



## **Privacy Policy**

This Privacy Policy Statement sets out the policy of Waller Realty Pty Ltd and WRB Property Pty Ltd trading as Waller Realty, with respect to the way in which we obtain, use and disclose information about you, including through our website at [www.wallerrealty.com.au](http://www.wallerrealty.com.au). We adopt and are bound by the Australian Privacy Principles (“APPs”) contained in the Privacy Act 1988 (Cth) (“the Act”). We understand and appreciate that you are concerned about privacy, particularly in relation to the use and disclosure of Personal Information. We are committed to providing a high level of privacy in relation to all Personal Information that is collected by us. For the sake of clarity, this Privacy Policy Statement covers Personal Information collected, used and disclosed by Waller Realty in relation to any of the following:

### **Our commitment to you**

Waller Realty is committed to respecting the privacy of the personal information it collects to carry on its business and the rights of individuals in relation to their personal information.

### **What is personal information?**

Personal information is any information (whether fact, opinion or evaluative material) about you as an individual, from which your identity is apparent or can reasonably be ascertained.

### **This Policy sets out Waller Realty commitment to compliance and details how that commitment is to be carried out.**

- Our policies on the management of personal information
- The purposes for which we collect, use and disclose that information

### **Why do we collect personal information?**

We may collect your personal information about you for a number of purposes.

If you are a property owner, we collect personal information for the purpose of leasing, managing or selling your property and providing you with related services.

If you are a tenant or prospective tenant, we collect personal information for the purpose of assessing the risk of providing you with the tenancy, processing your tenancy application, preparing the lease or tenancy agreement; collecting rental payments and other purposes related to the management of your tenancy.

We also collect personal information about you for the purpose of delivering and improving the services we provide.



## **How do we collect personal information?**

Where possible, we will collect your personal information directly from you. If you are a property owner, this will usually be when you or your estate agent asks us to sell or manage a property on your behalf. If you are a purchaser it will usually be at an open for inspection or private inspection appointment, internet enquiry or Waller Realty database information relating to perspective purchasers information that you have provided.eg Style of property, location, number of bedrooms etc. If you are a tenant both residential and commercial, it will usually be when you apply to rent a property we manage. However, we may collect information about you from other persons, including:

- From previous estate agents or landlord who you have previously used their services in relation to managing or selling a previous property
- From utilities, tradespeople and contractors who are providing services in relation to the property
- If you are a tenant, from tenancy databases with your consent, courts, tenancy tribunals and rental bond authorities or insurers

If you are a prospective tenant we may also collect further information, including:

- Rental history
- Credit history ( Commercial tenancy)
- Drivers Licence number and passport information
- employment details such as your employment status, employer, salary including current payslips confirming pay, confirming length of employment and other sources of income including Centrelink payments;
- email address and any relevant phone numbers
- tax file number ( for commercial tenancy applicants)
- personal and financial referees whom we may contact for further tenancy-related information (especially if self employed).
- National tenancy Database Pty Ltd (Also known as" NTD") with your consent.
- Next of kin

## **We may also collect information from you if:**

- You register as a user of our web-site (subscribe)
- You send us an email
- From social media streams

**Waller Realty may collect and store securely your personal information which may include:**

- contact details
- loan approval information
- legal representatives
- payslips



- bank account statement that do not provide information regarding daily transactions
- bank account details for rental, sale or account sale disbursements
- details of any property you own, or preferences for purchase or lease.

## How we collect it

- We collect most information directly from you either through application forms as a tenant or when you enter into a seller's or buyer's agreement with Waller Realty Pty Ltd or W R B Property Pty Ltd trading as Waller Realty. Or if we manage your Owners corporation.
- We may also collect it indirectly from public-domain, government or semi-government sources such as the Telstra White Pages, council lists, Titles Office, RP DATA, Corelogic, Waller Realty landlord referral program or other property-related databases such as the REIV (Real Estate Institute of Victoria Ltd). We use authorised credit-checking agencies National Tenancy Database (NTD) for all commercial tenancy applications and other third parties if you enter into a lease or rental agreement. We may obtain referrals and recommendations from existing clients and suppliers and we may access all of the above for property related or other commercial purposes which will be disclosed to you at the time we contact you.

## Using our Website

- We do not automatically collect data about you from our website nor do we use cookies or like devices to save information about your visit to our site. If you choose to register online with us we may collect this personal information and use it for property-related purposes. You can unsubscribe from this at any time by using the 'Unsubscribe' icon.
- Our Website does not enable visitors to post information to be accessed by others or to communicate with other visitors. However, it may be linked from time to time with other third party web service, or hosting providers such as [www.realestateview.com.au](http://www.realestateview.com.au), [realestate.com.au](http://realestate.com.au), [homely.com.au](http://homely.com.au), [rent.com.au](http://rent.com.au) for the purposes of either providing our web content or promoting their services or products which we believe may be of interest to our customers and visitors. We cannot be responsible for third party content or privacy practices.

## Why we collect it

Most of the information required by us is to effectively buy, sell, lease and manage property and manage owners corporations for you and also help with inquiry.

It helps:

- us to comply with Local, State or Federal legislation or regulations with respect to Real Estate property sales, rental and administration. These include but are no



limited to the Sale of Land Act (Vic) 1962, Residential Tenancies Act 1997 (residential tenants), Retail Tenants Reform Act 1998 (commercial tenants), The Subdivision Act 1988 (body corporate) and other various minor acts.

- enable our people and third party service providers to assist you with related property or ancillary services, as required.
- provide you with other services and/or products you may require.
- to update our records and keep your contact details up to date
- for the administration, marketing (including direct marketing), planning. Product or service development, quality control and research purposes of Waller realty Pty Ltd and WRB Property Pty Ltd trading as Waller Realty.
- to process and respond to any complaint made by you

## **Keeping it secure**

We take all reasonable steps to keep the information we collect, use, store or disclose in a secure environment that is accessed only by persons authorised by our people. We also take steps to destroy or permanently de-identify personal information if it is no longer needed. Please be aware that some information may need to be stored for up to 7 years to abide by laws. We are committed to ensuring the security of your Personal Information and we will take all reasonable steps to protect this Information from misuse, interference, loss, unauthorised access, modification or disclosure, including:

- ensuring the physical security of our premises and databases/records;
- restricting access to personnel who need that information in order for us to be able to provide our products and services; and
- industry standard technological measures, such as computer passwords, data back-up, anti-virus software and firewalls.

We will take all reasonable steps to ensure the Information is accurate and up-to-date and relevant for the purposes for which it may be used pursuant to this Privacy Policy. We try to provide an internal secure environment but cannot guarantee against all technology risks in the electronic storage and transmission of information particularly via the Internet. As our website is linked to the internet, and the internet is inherently insecure, we cannot provide and assurance regarding the security of transmission of information you communicate to us on line. We cannot also guarantee that the information that you supply will not be intercepted while being transmitted over the internet. Accordingly, any personal information or other information which you transmit to us online is transmitted at your own risk.

## **Access by third parties**

At Waller Realty we do not sell your personal information or 'lists'.

Sometimes your personal information needs to go to external third parties.



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To do this, it is necessary to disclose your personal information to others.

We are unable to do so without your knowledge and consent.

The people and organisations Waller Realty may disclose your personal information to include our staff, the proposed landlord and their legal representatives and mortgagee, your current and previous landlord, your bank, your current and previous employer, your referees, your emergency contact, maintenance and tradespeople, rental bond authorities, residential tenancy tribunals, collection agents, other Estate Agents, IT systems administration, utilities (gas, electricity, water, phone), Direct Connect and the National Tenancy Database Pty Ltd ("NTD"). NTD must also comply with the Privacy Act. NTD collects personal information to provide to its members and others (including Licensed Estate Agents, NTD's parent company, Collection House Ltd and its subsidiaries or related entities, and credit bureaus). NTD collects historical tenancy and public record information on individuals and companies who lease residential and commercial property from or through Licensed Estate Agent members of NTD. NTD also provides credit information on companies and directors applying for commercial leases. Waller Realty will advise you will and get your permission should we need to inform NTD of your conduct throughout the term of your tenancy and that information will form part of your tenant history. If you do not consent this will not be able to be processed. consent to the handling of your personal information in the manner described, we will not be able to process your application.

Consumer Affairs Victoria may audit our files for information to be held in accordance with the statutory obligation of a real estate agency.

As a member of the REIV (Real Estate Institute of Victoria Ltd), Waller Realty Pty Ltd may disclose information relating to the sale or leasing of your property for the benefit of REIV members as part of membership services and for the others in the property or related industries, and also as to assist them in continuing to provide the best possible services to their clients. You may advise our agency in writing if you do not want your information disclosed to the REIV.

We are bound by law to provide your details to government-related bodies such as the Residential Tenancies Bond Authority and Residential Tenancies Tribunal.

Sometimes we cannot deliver the services we are engaged to do unless we use and release certain information to external organisations such as board companies, advertising and media agencies, accountants, building and garden maintenance contractors, or consultants and legal and para-legal representatives of vendors or purchasers including solicitors and conveyancers. These organisations are bound by express or implied confidentiality obligations to us.

### **Overseas recipients**

Waller Realty Pty Ltd will only disclose personal information to third parties (primarily landlords, tenants, vendors and purchasers) that may be located in various foreign countries, for the benefit to finalise a transaction.



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### **Staying anonymous**

If you want to remain anonymous then you can attend auctions without providing personal details, visit our Website without providing any personal information, and access our real-estate advertising in various publications available or at our offices.

However, when you enter into transactions with us that involve the sale, purchase or rental of real estate property, then various laws require you to provide us with personal information so as to identify you and effect the transaction.

### **Accessing your information**

You have the right to request access to your personal information in accordance with applicable privacy legislation. We may charge you a fee to cover administrative and other reasonable cost in providing the information to you (eg. mailing or emailing the information you have requested). You can ask for information about you to be corrected, if it is inaccurate, incomplete or out of date. We will not charge you for simply making a request or for making any corrections to your personal information. Where requested, Waller Realty Pty Ltd and WRB Property Pty Ltd will take reasonable steps to correct the information within 14 days of receiving this in writing.

### **Updating our privacy policy**

Waller Realty Pty Ltd and WRB Property Pty Ltd trading as Waller Realty may update our privacy policy from time to time to ensure we are complying with the law. Our Privacy policy was last updated on the 26<sup>th</sup> March 2021.

### **Contacting us**

If you have any questions or feedback about privacy or wish to make a complaint about the way in which Waller Realty has handled your personal information, please contact us by writing to Waller Realty in writing providing details of the incident so we can investigate your concern. All matters should be forwarded as detailed below:

Waller Realty  
PO Box 553  
Castlemaine Victoria 3450  
Fax: (03)54705816  
E-mail: [sales@wallerrealty.com.au](mailto:sales@wallerrealty.com.au)

Our procedure for investigating and dealing with complaints is detailed in our internal current Waller Realty complaint handing procedures and will be dealt with within 30 days.



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### **Unresolved concerns**

If we are unable to resolve your complaint to your satisfaction, you may refer your complaint to the OAIC who can be contacted by telephone from anywhere in Australia for the cost of a local call on 1300 363 992, <https://www.oaic.gov.au/privacy/> or you can write to the Australian Information Commissioner at the following address:

The Office of the Office of the Australian Information Commissioner (OAIC)

GPO Box 5218 Sydney

NSW 2001

Thank you for taking the time to read our privacy policy.



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