



## **MLS Hawaii, Inc. dba Hawaii Information Service REsearch Privacy Policy**

### **Who we are**

MLS Hawaii, Inc. dba Hawaii Information Service (HIS) is a Hawaii corporation and wholly-owned subsidiary of the Hawaii Island Realtors® and Kauai Board of Realtors®. HIS owns and operates a multiple listing service (MLS), which among other things, (1.) is available to its members and provides them with means by which authorized participants make blanket unilateral offers of compensation to other participants, thus enhancing cooperation among participants; (2.) receives information from MLS users regarding the listing and sale of real property; (3.) accumulates and disseminates information to enable authorized participants to prepare appraisals, analyses and other valuations of real property for bona fide clients and customers; (4.) allows participants engaging in real estate appraisals to contribute to common databases; (5.) permits the orderly correlation and dissemination of listing information so participants may better serve their clients and the public; (6.) provides software programs and applications to its members; and (7.) publicly displays real property listings and information on websites that HIS owns, controls, and/or maintains. Collectively, these services are referred to as the "REsearch Service".

HIS recognizes the importance of protecting the personal information that its members provide to HIS through use of the REsearch Service, by way of forms and agreements, and at websites owned, controlled, or maintained by HIS. This Privacy Policy governs the manner in which HIS collects, uses, maintains, and discloses information from its members, and is subject to the HIS bylaws, MLS rules, and your subscriber license and access agreement. If you have any questions about our policy, or our practices with regards to your personal information, please contact us at [dataprotectionofficer@hiinfo.com](mailto:dataprotectionofficer@hiinfo.com).

This Privacy Policy addresses the following items:

- 1. Your acceptance of this policy**
- 2. Information we collect**
- 3. How we use your information**
- 4. How we may share your information**
- 5. Cookies and tracking**
- 6. How we protect your information**
- 7. Other links and websites**
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## **1. Your acceptance of this policy**

Please carefully read this Privacy Policy. By using the REsearch Service, you signify your acceptance of this Privacy Policy. If you do not agree to this Privacy Policy, please do not use the REsearch Service. Your continued use of the REsearch Service following the posting of changes to this Privacy Policy will be deemed your acceptance of those changes.

## **2. Information we collect**

HIS collects information about you when you use the REsearch Service. The kinds of information we collect from you will vary depending on how you use the REsearch Service.

HIS gathers the following types of information needed to process your transactions, fulfill your requests, and maintain our membership records:

- Contact information you provide (for example, your personal and business addresses, phone and fax numbers, email addresses, firm affiliations and titles).
- Client information that you input into the HIS system (for example, email addresses, residence or business addresses, phone numbers and other contact information). Maintenance of client information is the responsibility of the members, who are responsible for deleting their respective client information from the HIS system when requested by their clients, and complying with all applicable laws and regulations.
- Your and your firm's license information.
- Your credit card and bank account information when you pay for fees and services.
- Property information that may be public data or data that you gather from other sources that you voluntarily provide for your property listings.
- Tracking information that our web server automatically recognizes each time you visit one of our sites or communicate with us by email (for example, your domain name, email address, and which pages you visit).
- Tracking information that our web servers automatically recognizes each time one of your clients visit their respective client portals or communicate with you by email or the portal chat function.
- Information you volunteer, via applications or surveys (for example, education, designations, specialties, affiliations with other real estate organizations, and general demographic data).
- Your IP (Internal Protocol) address, which may be collected and tracked to provide our online services. When your web browser or other application requests a web page or information from another computer on the internet, it automatically provides your IP address. This address does not contain any personal identifiable information, but may be linked to other types of information including information specified above.

### **3. How we use your information**

HIS uses your information for purposes based on your consent, our legitimate business interests, and our legal and compliance obligations. We do not sell your personal data such as your name and contact information to third parties to use for their own marketing purposes. We use the information we collect for the following purposes:

- Provide our Services:
  - To provide you the services we offer as part of the REsearch Service.
  - To communicate with you about your use of our service, such as notification to you of updates to our service, changes to rules and policies, and upcoming events and programs.
  - To respond to your inquiries, provide troubleshooting and other customer service purposes.
  - To process payments for services and products that you have subscribed to or purchased.
  - To notify you of relevant products and services.
- Personalization:
  - To improve and customize the content and layout of our site for to provide you and your clients the best experience in the use of our services.
  - To provide you with the tools you need to better serve your clients.
- Marketing and Promotions: To send you news, special offers and promotions or otherwise contact you about products or information that we think may be of interest to you, including information about third party products and services.
- Analytics: To gather metrics to better understand how users access and use our service for the purpose of evaluating and improving them, and the development of new products and services.
- Comply with Laws: To comply with legal obligations, as part of our general business operations, and for other business administrative purposes.
- Prevent Misuse: Where we believe it necessary to investigate, prevent or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety or any person, or violations of our rules and policies or this Privacy Policy.

### **4. How we may share your information**

We may share information as set forth below, and where you have otherwise consented.

- Contact information that you provide and approve to be displayed on your property listings are shared with other subscribers of the REsearch Service and to third-party websites and applications to which we provide listing data. The use of your contact information is restricted under the provisions of the HIS MLS rules and policies and the principal broker subscribers of our service

- may opt not to provide their listing data to any of the third-party syndication sites at any time, subject to the HIS MLS rules and policies.
- Other forms of contact information (such as phone, fax numbers and street addresses other than those you have approved to be displayed or shared with other subscribers in the the REsearch Service and display on listings) will not be shared, sold or other provided to any other party, but may be used by HIS for the following purposes:
    - In support of other vendors for the limited purpose of contacting targeted groups of members, through marketing vehicles approved by us.
    - When required by law or valid legal process, or to protect the personal safety of our members or the public, or to protect the safety and security of the REsearch Service.
    - Some or all of the data collected during promotions or contests on our sites that are sponsored by third parties may be shared with the sponsor for limited marketing follow-up by the sponsor. If information about you will be shared with a sponsor, you will be notified prior to your participation in the promotion or contest, and you can decide not to participate in the promotion or contest.
  - Credit information that you and credit authorizers provide when you make payments by credit card or debit to your bank account for products, dues, or other services will only be used to process the transactions you request. This information will be provided to and maintained by reputable credit reporting databases but will never be shared with, sold or provided to other third parties, except for the sole purpose to provide you with our services. When you authorized payment for our fees and services, HIS shares your credit information with its third party processors for payment processing services. HIS does not store any credit card or bank account information in its files, systems or servers, but does store information related to your billing cycle and payment method.

## **5. Cookies and Tracking**

Some parts of the REsearch Service may use cookies, web beacons, and similar technology to enhance your experience with HIS websites or web applications. A cookie is a piece of data stored on the user's hard drive containing information about the user, so that the website or application can recognize your computer as a unique machine next time you visit the website or application. This cookie saves the user the time of having to log in every time they visit the website or application. Cookies have different durations depending on the type of cookie and its purpose. We use this technology for the following reasons: authenticating users and remembering user settings for your convenience; altering our content depending on your browsing patterns; tailoring advertisements (both on and off our site) for products and services; understanding the size of our audience and their traffic patterns within our network; and analyzing and researching other measures to help us pursue similar goals.

You may choose to set your web browser to refuse cookies, or to alert you when cookies are being sent. Generally, this is done by selecting the appropriate cookies setting on your web browser (usually found in "Internet Options" or "Preferences"). If a user rejects the cookie, they will still be able to use the REsearch Service by logging in with their user credentials.

## **6. How we protect your information**

- HIS follows generally accepted standards to protect the information it collects and makes available via the REsearch Service. HIS tests its security procedures regularly and modifies them as new technologies become feasible. HIS' servers are located in a locked, secure environment. HIS is a company based in the United States and we process and store information on our servers located in the United States. As such, your data may be transferred outside of the country where you live. By accessing or using our Site, products or services, you consent to the processing, transferring, and storage of information in and to the United States.
- HIS utilizes a strict Opt-Out policy for sending online notifications regarding services, products, and programs. HIS utilizes an email campaign/management vendor that provides a means by which you may unsubscribe or "opt-out" from marketing and promotional emails from the HIS at any time. However, such Opt-Out may cause you not to receive important notifications that pertain to your service from HIS.

## **7. Other links and websites**

This Privacy Policy only applies to products, software, and services that are owned, controlled, and maintained by HIS. The REsearch Service may contain links to products, services, software, and websites outside our control. Please be aware that these products, services, software, and websites may collect information about you, and operate according to their own privacy practices that may differ from this Privacy Policy, including the use of cookies, web beacons, and other similar technologies.

## **8. Access and amend your information**

- You may edit your personal contact information in your profile information in the REsearch Service or by contacting HIS staff.
- You may edit your clients' contact information in the REsearch Service at any time.
- Changes made to contact information in the REsearch Service are stored as account history notes and may be removed or deleted by contacting HIS staff.

## 9. Your choices

- Members may deactivate their membership for the purpose of being de-listed from the membership directory by sending written requests by email, fax or mail to HIS. Emails may be sent to [Membership@hiinfo.com](mailto:Membership@hiinfo.com). HIS' fax number is 1-800-628-3121 if faxing from the neighbor islands, or 808-536-6499 if faxing from Oahu. HIS' mailing address is 680 Iwilei Road Ste 670, Honolulu, HI 96817. (Note that your obligation to be a subscriber to the service is subject to HIS' membership policies.)
- Members may also delete their client information at any time through the system or direct HIS to assist them with the deletion of client information in writing by email at [DataProtectionOfficer@Hiinfo.com](mailto:DataProtectionOfficer@Hiinfo.com), or by mail to: Hawaii Information Service, Attn: Data Protection Officer, 680 Iwilei Road Ste 670, Honolulu, HI 96817.
- Members located in the European Economic Area, or with clients located in the European Economic Area, may have additional rights and choices under data protection laws. If you wish to exercise any of the rights, please contact us at [DataProtectionOfficer@Hiinfo.com](mailto:DataProtectionOfficer@Hiinfo.com).

## 10. Contact Us:

If you have any questions about our privacy policy, the information we have collected from you, the practices of this site, or your interaction with our website, send us an email to [DataProtectionOfficer@Hiinfo.com](mailto:DataProtectionOfficer@Hiinfo.com) .

You may also reach us via U.S. mail at:

**Hawaii Information Service  
Attn: Data Protection Officer  
680 Iwilei Road Ste 670  
Honolulu, HI 96817**

## 11. Last Update:

HIS has the sole discretion to update this Privacy Policy at any time. When we do make changes to the Privacy Policy, we will revise the "Last Update" date at the bottom of this page. Any changes or modifications will be effective immediately upon posting the updated Privacy Policy on the REsearch Service, and you waive the right to receive specific notice of each such change or modification

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