

## California Residents: Privacy Policy Notice

This Privacy Policy Notice Pursuant to the California Consumer Privacy Act (“Notice”) applies solely to visitors, users, and others who reside in the State of California (“consumers” or “you”). Progressive Management Systems (“PMS”), is a debt collector. This Notice applies to both our online and offline practices.

We adopt this Notice to comply with the California Consumer Privacy Act of 2018 (“CCPA”). Any terms defined in the CCPA have the same meaning when used in this Notice.

### Description of a consumer’s rights

- **Right to Delete Personal Information**

A consumer shall have the right to request that a business delete any personal information about the consumer which the business has collected from the consumer.

PMS shall not be required to comply with a consumer’s request to delete the consumer’s personal information if it is reasonably necessary for the business, service provider, or contractor to maintain the consumer’s personal information in order to:

- (1) Complete the transaction for which the personal information was collected, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, provide a good or service requested by the consumer, or reasonably anticipated by the consumer within the context of a business’ ongoing business relationship with the consumer, or otherwise perform a contract between the business and the consumer.
- (2) Help to ensure security and integrity to the extent the use of the consumer’s personal information is reasonably necessary and proportionate for those purposes.
- (3) Debug to identify and repair errors that impair existing intended functionality.
- (4) Exercise free speech, ensure the right of another consumer to exercise that consumer’s right of free speech, or exercise another right provided for by law.
- (5) Comply with the California Electronic Communications Privacy Act pursuant to Chapter 3.6 (commencing with Section 1546) of Title 12 of Part 2 of the Penal Code.
- (6) Engage in public or peer-reviewed scientific, historical, or statistical research that conforms or adheres to all other applicable ethics and privacy laws, when the business’ deletion of the information is likely to render impossible or seriously impair the ability to complete such research, if the consumer has provided informed consent.
- (7) To enable solely internal uses that are reasonably aligned with the expectations of the consumer based on the consumer’s relationship with the business and compatible with the context in which the consumer provided the information.
- (8) Comply with a legal obligation.

- **Right to Correct Inaccurate Personal Information**

A consumer shall have the right to request a business that maintains inaccurate personal information about the consumer to correct that inaccurate personal information, taking into account the nature of the personal information and the purposes of the processing of the personal information.

- **Right to Know What Personal Information is Being Collected. Right to Access Personal Information**

A consumer shall have the right to request that a business that collects personal information about the consumer disclose to the consumer the following:

- (1) The categories of personal information it has collected about that consumer.
- (2) The categories of sources from which the personal information is collected.
- (3) The business or commercial purpose for collecting, selling, or sharing personal information.
- (4) The categories of third parties to whom the business discloses personal information.
- (5) The specific pieces of personal information it has collected about that consumer.

- **Right to Know What Personal Information is Sold or Shared and to Whom**

A consumer shall have the right to request that a business that sells or shares the consumer's personal information, or that discloses it for a business purpose, disclose to that consumer:

- (1) The categories of personal information that the business collected about the consumer.
- (2) The categories of personal information that the business sold or shared about the consumer and the categories of third parties to whom the personal information was sold or shared, by category or categories of personal information for each category of third parties to whom the personal information was sold or shared.
- (3) The categories of personal information that the business disclosed about the consumer for a business purpose and the categories of persons to whom it was disclosed for a business purpose.

- **Right of No Retaliation Following Opt Out or Exercise of Other Rights**

A business shall not discriminate against a consumer because the consumer exercised any of the consumer's rights under this title, including, but not limited to, by:

- (A) Denying goods or services to the consumer.
- (B) Charging different prices or rates for goods or services, including through the use of discounts or other benefits or imposing penalties.
- (C) Providing a different level or quality of goods or services to the consumer.

(D) Suggesting that the consumer will receive a different price or rate for goods or services or a different level or quality of goods or services.

(E) Retaliating against an employee, applicant for employment, or independent contractor for exercising their rights under this title.

### **Methods for Submitting Requests**

California residents may submit verifiable requests by calling us at (866) 767-1037 or by email at [consumerinfo@pmscollects.com](mailto:consumerinfo@pmscollects.com).

“Verifiable consumer request” means a request that is made by a consumer, by a consumer on behalf of the consumer’s minor child, by a natural person or a person registered with the Secretary of State, authorized by the consumer to act on the consumer’s behalf, or by a person who has power of attorney or is acting as a conservator for the consumer, and that the business can verify, using commercially reasonable methods, pursuant to regulations adopted by the Attorney General.

PMS is not obligated to provide information to the consumer pursuant to delete personal information pursuant, or to correct inaccurate personal information, if PMS cannot verify that the consumer making the request is the consumer about whom PMS has collected information or is a person authorized by the consumer to act on such consumer’s behalf.

### **Categories of Personal Information to be collected**

PMS may collect and use personal information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be directly or indirectly linked, with a consumer, device, or household (“personal information”).

Personal Information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from the CCPA’s scope, such as (but not limited to) information governed by the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), the California Confidentiality of Medical Information Act (“CMIA”), the Fair Credit Reporting Act (“FCRA”), the Gramm-Leach-Bliley Act (“GLBA”), California Financial Information Privacy Act (“FIPA”), and the Driver’s Privacy Protection Act of 1994 (“DPPA”).

PMS regularly collect (and have collected in the past 12 months) several types of personal information about individuals offline regarding accounts, including: name, DOB, address, gender, account number, previous payment and other financial information, insurance information, SSN, employment information, telephone number, IP address, medical information, username, and information collected or shared pursuant to HIPAA, FIPA, GLBA, FCRA, DPPA, and/or other applicable privacy laws. We also may collect additional categories of personal information users provide directly to us or our service providers.

## **Categories of Sources from which the Personal Information is collected**

PMS collect most of this personal information from our clients or from you or your authorized representative by telephone or written communications. However, we may also collect information:

- From publicly accessible sources (e.g., property records or court records);
- From our service providers (e.g., call analytics, skip-tracing, payment processing, and other vendors)

## **Purpose for Collecting Personal Information.**

PMS regularly use or disclose personal information for one or more of the following business purposes:

Debt collection

Fulfill the reason you provided the information. For example, if you share your personal information to make a payment, we will use that information to process your payment.

Perform services on behalf of a business or service provider, including maintaining or servicing accounts, providing customer service, processing transactions, verifying customer information, processing payments, providing analytic services, or providing similar services on behalf of the business or service provider

Provide you with information or services that you request from us

Auditing related to consumer interactions

Detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, and prosecuting those responsible for that activity

Debugging to identify and repair errors that impair existing intended functionality

Short-term, transient use, where the personal information is not disclosed to another third party and is not used to build a profile about a consumer or otherwise alter an individual consumer's experience outside the current interaction

Undertaking activities to verify or maintain the quality of a service or device that is owned, made by or for, or controlled by us, and to improve, upgrade, or enhance the service or device that is owned, made by or for, or controlled by us

Respond to law enforcement requests and as required by applicable law or court order

As appropriate to protect the rights, property, or safety of us, our clients, or others

As described to you when collecting your personal information or as otherwise set forth in the CCPA.

We have not sold and will not sell your personal information under the CCPA.

**Categories of third parties to whom the business discloses personal information.**

PMS disclose personal information for business purposes to the following categories of third parties:

- Service providers.
- Third parties to whom you or your agents authorize us to disclose your personal information in connection with products or services we provide to you.