

## Kimpton Shorebreak Resort privacy notice

### Who we are

This Privacy Notice is issued by the Kimpton Shorebreak Resort (or, "we", "us" or "our" in this Privacy Notice), and covers information collected and used by us in the course of our business. This Privacy Notice only covers our property's practices; as an IHG-branded hotel, your information will also be collected and used by InterContinental Hotels Group and its affiliates, including Kimpton Hotel & Restaurant Group, LLC ("IHG"). If you would like to learn more about IHG's use of your personal information, please visit the IHG website or the IHG privacy statement at [ihg.com](http://ihg.com).

### Information we collect

We collect information directly from you, about you from other entities (e.g., IHG), and automatically as you use our website.

#### Information We Collect Directly From You:

The type of information that we collect from or about you varies based on your interaction with our website and services and includes:

- **Reservation Information:** Your name, email address, home and business address, phone number, nationality and payment card information.
- **Stay Preferences:** Information such as stay and room preferences made during the course of your reservation such as your preferred room type and specific requests to the hotel.
- **Customer Service Inquiries:** We collect information from you when you make an inquiry with us, such as inquiries regarding on-property events, including your name, contact information, and information about the event you are planning.
- **Contests/Promotions:** if you choose to participate in one of our competitions or sweepstakes, sign up on property to receive our newsletters or other special offers and promotions, or participate in one of our other services, we collect your name, contact information, and other information that you choose to provide to us.

#### Information We Collect from Other Entities:

- **IHG:** If you make a reservation through IHG central reservations, IHG provides us with sufficient information to handle your reservation at our property. Please note that IHG does not provide us with access to all of your contact information or all of your IHG Rewards Club data. As a result, we may request additional information from you (e.g., your email address) if you would like a copy of your folio.
- **Your Employer/Sponsor/Other Payor of Your Account/Travel Agent:** We also obtain information about you from other parties if you do not make the reservation with us directly or if you are not the responsible payor on your account.
- **Other Guests:** if you are a guest of one of our registered guests, we may collect information about you from the guest.

- Online sources, such as websites, social media and information sharing platforms: This information may be used to help tailor and improve our services and communicate with you effectively, as we know many of our customers use a range of media channels to communicate and share information.
- Social Media Features: We may use various social media features such as the Facebook “Like” button on our websites. Certain information may be shared or otherwise provided to us through your use of these features in conjunction with our services and programs. Subject to your account and privacy settings, we may also be able to see information that you post when using these social media platforms whether or not you are using one of our services. In some instances, depending on the circumstances, we may contact you on these social media platforms. The information you post on social media sites as well as the controls surrounding these disclosures are governed by the respective policies of the social media site you where you posted.

#### Information We Collect Automatically:

We and our service providers use cookies, pixels, web beacons, tracking tools and other similar technologies on our website to collect information and provide you with the services that you have requested or participate in and to provide targeted advertising. Subject to local consent requirements, we may use this and other information we collect, such as a hashed email address, to help us and our service providers identify other devices that you use (e.g., a mobile phone, tablet, other computer, etc.). We, and our service providers, also may use the cross-device tracking and other information we learn about you to serve targeted advertising on your devices. We also use the information that we collect to improve our products and services as well as your experience when visiting our websites. Please see Cookies and Other Tracking Technologies below for additional information.

### **How We Use Your Information**

We use your personal information for the following purposes:

- To process your reservation request and to enhance your stay.
- For customer service purposes.
- To send you newsletters (upon your request).
- Consistent with applicable law, for marketing.
- To determine the success of our marketing campaigns.
- To protect our rights and interests and the rights and interests of other parties.
- To administer surveys and questionnaires, such as for market research or user satisfaction purposes.
- For legal purposes, including to respond to requests from law enforcement.
- For fraud prevention.
- To evaluate the use of our website and to improve the usage of our website. For example, we may review which features of our website are most popular. We also may review your feedback to help us determine how to improve our website.

### **Sharing Your Information**

We share your personal information with:

- IHG: If you make a reservation directly with our property, we will share your reservation information as well as information regarding your stay, with IHG, which manages the global reservation system for our hotel.
- Service Providers: entities that assist us in the provision of services and that help us improve our products and services. For example, we might use a service provider or a service provider’s product for

the purposes of market research and data analytics. We also may share data collected about you online with online advertisers and entities that assist us in our digital marketing.

- We also share your personal information, which may include information about your stay with us, with other entities in circumstances such as:
  - o when we believe in good faith that the disclosure is required by law or to protect the safety of hotel guests, employees, the public or our property;
  - o when disclosure is required to comply with a judicial proceeding, court order, subpoena, warrant or legal process; or
  - o in the event of a merger, asset sale, or other corporate transaction.
- Other IHG-branded hotels: If we are unable to service your request or if we think a sister property may be able to provide you with appropriate service, we may share your contact information with the other hotel.
- Overbook Situations: If we are oversold, we may share your contact information with a different hotel for the purpose of reserving a room for you at the other property.

## Cookies and other tracking technologies

**What is a cookie:** A “cookie” is a small text file that is placed onto an Internet user’s web browser or device and is used to remember as well as obtain information about that party. You might be assigned a cookie when visiting our website. In some instances, where permitted under the applicable law, cookies may also be used for the purposes of certain email campaigns. To learn more about cookies and how they are used, please visit: <http://www.allaboutcookies.org/>.

### What types of cookies we use and how we use them:

**Our cookies:** We use service providers to help us manage our website and to manage, carry out and improve our advertising. These parties set cookies at our direction to help us collect information and provide you with advertisements that we believe would be relevant for you. These parties may also assist us by providing certain statistical and analytics information in relation to our marketing practices. We also may share information collected through cookies (and other tracking technologies) with these service providers for their own analytics and marketing purposes.

**Managing cookies and opting out:** You can change your cookie preferences in our [Cookie preferences tool](#). You can choose to visit our website without cookies, but in some cases certain services, features and functionality may not be available. To visit without cookies, you can configure your browser to reject all cookies or notify you when a cookie is set. Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences. To manage Flash cookies, please click [here](#).

For more information regarding targeted advertisements and/or to opt out of automatic collection for targeted advertising purposes, please visit <http://www.aboutads.info/choices/> or [http://www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp). If you opt-out of these targeted advertising cookies, your opt-out will be specific to the web browser or mobile device from which you accessed the opt-out. If you use multiple devices or browsers, you will need to opt out each browser or device that you use.

**Other technologies:** Other technologies such as pixels and web beacons may also be used on our website, in email messages and in other areas of our business. These technologies are used to improve our products and services and our marketing efforts.

**Targeted advertising:** We and our service providers may serve targeted advertisements through the use of first-party or third-party cookies, pixels and web beacons when you visit our website or visit websites owned by other entities. In some instances, these cookies may be persistent cookies. As described

above, we and our service providers may also use cookie and other information to try to identify other devices and web browsers that you may use so we and our service providers may serve targeted advertisements to those devices. We do this to provide you with advertising that we believe may be relevant for you as well as improve our own products and services, including the functionality and performance of our websites. To learn more about opting out of certain types of targeted advertising, please see the “Managing cookies and opting out” section above.

**Do-Not-Track:** Currently, our systems do not recognize browser “do-not-track” signals. You may, however, disable certain tracking as discussed in this section (e.g., by disabling cookies); you also may opt-out of targeted advertising by following the instructions at the [DAA](#) and the [Network Advertising Initiative](#) websites.

## How we secure your information

We take commercially reasonable measures to protect the confidentiality and security of the information that you provide to us. To do this, technical, physical and organizational security measures are put in place to protect against any unauthorized access, disclosure, damage or loss of your information. The collection, transmission and storage of information can never be guaranteed to be completely secure, however, we take steps to ensure that appropriate security safeguards are in place to protect your information.

## Managing your preferences and information

If you have opted into an email newsletter [or receive offers/marketing] from us, please follow the instructions in the email to unsubscribe. Please allow up to 10 days for us to process your request.

## Links to Other Sites

Our website may contain links to websites that are maintained and/or controlled by non-affiliated parties. We encourage you to review the privacy policies of these websites as their privacy practices may differ from ours.

## Children

Our website is not intended for children and we do not intentionally solicit or collect personal information from individuals under the age of 18. If we are notified or otherwise discover that a minor’s personal information has been improperly collected, we will take commercially reasonable steps to delete that information. In limited instances, we may have a campaign or program targeted toward children. In these instances, details on the information practices will be presented within the terms and conditions of the program or campaign.

## How to contact us

For any questions or concerns regarding this Privacy Notice or our data privacy practices, please contact us by email at [privacypolicy@kimptongroup.com](mailto:privacypolicy@kimptongroup.com) or by phone at 866-525-8234.

To the extent permitted under the local law, you may also use the above contact details to request access to any of your personal information that we hold. These requests will be reviewed and processed in line with the local law.

## Additional information for California consumers

Under the California Consumer Privacy Act (“CCPA”), we are required to notify California consumers about our collection, use, and disclosure of their personal information (whether collected through this website or offline). In this section of our Notice, and in accordance with the CCPA, “personal information” includes any information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household, including the categories identified below to the extent they identify, relate to, describe, are capable of being associated with, or could be reasonably linked, directly or indirectly, with a particular consumer or household.

This Notice does not apply to applicants for job positions.

### **Categories of Personal Information that We Collect, Disclose, and Sell**

Below we identify the categories of personal information that we collect about California consumers and households, the purposes for which we use each category, and whether we disclose or sell information within each category. Please note our data collection practices set forth below are not different than those described above; rather, the CCPA specifies particular categories of data that we must address, and, in this section, we aim to describe some of the information already provided above in accordance with the categories as outlined by the CCPA. This section should therefore be read in conjunction with the further information provided in the rest of this Privacy Statement.

Please note that the CCPA defines the term “sale” very broadly to include any exchange of data for consideration of any kind, not simply selling your data for monetary compensation.

### **Identifiers and Similar Data:**

Collection: We collect:

- Identifiers: your real name, alias, postal address, unique identifier), IP address (if you access our website), email address, social security number, driver’s license number, passport number, or other similar identifiers.
- Signature, physical characteristics, telephone number, financial information (e.g., payment information for your reservation). We typically do not collect medical information from our guests absent an emergency situation or specific request.
- Commercial information, including products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
- Internet or other electronic network activity information, including a consumer’s interaction with an Internet Web site, application, or advertisement.

Sources: We collect the information directly from you, from other persons/entities making a reservation on your behalf (e.g., travel agent, a member of your travel party, someone making the booking on your behalf), from IHG. With regard to internet or other electronic information, we collect that information automatically as you use our Site and services.

Purposes of Collection: The primary purpose of our collection and use of this information is to fulfil your reservations and enhance and personalize your experience with us. In particular, we use your information to fulfil your reservation, and to provide services at our hotel, direct marketing to you (in connection with your preferences), targeted and personalized advertising to you, and as otherwise required by applicable law.

Disclosure: We disclose this information for business purposes.

Sale: We use third party targeted advertising companies that collect certain information about you through website cookies (and similar technologies designed for mobile applications). These third parties may collect information about you that they then aggregate with data collected about you through cookies placed on other websites/mobile apps. Under the CCPA, this type of sharing of information could be deemed a “sale”.

#### **Protected Classifications/Audio/Visual Data:**

Collection: We do not request information about protected classifications under California law such as race, sex, age, religion, national origin, disability, citizenship information, or genetic information. Nonetheless, we may capture information related to these categories in the following circumstances, by way of example only: our hotel uses closed circuit television for security purposes, and, the recordings may capture such information by virtue of the recording. You have the option of requesting an accessible room.

Sources: We collect the information directly from you, from other persons/entities making a reservation on your behalf (e.g., travel agent, a member of your travel party, someone making the booking on your behalf), from IHG.

Purposes of Collection: The primary purpose of our collection and use of this information is to enhance and personalize your stay with us, in particular, to provide you with the specific room type requested. We may use video surveillance for security purposes and to protect their rights and interests as well as the rights and interests of other guests.

Disclosure: We disclose any information about special requests for business purposes, including at your direction, to fulfil your request). If we obtain CCTV footage, we do not disclose such data except as necessary to protect our rights and interests and the rights of interests of other persons.

Sale: We do not sell this information.

#### **Biometric and Geolocation Information:**

Information Collected: We do not collect Biometric and Geolocation Information.

#### **Inferences**

We may draw (or use service providers to draw) inferences from any of the information identified above to create or enhance a profile about a consumer reflecting the consumer’s preferences and tendencies (e.g., what types of room the consumer prefers, how frequently the consumer travels, etc.).

Sources: We draw inferences based on the data collection described in this Notice.

Purposes of Collection: We use inferences to enhance your overall experience at our hotel. For example, we may use inferences to identify and to offer relevant marketing opportunities.

### **California Consumer Rights**

California law grants consumers certain rights and imposes restrictions on particular business practices as set forth below. California consumers have the right to request that we disclose what personal information we collect, use, disclose, and sell about you.

**Do-Not-Sell.** California consumers have the right to opt-out of our sale of their personal information. We do not knowingly collect personal information about consumers that are younger than 18 years nor do we sell personal information about consumers that we know are younger than 18 years old. If you use an authorized agent to submit a do-not-sell request, we will ask your agent to provide information to demonstrate the agent has your authorized consent to submit a request. We may also ask you to provide information to verify your identity directly with us.

**Requests for Copy, Deletion and Right to Know.** Subject to certain exceptions, California consumers have the right to make the following requests, at no charge, up to twice every 12 months.

Deletion: the right to request deletion of their personal information that we have collected about them, subject to certain exemptions.

Copy: the right to request a copy of the specific pieces of personal information that we have collected about them in the prior 12 months.

Right to Know (Collection): where we have collected their personal information, the right to request that we disclose certain information about how we have handled their personal information in the prior 12 months, including: the categories of personal information collected; categories of sources of personal information; business and/or commercial purposes for collecting and selling their personal information; and the categories of third parties/with whom we have disclosed or shared their personal information.

Right to Know (Disclosure and Sale): where we have sold or disclosed for a business purpose their personal information, the right to request that we disclose certain information about how we have handled their personal information in the prior 12 months, including: the categories of personal information collected; categories of third parties to whom the consumer's personal information has been sold and the specific categories of personal information sold to each category of third party; categories of third parties to whom personal information has been disclosed; and the categories of personal information that we have disclosed or shared with a third party for a business purpose.]

**Submitting Requests.** You can make these requests by using the contact details provided in the "How to contact us section" above, or by submitting a request through the online form available under the Are You a California Resident Section below. You just click the Yes/No button to proceed with the form. When you submit your request, we will take steps to attempt to verify your identity. We will seek to match the information in your request to the personal information we maintain about you. As part of our verification process, we may ask you to submit additional information, or use identity verification services to assist us. Please understand that, depending on the type of request you submit, to protect the privacy and security of your personal information, we will only complete your request where we are satisfied that we have verified your identity to a reasonable degree of certainty.

**Authorized Agents.** The CCPA allows California consumers to designate an authorized agent to exercise their rights under CCPA. Agents will be required to demonstrate that they are duly authorized to submit a request on behalf of each consumer. Proof of authorization via a sworn statement under oath, should be submitted to [privacypolicy@kimptongroup.com](mailto:privacypolicy@kimptongroup.com). We may also ask each consumer to verify their identity directly with us.

**Incentives and Discrimination.** The CCPA prohibits discrimination against California consumers for exercising their rights under the CCPA and imposes requirements on any financial incentives offered to California consumers related to their personal information.

Discrimination: if consumers exercise their rights under CCPA, businesses may not discriminate against them including by denying or providing a different level or quality of goods or services or charging or suggesting that a business will charge different prices or rates or impose penalties, unless doing so is reasonably related to the value provided to the consumer by the consumer's data.

Disclosure of Incentives: if businesses offer any financial incentives for the collection, sale or deletion of their personal information, consumers have the rights to be notified of any financial incentives offers

and their material terms, as well as to not be opted into such offers without prior informed opt-in consent and to be able to opt-out of such offers at any time. Businesses may not offer unjust, unreasonable, coercive or usurious financial incentives. We currently do not offer incentives.

### **Your California Privacy Rights under California's Shine-the-Light Law**

Under California's "Shine the Light" law (Cal. Civ. Code § 1798.83), California residents who provide us certain personal information are entitled to request and obtain from us, free of charge, information about the personal information (if any) we have shared with third parties for their own direct marketing use. Such requests may be made once per calendar year for information about any relevant third party sharing in the prior calendar year. If you are a California resident and would like to make such a request, please submit your request in writing to [privacypolicy@kimptongroup.com](mailto:privacypolicy@kimptongroup.com). In your request, please attest to the fact that you are a California resident and provide a current California address.

### **Changes to this Privacy Notice**

In some instances, we may have to change, modify or amend this Privacy Notice in order to comply with the evolving regulatory environment or the needs of our business. Subject to any applicable legal requirements to provide additional notice, any changes to this Privacy Statement will be communicated through our website. However, if there will be changes made to the use of your personal information in a manner different from that stated at the time of collection we will take appropriate steps to notify you, such as by posting a notice on our website for 30 days prior to the changes taking effect or by emailing you.

This privacy notice was last updated on December 18, 2019.