

# THE ALBERTA NEW HOME WARRANTY PROGRAM PRIVACY POLICY

## What We Are About

The Alberta New Home Warranty Program (the “Program”) is a not-for-profit corporation which was incorporated under the laws of Alberta on November 26, 1974. The mission of the Program is to provide value-added services enabling our members to fulfill their commitments to their homebuyers..

## Why We Have A Privacy Policy

The Program believes in building relationships with Homeowners and Builders. These relationships are built on trust and respect and we believe that is the way business should be operated. Establishing trust and respect is done by telling you what information we will require from you, how this information will be handled, and how this information will be kept safe. We know that your personal information is a valued asset and we want you to know that we will treat it carefully.

## Collecting Personal Information

The Program collects personal information to serve your needs. “Personal information” means any information about an identifiable individual that may be provided orally, electronically or in written form. It includes but is not limited to:

- Homeowner contact and mailing information such as your name, the municipal and legal description of the home which has been constructed by the Builder for the Homeowner (the “Home” including the common property and condominium corporation, if applicable), telephone numbers and email addresses;
- Builder contact and mailing information such as the names of officers, directors, shareholders or other individuals related to the Builder and their contact information.
- the purchase or construction agreement for the Home including financial information, all plans, specifications, agreements, change orders or any other information related to the purchase and construction of the Home;
- information about any remedial or other work done to the Home;
- any information about a request for assistance, claim or dispute between the Homeowner and the Builder about the Home including information provided during the course of alternate dispute resolution processes such as the conciliation, mediation and arbitration procedures of the Program or in any legal proceedings;
- insurance information;
- information from third party contractors and suppliers who provided work or services to the Homeowner or the Builder with respect to the Home;
- financial and other information about the Builder or its officers, directors and shareholders received from the Builder, its officers, directors and shareholders or from third parties.

## Using Personal Information

As part of our relationship with the Homeowner and the Builder, the Program may collect, use and disclose your personal information to:

- identify you;
- understand your needs;
- confirm your application information and assess your entitlement for warranty protection products and services or builder membership in the Program;
- provide you with ongoing services, establish and maintain communication and to respond to your inquiries;
- investigate and determine your request for assistance or claim and determine your eligibility for warranty protection coverage products and services;
- meet legal and regulatory requirements;
- create and maintain a responsible business relationship with respect to the Homeowner and the Builder;
- maintain an accurate history of the Home with respect to the provision of the Program’s warranty protection coverage and any work, materials or services provided to the Home;
- maintain an accurate history of the Builder;
- develop, improve, market or provide products and services to you;
- understand your needs and preferences, we may from time to time ask you to participate in surveys that allow us to determine what you want from the Program’s products or services or the degree of satisfaction you have with the products or services provided by the Builder.

## When We Share Personal Information

There are some circumstances where the Program may share some personal information about Homeowners with the Builder, third party contractors and suppliers including legal and engineering consultants and marketing research firms such as J.D. Power and Associates. There are also some circumstances where the Program may share some personal information about the Builder with Homeowners, third party contractors and suppliers including legal and engineering consultants and marketing research firms such as J.D. Power and Associates. For example:

- Your personal information may be shared among the Builder, contractors and suppliers as part of the assessment and claim procedures of the warranty protection coverage provided by the Program;
- Your personal information may be disclosed to an organization or individual retained by the Program to perform functions on our behalf such as legal or engineering consulting, assessing the condition of the Home providing remedial work for the Home,

understanding your needs and preferences, or determining the degree of satisfaction you have with the products or services provided by the Builder. Any such disclosure of personal information from the Program is done on a confidential basis and only for the purpose for which it was shared;

- We may disclose personal information to a government agency, court, mediator, arbitrator or lawyer involved in dealing with any request for assistance or claim a Homeowner or Builder may have with respect to warranty protection coverage provided by the Program or anything in relation to the Home and the Builder;
- We may disclose personal information to a public authority or agent of a public authority, if in our reasonable judgment, it appears that there is imminent danger to life or property which could be avoided or minimized by disclosure of the personal information;
- We may disclose personal information if required to do so by law;
- We may disclose personal information to municipal authorities and Canada Mortgage and Housing Corporation for statistical purposes;
- If the Home has been transferred to a new owner before the expiration of Program warranty protection coverage applicable to the Home, and if the new owner makes a request to the Program for assistance or a claim for warranty protection coverage with respect to the Home, then the Program is authorized by the Purchaser to release personal information, to the extent reasonably required by the Program, to process the request for assistance or claim of the new owner of the Home.
- Third party suppliers and contractors selected by the Program may retain the services of agents to perform part of their duties. Disclosure of your personal information to these parties is pursuant to a comprehensive Privacy and Confidentiality agreement stipulating that the information collected may not be used for any other intent.

### **Consent**

The Program will obtain the consent of the Homeowner and Builder with respect to the collection, use and disclosure of personal information.

### **Safeguarding Personal Information**

- The Program will not collect, use or disclose your personal information for any purpose other than those identified above, except with your consent;
- The Program will protect the confidentiality of your personal information when doing business internally or externally with other organizations;
- The Program will protect your personal information with appropriate and effective security safeguards;
- The Program will strive to keep your personal information as accurate and up to date as is necessary for the purposes identified above and will correct any errors or omissions if necessary;
- The Program will only retain your personal information for as long as is reasonable for the purposes identified above or as may be required by law.

### **Accessing Personal Information**

The Program provides individuals with the opportunity to access their personal information that is held by the Program, subject to exceptions permitted by law. If you require further information, please contact the Program's Privacy Officer at Suite 301, 30 Springborough Blvd. S.W. Calgary, Alberta T3H 0N9, phone (403) 253-3636, 1-800-352-8240, fax number (403) 253-5062 or [privacyofficer@anhwp.com](mailto:privacyofficer@anhwp.com). A nominal fee may be charged based on the volume of information requested.

### **Evolving Practices**

This Policy is in effect as of January 1, 2004. The Program will, from time to time, review and revise its privacy practices and this Policy. In the event of any amendment, a notice will be posted on our website ([www.anhwp.com](http://www.anhwp.com)) or in the publications produced by the Program. Policy changes will apply to the information collected from the date of posting to the website.

If you have any further questions about your privacy rights in Alberta please visit the website of the Office of the Information and Privacy Commissioner at [www.oipc.ab.ca](http://www.oipc.ab.ca).

Rev. August 2010