content syndication and post videos to your YouTube channel. By installing the YouTube token to set up content syndication and by posting videos to YouTube via Elevate, you are agreeing to be bound by the YouTube Terms of Service, available for review here: <https://www.youtube.com/t/terms>. When you install the YouTube token, Elevate collects the link to your channel and links to the videos you upload. We use this information to post videos to your channel on your behalf and display the results in your Elevate account. In addition to our normal procedure for deleting stored data, you can revoke access for the YouTube token at any time and we will delete your channel data and video data stored in Elevate. To do so, please visit this link in your Google account: <https://security.google.com/settings/security/permissions>. This will not delete your YouTube channel or videos. You can access Google's Privacy Policy at any time

here: <http://www.google.com/policies/privacy>. If you have questions or complaints about our privacy practices, please reach out to us at engineering@tryelevate.com

LINKS

This website may contain links to other websites that are not under our control. Elm Street is not responsible for the content or privacy practices of those sites, and we provide the links solely for the convenience and information of our visitors.

YOUR CONSENT

By using this website, you consent to the collection and use of this information by Elm Street and your Agent or Broker. If we decide to change our Privacy Policy, we will post those changes on this page, so you are always aware of what information we collect, how we use it, and under what circumstances we disclose it.

TERMS OF SERVICE

By accessing or using the website, you agree to be bound by the terms of service, including the provision providing that all disputes relating to the website shall be resolved exclusively through arbitration.

CONTACT US

If you have any additional questions or concerns about our Privacy Policy, please contact us:
Elm Street, LLC, P.O. Box 10768, Greensboro, North Carolina 27404, 336-353-3456, support@listingbook.com.