

# Privacy Notice

When you use this website some of your personal data is processed by us as the party responsible for data processing and stored for as long as required to fulfil the purposes specified and legal obligations. The following is intended to inform you about the data concerned, how it is used and what rights you have in regard to this.

According to article 4, no. 1 of the General Data Protection Regulation (GDPR), personal data is defined as all information relating to an identified or identifiable natural person (hereafter referred to as the "data subject").

## 1. Name and contact details of the data controller

This privacy notice applies to data processing at the website **www.tourist-paradise.com** by the data controller:

resido GmbH („resido“),

Wichertstraße 14a

10439 Berlin

Phone: +49 30 609 891 44

Fax: +49 30 555722970

E-Mail: **support@ferienhausmiete.de**

## 2. Processing personal data and the purposes of data processing

### a) When you visit our website

You can access our website **www.tourist-paradise.com** without having to disclose details of your identity. The browser installed on your device will only automatically send information to our website servers (e.g. your computer's operating system and the browser you use, the name of your ISP, the name and URL of the file accessed, the date and time it was accessed, the originating website of the access).

This also includes the IP address of your device from which the request is sent. This is stored temporarily in a log file and automatically deleted after four weeks.

Processing the IP address occurs for technical and administrative purposes for the establishment and stability of the connection, to ensure the security and functionality of our website and enable us to trace any unlawful attacks on it.

Article 6 (1)(1)(f) of the GDPR is the legal basis for processing the IP address. Our legitimate interest follows from the requirement for security, as mentioned above, and the need for uninterrupted availability of our website.

Processing the IP address and other information in the log file does not enable us to draw any direct conclusions about your identity.

We also make use of cookies and analytics services on our website. Further details about this can be found in sections 4 and 5 of this privacy notice.

#### **b) When registering on our platform**

**As a holidaymaker**, you can browse the range of holiday homes and apartments on our platform and send booking requests to respective landlords. Complimentary registration is required to make a request to or booking with a provider for holiday accommodation as a holidaymaker. This also allows you to use extended functions such as managing your booking requests and communicating with the landlord.

**As a landlord**, you must register on our platform to be able to offer holiday homes on our platform.

In the process of registering on our website as a holidaymaker or landlord, we will collect and store the following data about you as obligatory information:

- First name;
- Surname;
- User name;
- Email address.

You will then have the option to add further information in your user account.

This data is collected and stored

- to provide us with information on who our contracting party is;
- for reasons of content arrangement, processing and amendment of a contractual relationship with you regarding the use of our platform as a registered holidaymaker;
- to fulfil the license agreement or agency contract between us and the user;
- to check the plausibility of the data entered;
- to make necessary contact with you, where applicable

Processing within the registration process is carried out upon your request and is required in accordance with Article 6(1)(1)(b) GDPR for the purposes mentioned above for using the platform and therefore fulfilling the agreement and pre-contractual measures.

We will also use your email address, collected in the registration process or within the process of implementing the agreement, to inform you of particular services or goods or more generally about [www.tourist-paradise.com](http://www.tourist-paradise.com) via email. In this case, the email address is processed on the basis of our legitimate interests in promoting our goods and services (Article 6(1)(f) GDPR).

The data provided by you will be stored for the duration of the contractual relationship with you and will then be erased.

### **c) When you send an enquiry**

If you are interested in a holiday home you can use our enquiry form to contact the owner. The following mandatory information must be entered:

- first name;
- surname;
- email address;
- phone number;
- arrival/departure dates;
- number of adults in group.

You also have the option to volunteer further information and put questions to the owner.

All the information provided by you is forwarded to the owner for the purposes of the contact enquiry. The owner will use the information to check your enquiry and to respond to you.

Processing occurs when you make your enquiry and is required in accordance with Article 6 (1)(1)(b) of the GDPR for the above-mentioned purposes of completing the contract and pre-contractual measures.

If you send an enquiry as a registered user, the information provided by you will be stored in your user account as a booking enquiry until it is erased.

### **d) When you use our contact form**

You can make general enquiries to us using the contact form on our website. Here you are required to provide your surname and a valid email address. Additional data such as a message can be entered voluntarily.

This data is collected so that we know who sent the enquiry and to enable us to reply in the best way. Data processing occurs upon your enquiry and only insofar as it is required to carry out pre-contractual measures in response to a contact enquiry in accordance with Article 6 (1)(1)(b) of the GDPR or to safeguard the legitimate interests of ourselves or third parties in accordance with Article 6 (1)(1)(f) of the GDPR.

The personal data collected by us for the use of the contact form is automatically erased once the enquiry sent by you has been processed in full.

### **e) When you sign up for our newsletter**

If you have given your express consent in accordance with Article 6 (1)(1)(b) of the GDPR, we will use your email address to send you our newsletter on a regular basis. To receive the newsletter, you just have to submit your email address. You will then receive a confirmation email in order to register for the newsletter (“double opt-in”). This serves as proof for us that the registration really was initiated by you.

You can unsubscribe at any time, e.g. via a link at the end of each newsletter. Alternatively, you can email us your request to unsubscribe from the newsletter at any time to [support@ferienhausmiete.de](mailto:support@ferienhausmiete.de).

### **3. Forwarding personal information to third parties**

To the extent permitted and necessary to administer contractual relationships with you in accordance with Article 6 (1)(1)(f) of the GDPR or to guarantee our interests or those of a third party in accordance with Article 6 (1)(1)(f) of the GDPR, your personal data will be forwarded or accessible to third parties in the following cases:

- If you as an owner place an advertisement for a holiday home your first name and surname and the telephone number you have provided will be visible to prospective renters.
- If you as a traveller make contact with an owner, we will forward them your first name and surname as well as your telephone number and email address along with any other details you have provided.

Beyond this, your personal information may also be passed on

- if you have given your express consent in accordance with Article 6 (1)(1)(a) of the GDPR;
- in the event that there is a legal requirement to pass on the information in accordance with Article 6 (1)(1)(c) of the GDPR; and
- insofar as this is necessary in accordance with Article 6 (1)(f) of the GDPR for us to enforce our rights, in particular to enforce claims resulting from a contractual relationship with you.

The forwarding of personal information to a third country or an international organisation is excluded.

### **4. Cookies**

We use cookies on our website. These are small files automatically created by your browser which are stored on your device (laptop, tablet, smartphone, etc.) when you visit our website. Cookies do not damage your device or contain viruses, Trojans or other malware.

Cookies store information generated through the use of the specific device concerned. However, this does not mean that your identity is disclosed to us as a direct result of this.

On one level, using cookies helps us to shape the way we present our offering to make it more appealing to you. For example, we use session cookies to recognise that you have already visited certain pages of our website.

In addition, we also use temporary cookies to optimise user friendliness; these are stored in your device for a specified period of time. If you return to our website to make use of our services, the cookie automatically recognises that you have been there before and which entries and settings you activated so that you don't have to do it all again.

On another level, we use cookies to record statistical data on how our website is being used and for the purpose of evaluating the optimisation of our offering for you (see section 5). When you visit our website, these cookies enable us to recognise automatically that you have been there before. These cookies are automatically deleted after a specified period of time.

The data processed by cookies is required for the stated purposes of guaranteeing our legitimate interests and those of third parties in accordance with Article 6 (1)(1)(f) of the GDPR.

Most browsers accept cookies automatically; however, it is possible to configure your browser so that cookies are not stored on your computer or so that a message is always displayed before a new cookie is installed. Completely deactivating cookies can, however, mean that some of the functions of our website are not available to you.

## **5. Web analytics**

### **a) Google Analytics**

We use Google Analytics on our website: this is a web analytics service provided by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA (hereafter referred to as "Google"). This service makes use of pseudonymised user profiles and cookies (4). The information produced by the cookie through your use of this website, such as

- browser type/version,
- operating system,
- referrer URL (the previous website you visited),
- host name of the accessing computer (IP address),
- time of server request,

is forwarded to a Google server in the USA and stored there. Google observes the data protection rules of the US Privacy Shield and is registered with the US Department of Commerce's Privacy Shield programme. In addition, we have concluded a Data Processing Agreement with Google for the use of Google Analytics. Through this agreement Google ensures that it processes data in compliance with the General Data Protection Regulation and

guarantees the rights of the data subject.

Information is used to analyse the use of the website, compile reports on website activity and provide other services associated with the use of the website and internet for the purposes of market research and designing these web pages to meet the needs of users.

This information will also be passed on to third parties insofar as this is legally prescribed or where third parties are commissioned to process this information. Under no circumstances will your IP address be amalgamated with other Google data. IP addresses are anonymised (IP masking) to make it impossible to track identities.

You can prevent the installation of cookies via the relevant settings in your browser software. We would, however, point out that this could mean that the full functionality of this website may not be available to you.

In addition, you can prevent Google from accessing the data produced by the cookie about your use of the website (including your IP address) and processing this data, by downloading and installing a **browser add-on**.

As an alternative to the browser add-on, especially for browsers on mobile devices, you can also prevent access by Google Analytics by clicking on this **link**. An opt-out cookie is installed that prevents your data being recorded on future visits to this website. The opt-out cookie only works in this browser and for our website and is stored on your device. If you delete the cookies in this browser you will have to reinstall the opt-out cookie.

Further information on data protection in connection with Google Analytics is available from the **Google Analytics Help Center**.

The tracking measures used by Google Analytics are carried out on the basis of Article 6 (1)(1)(f) of the GDPR. Our aim here is to ensure that our website meets the needs of users and is continually being optimised. We also use Google Analytics to collect statistics on the use of our website. In addition, we use the data to optimise the delivery of advertising content. These interests are deemed legitimate within the definition of the above-mentioned regulation.

The purpose and scope of the data collection and the further processing and use of the data by Google, as well as your rights in this respect and setting options for protecting your privacy, can be found in **Google's data protection information**.

## **b) Mautic**

On our website, we apply Mautic analytics – an open-source, marketing automation tool.

Mautic analysis and tracking software allocates and saves user data such as the browser used, pages visited, visit duration.

We use the collected data to provide you individual information that the analysis recognises as relevant. We also use the data to personalise our marketing measures.

Mautic is hosted by a server we lease in Germany. Data is not passed on to third parties.

If you subscribe to a newsletter, we merge your user behaviour data with your newsletter registration data. We analyse whether emails are opened, and which links are activated per click.

We use this data to improve our services and emails.

We collect the following data:

- website activities
- number of pages accessed and duration of website visit
- a given visitor's click path
- file downloads available on the website
- landing page visits
- newsletter and campaign emails opened

Your IP address in your user profile is anonymised and stored in the pertinent databank.

When you register on a website, the provider uses Mautic to collect your contact data, such as name, postal or email address, telephone or fax number.

The user can clearly identify which data is given when filling out the registration form, since the data required to submit the form is distinctly marked. We only apply Mautic to data that is collected and used for the sole purpose of achieving our mutual business goals. This data is never given to third parties. You can opt out of Mautic at any time.

## **6. Rights of the data subject**

You have the right:

- in accordance with Article 7 (3) of the GDPR, to withdraw at any time consent you have given to us, the consequence of which would be that we are no longer allowed to carry out the data processing based on that consent;
- in accordance with Article 15 of the GDPR, to obtain information about the processing of your personal data by us. In particular, you can request information about the purposes of processing, the category of the personal data concerned, the categories of recipient to whom your data has or will be disclosed, the envisaged period for which the data will be stored, the existence of the right to request

rectification, the source of your data if not collected by us, and the existence of automated decision-making including profiling and, if need be, meaningful information about the details thereof;

- in accordance with Article 16 of the GDPR, to obtain without delay rectification of inaccurate or incomplete personal data concerning you that is stored by us;
- in accordance with Article 17 of the GDPR, to request the deletion of personal data about you as long as the processing is not required for exercising the right of freedom of expression and information, compliance with a legal requirement, reasons of public interest, or the establishment, exercise or defence of legal claims;
- in accordance with Article 18 of the GDPR, to request the restriction of processing of your personal data if the accuracy of the data is contested by you, the processing is unlawful and you oppose the erasure of the data, and where we no longer need the data but it is required by you for the purpose of establishing, exercising or defending legal claims, or where you have objected to processing in accordance with Article 21 of the GDPR;
- in accordance with Article 20 of the GDPR, to receive the personal data which you have provided to us, in a structured, commonly-used and machine-readable format, or to request it to be transmitted to another data controller; and
- in accordance with Article 77 of the GDPR, to lodge a complaint with a supervisory authority. You can generally contact the authority at your usual place of residence or workplace or our company headquarters.

## **7. Information about your right to object as defined in Article 21 of the GDPR**

You have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you which is based on Article 6 (1)(e) of the GDPR (data processing in the public interest) and Article 6 (1)(f) of the GDPR (data processing on the basis of a balance of interests); this applies also to profiling based on this provision as explained in Article 4 (4) of the GDPR.

If you object, we will no longer process your personal data unless we can provide evidence of compelling legitimate reasons for doing so that outweigh your interests, rights and liberties, or the processing is for the purpose of establishing, exercising or defending legal claims.

If your objection relates to the processing of data for direct marketing purposes we will cease the processing immediately. In this case, there is no need to declare a particular situation. This applies also to profiling related to direct marketing.

If you would like to exercise your right to object you just need to email us at [support@ferienhausmiete.de](mailto:support@ferienhausmiete.de)

## **8. Data security**



All personal data submitted is encoded and transmitted with the generally accepted secure TLS (Transport Layer Security) protocol. TLS is a secure and tested standard which is also used in online banking, for example. You can identify a secure TLS connection by the letter s appended to the http in the address bar of your browser (i.e. https:// ...) or by the padlock icon at the bottom of the page.

We also make use of appropriate technical and organisational security measures to protect your data against random or deliberate manipulation, partial or complete loss, destruction or unauthorised access by third parties. Our security measures undergo continual upgrading in line with technological developments.

#### **9. Applicability of this privacy notice and amendments to it**

This privacy notice is currently applicable and dated May 2018.

It may become necessary to amend this privacy notice due to the development of our website and offering or changes to legal or regulatory requirements. You can find and print a copy of the currently applicable privacy notice at any time on our website at

#### **Data security**