

Last Updated 06/18/2019

## **OUR COMMITMENT TO PRIVACY**

At Lorient Homes, we are committed to protecting your privacy online. Lorient Homes and its affiliated companies respect your privacy and have developed these terms of use and privacy policy to advise you of our online privacy practices and to describe the choices you have about the way the information collected on this site is used. This policy applies to LorientHomes.com, or other Lorient Homes websites that link to this policy, e-mails and other electronic messages between you and these websites. Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our websites. By accessing or using these websites, you agree to these terms of use and privacy policy. These terms and policy may change from time to time. Your continued use of these websites after we make changes is deemed to be acceptance of those changes, so please check these terms and policy periodically for updates.

Our websites are not directed toward children. We do not knowingly collect information from children under the age of 13. If you are under 13, do not use or provide any information on our websites or on or through any of its features, register on the website or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or user name you may use.

## **COLLECTION OF INFORMATION**

Lorient Homes' primary goals in collecting personal information about you are, first, to give you an efficient, meaningful, enjoyable, and personalized website experience and, second, to facilitate the development of new products and services relevant to consumers like you. Personal information also allows us to provide better service to you by tailoring our communications to match your interests, allowing us to deliver more of what you want and less of what you don't want. For example, we can use your personal information to:

- help make the websites easier for you to use by not having to enter information more than once;
- help you quickly find information, products, and services;
- help us create content that is most relevant to you and improve our websites and offerings;
- to contact you to alert you to new information, products, and services that we offer; and
- to respond to your requests and process transactions that you may request.

We may also collect information about you but individually does not identify you.

The types of information we gather include:

### **1 - INFORMATION YOU EXPLICITLY PROVIDE**

In order to establish your account, sign up for email alerts, contact Lorient Homes with questions about our communities, or participate in various online programs offered through our websites, you will be asked to provide certain personal information to us such as your name, mailing address, e-mail address and phone number. If you have purchased a home from Lorient Homes, we may also ask for your community and closing date. You can choose not to provide this information, but as a result you might not be able to participate in some of our services or offerings.

### **2 - INFORMATION WE AUTOMATICALLY COLLECT**

Cookies and Web beacons. Like many sites, our websites employ cookies and web beacons to speed your navigation of the site, recognize you and your access privileges, and track your site usage. Cookies are bits of electronic information that can be transferred to a computer to uniquely identify that computer's browser. Web beacons are electronic files to count users who have visited a page on the website, or to identify certain cookies on the computer accessing that page. When you visit our websites and use our services, we may place one or more cookies or web beacons on your computer. The use of cookies and web beacons helps us improve the quality of our services to you, by identifying information which is most interesting to you, tracking trends,

or storing your preferences and information you may want to retrieve on a regular basis, such as your favorite floorplans. Cookies also may be used for purposes such as user identification, promotional campaigns and tracking other statistical information, such as, without limitation, time spent on a particular site or webpage and number of pages visited. We also may use these technologies to collect information about your on-line activities over time and across third party websites or other online services as they relate to Lorient Homes. The information we collect automatically is statistical data and does not include personal information, but we may maintain it or associate it with personal information we collect in other ways, such as if you registered on the websites or that we receive from third parties. At any time, you may adjust settings on your browser to refuse cookies. However, if you choose to disable cookies, some of the features and services on our websites will not operate properly.

**Third-party cookies.** We may work with service providers and advertising networks to help tailor site content to users or to serve ads on our behalf. These companies may employ cookies and web beacons to measure advertising effectiveness and track users' activities across different websites over time. Any information that these third parties collect via cookies and web beacons is not linked to any personal information collected by Lorient Homes. They may use information about you to provide you with interest-based (behavior) advertising or other targeted content. We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible party directly. You may opt-out of having cookies placed on your device at any time. Please refer to your browser Help instructions to learn more about cookies and how to manage their use.

Some Internet browsers offer what often are referred to as "do not track" mechanisms for browser users to automatically signal privacy preferences to websites that they visit. Our site(s) do not currently respond to do-not-track-signals. You can exercise other choices available to you, including limiting the placement of browser cookies on your device using your browser's cookie control features and other choices described in this Policy.

**Usage logs.** When you are on our websites, your computer communicates a variety of information to computer servers, including the existence of cookies, your Internet Protocol address, and information about your browser program. We also create a record of what information you are requesting, such as the page or subject areas you are visiting. This information allows us to measure site activity to provide a better user experience. Our website may also use outsourcing programs to assist us in analyzing this data to improve our website.

#### **USAGE AND DISCLOSURE OF INFORMATION**

**Internal Use:** In addition to the uses of personal information described elsewhere in this policy, we also may use your personal information to improve the websites' content and user experience and for our own marketing efforts (including marketing our services and products to you), and to determine general marketplace information about visitors to the websites. Lorient Homes also may use information for market research purposes, development of prospect lists and project and product planning. The use of our website constitutes your permission for such uses.

**Communications with You:** We will use your personal information to communicate with you to respond to your inquiries and requests, and to send you electronic or other messages about a property in one of our communities or an offering from one of our subsidiaries. We may send you a confirmation email when you register with us. If you submit your email address, we use it to deliver information to you. We always permit you to unsubscribe or opt out of future emails (see the opt out section below for more details).

**External Use:** We want to provide you with excellent service and offer you an outstanding experience on our websites. We do not sell, rent, trade, license or otherwise disclose your specific personal information to any third parties for marketing purposes. We may disclose aggregated information about our users and information that does not identify any individual without restriction.

If you choose to make information available to the public through comment functions offered through our website or social media and networking functionality, this information will be visible to third parties. Please take care in deciding what information you choose to make available through these vehicles, as we do not control the manner in which recipients or persons who may see the information may use or re-disclose the information that you choose to provide.

We may provide personal information about you to service providers and other third parties that perform functions on our behalf, in which case we require them to take steps to safeguard the information and limit their use of the information to the services they are performing on our behalf.

We may provide personal information about you to a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by our Company about our website users is among the assets transferred.

Additionally, we use your personal information for any other purposes for which you provide it and for any other purposes disclosed by us when you provide the information and otherwise with your consent.

We also may disclose personal information when required by law or in our good faith determination that such action is necessary in order to comply with the law or legal process, the disclosure is pertinent to judicial or governmental investigations or proceedings, to protect our legal interests or the disclosure is necessary for the safety of us, our customers or the public.

#### **INDEMNIFICATION**

You agree to defend, indemnify, and hold harmless Lorient Homes, its affiliates, licensors, and service providers, and its and their respective officers, directors, employees, contractors, agents, licensors, suppliers, successors, and assigns from and against any claims, liabilities, damages, judgments, awards, losses, costs, expenses, or fees (including reasonable attorneys' fees) arising out of or relating to your violation of these terms of use and privacy policy or your use of the Website, including, but not limited to, any use of the Website's content, services, and products other than as expressly authorized in these terms of use and privacy policy or your use of any information obtained from the Website.

#### **WAIVER AND SEVERABILITY**

No waiver by Lorient Homes of any term or condition set out in these terms of use and privacy policy shall be deemed a further or continuing waiver of such term or condition or a waiver of any other term or condition, and any failure of Lorient Homes to assert a right or provision under these terms of use and privacy policy shall not constitute a waiver of such right or provision.

If any provision of these terms of use and privacy policy is held by a court or other tribunal of competent jurisdiction to be invalid, illegal, or unenforceable for any reason, such provision shall be eliminated or limited to the minimum extent such that the remaining provisions of the terms of use and privacy policy will continue in full force and effect.

#### **ENTIRE AGREEMENT**

The terms of use and privacy policy constitute the sole and entire agreement between you and Lorient Homes regarding the website(s) and supersede all prior and contemporaneous understandings, agreements, representations, and warranties, both written and oral, regarding the website(s).

#### **ASSIGNMENT**

Lorient Homes may assign its rights and duties under the terms of use and privacy policy to any party at any time without notice to the user.

#### **PROHIBITED USES OF OUR WEBSITE(S)**

You may use the Website only for lawful purposes and in accordance with the terms of use and privacy policy. You agree not to use the Website:

- In any way that violates any applicable federal, state, local, or international law or regulation (including, without limitation, any laws regarding the export of data or software to and from the US or other countries).
- For the purpose of exploiting, harming, or attempting to exploit or harm minors in any way by exposing them to inappropriate content, asking for personally identifiable information, or otherwise.
- To transmit, or procure the sending of, any advertising or promotional material, including any "junk mail", "chain letter", "spam", or any other similar solicitation.
- To impersonate or attempt to impersonate the Company, a Company employee, another user, or any other person or entity (including, without limitation, by using email addresses associated with any of the foregoing).
- To engage in any other conduct that restricts or inhibits anyone's use or enjoyment of the Website, or which, as determined by us, may harm the Company or users of the Website or expose them to liability.

Additionally, you agree not to:

- Use the Website in any manner that could disable, overburden, damage, or impair the site or interfere with any other party's use of the Website, including their ability to engage in real time activities through the Website.
- Use any robot, spider, or other automatic device, process, or means to access the Website for any purpose, including monitoring or copying any of the material on the Website.
- Use any manual process to monitor or copy any of the material on the Website or for any other unauthorized purpose without our prior written consent.
- Use any device, software, or routine that interferes with the proper working of the Website.
- Introduce any viruses, Trojan horses, worms, logic bombs, or other material that is malicious or technologically harmful.
- Attempt to gain unauthorized access to, interfere with, damage, or disrupt any parts of the Website, the server on which the Website is stored, or any server, computer, or database connected to the Website.
- Attack the Website via a denial-of-service attack or a distributed denial-of-service attack.
- Otherwise attempt to interfere with the proper working of the Website.

#### **HOW TO OPT-OUT OF COMMUNICATIONS OR DELETE/MODIFY YOUR INFORMATION**

Company Communications If you would like to opt-out of any of our corporate communications please use the opt-out mechanism provided in our communication, if any, or contact us via our online contact page or via email at [privacy@lorienthomes.com](mailto:privacy@lorienthomes.com) and please specify the nature of your request.

Accessing and Correcting Your Information You also can contact us through our online contact page to request that we modify or delete information that you have provided to us. You can review and change your personal information by logging into the website and visiting your account profile page.

You may also send us an email at [privacy@lorienthomes.com](mailto:privacy@lorienthomes.com) to request access to, correct or delete any personal information that you have provided to us. We cannot delete your personal information except by also deleting your user account. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

Tracking Technologies and Advertising. To stop tracking technologies and advertising, you can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. If you disable or refuse cookies, please note that some parts of this website may then be inaccessible or not function properly.

Targeted Advertising. If you do not want us to use information that we collect or that you provide to us to deliver advertisements according to our advertisers' target-audience preferences, you can opt-out by setting your browser to disable or refuse cookies. If you disable or refuse cookies, please note that some parts of this site may then be inaccessible or not function properly.

We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way.

#### **DATA SECURITY**

We take reasonable measures to safeguard information that we collect through our website. While we use administrative, physical and technical safeguards to protect your personal information, we cannot guarantee complete security. 100% complete security does not presently exist anywhere online or offline. While we strive to protect your personal information, you must also take steps to protect your information. We urge you to take every precaution to protect your personal information while you are on the Internet. Any transmission of personal information to us is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the websites.

#### **THIRD-PARTY WEBSITES**

This online privacy policy only applies to our websites. Our websites also include links to other websites operated by third parties, which are subject to their own privacy policies. If you visit another website, we recommend that you review the online privacy policy of that website to determine how the operator of that website will handle personal information collected through that website. For your convenience, for example, we may offer links to online tools which allow you to share content from our website with third parties or sites of your choosing. Your use of such tools, sometimes called "widgets", is subject to the privacy policy applicable to the tool or widget that you use. Lorient Homes may also offer links to third-party sites that provide, for

example and without limitation, for the use of debit or credit cards, for payments to Lorient Homes. Your use of such third-party sites is also subject to the privacy and other related policies for those sites, and Lorient Homes is not responsible for and you expressly release Lorient Homes from any and all claims or damages that arise out of or relate to such third-party sites.

#### **UPDATES TO THIS POLICY**

This Policy may be changed by Lorient Homes from time to time. The most recent version of this Policy will be posted here. Your continued use of this site after any change in this Policy will constitute your acceptance of such change. The date the terms of use and privacy policy was last revised is identified at the top of the page. You are responsible for periodically visiting our websites and these terms of use and privacy policy to check for any changes.

#### **CONTACT INFORMATION**

To ask questions or comment about these terms of use privacy policy and our privacy practices, contact us at:

[privacy@lorienthomes.com](mailto:privacy@lorienthomes.com)

Lorient Homes

Attn: Legal Department

1003 Hero Place  
Cary, NC 27519

#### **JURISDICTION AND CROSS BORDER TRANSFER**

The websites and service are controlled and operated by us from the United States and are not intended to subject us to the laws or jurisdiction of any state, country, or territory other than that of the United States. Your personal information may be stored and processed in the United States where our servers are located and our central database is operated. In certain circumstances, courts, law enforcement agencies, regulatory agencies or security authorities may be entitled to access your personal information.