

HMEEx ASSISTANT LLC

PRIVACY POLICY

Last updated: April 18, 2022

This is the Privacy Policy for HMEEx Assistant LLC (referred to hereinafter as, “**HMEEx Assistant**”, “**us**” or “**we**”), governed by and part of our [Terms of Service](#). Any terms we use in this Privacy Policy without defining them have the definitions given to them in the Terms of Service. We may provide additional notices about our privacy practices, each of which will be considered to form part of this Privacy Policy.

This Privacy Policy explains how we collect and use information through our web based software solutions for building and fire officials, building owners, and designers to assist with classifying hazardous materials and comparing hazardous material inventory quantities with quantity limits established by the International Fire Code and International Building Code (the “**Services**”) located at <https://hmexassistant.com> (“**Site**”) or through the application HMEEx Assistant (“**Application**” or “**App**”) located at <https://hmexassistant.powerappsportals.com>. Please read this Privacy Policy carefully to understand our privacy practices.

If applicable to you, please be sure to review the supplemental notices specific to residents of **California**, the **European Union**, and **Canada**.

1. CONSENT

By using or accessing our Services in any manner, you acknowledge and consent to this Privacy Policy, and you consent to HMEEx Assistant’s collection, use, and disclosure of your information as described below. If you do not agree with this Privacy Policy, do not use our Services.

2. PERSONAL INFORMATION

When we say, “**Personal Information**,” we mean information that meets the statutory definition of personal information, personal data, or personally identifiable information under applicable data protection laws, or information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual consumer or device, such as:

- Identifiers (e.g., name, address, telephone number, email address, username);
- Sensitive Personal Information (e.g., birthdate, government ID, health information);
- Protected classification information (e.g., race, citizenship, marital status, medical condition, sex, sexual orientation, veteran or military status);
- Biometric information (e.g., voice, keystrokes, behavioral or biological characteristics);
- Internet or other similar activity (e.g., geolocation, browsing history);
- Employment-related information (e.g., current or past employment);
- Non-public educational information, including information protected under FERPA; or
- Commercial information (e.g., products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies).

Personal Information does not include (i) publicly available information (ii) aggregated information, meaning data about a group or category of services or users from which individual identities and other Personal Information has been removed; or (iii) deidentified information that cannot be easily linked back to the individual.

3. COLLECTION & USE OF PERSONAL INFORMATION

The types of Personal Information we collect and how it is used depends on how you interact with us, such as a Site visitor or a subscribing company's authorized user of the Site or App ("**Authorized User**"). HMEEx Assistant only collects, uses, retains, and shares Personal Information as reasonably necessary and proportionate to provide the Services or for other purposes that we disclose to you and are compatible with the context of how we collected your Personal Information.

a. Categories of Personal Information

During the preceding 12 months, we have collected these categories of Personal Information:

- Identifiers
- Employment-related information
- Commercial information
- Internet activity

We will update this Privacy Policy or otherwise notify you before we collect additional categories of Personal Information from consumers or use such Personal Information for purposes that are incompatible with the purpose stated at the time of collection.

b. Sources of Collection

We collect Personal Information from the following sources and use that information as described below:

- **Directly from you when you create an account or contact us.** When you create an account with HMEEx Assistant, whether on behalf of your company or as an Authorized User, we will collect identifiers like your name, address, email address, phone number, and your employment-related information. You will also choose a login and password. If you subscribe to our Services, we will use a PCI-compliant payment processor to collect and process your subscription payment information. If you contact us via the Site or by email, phone, or other means to request information or support, we will collect your name, company name, contact information, and other information as needed to respond to your inquiry. If you submit a review of the Services, we may post your review (and any Personal Information you choose to include) on our Site or App or on third party channels. We collect this information with your consent, and we use it to provide the Services, identify and administer your account, and communicate with you about the Services.
- **Directly from you as an Authorized User of the Services.** Authorized Users have access to the Site and/or the App according to the terms of their underlying subscription agreement. We collect Authorized Users' identifiers and login credentials to provide secure access to the subscribed-to Services. When using the Services, Authorized Users have the option to submit content or data such as chemical inventory data, location, quantities and information about facility fire and life-safety features, and classifications ("**User Content**"). We will collect and store User Content, along with any additional Personal Information that an Authorized User may choose to include in the User Content. We collect this information with your consent, and we use it to provide the Services, identify and administer your account, and communicate with you about the Services.
- **Automatically from you when you visit the Site.** When you use the Services, we automatically collect data like your IP address, the date and time of the visit and how long you remained on the Site or App, referral URL, the pages visited on the Site or App

and information about the device and browser like device ID and operating system. We may also collect your geolocation when using the App. Like most online services, the Site and App use cookies as described in our [Cookie Notice](#) to better understand user behavior, demographics, page views, time spent on the Site or App, and other metrics and analytics used to provide and improve the Services. We use this information to maintain the security and operation of the Services, and for our internal analytics and reporting purposes.

c. Other Uses

In addition to the uses described above, HMEAssistant might also use your Personal Information to:

- Provide, maintain, and improve our Services.
- Send you support and administrative messages.
- Monitor your compliance with any of your agreements with us.
- Detect, investigate, and prevent fraudulent transactions and other illegal activities and protect the rights and property of Company and others.
- Protect your privacy and enforce this Privacy Policy.
- If we believe it is necessary, to identify, contact, or bring legal action against persons who may be causing injury to you, to us, or to others.
- Comply with a law, regulation, legal process, or court order.
- Fulfill any other purpose to which you consent.

d. Children's Privacy

The Services are designed for visitors and users age 16 and older. HMEAssistant does not knowingly collect Personal Information from children under 16 without verification of parent or guardian consent. If we discover that a child under 16 has provided us with Personal Information without parent or guardian consent, we will delete such information from our systems. If you believe we might have any information collected online from a child under 16, or if you become aware of any unauthorized submission of information to us, please contact us privacy@hmexassistant.com or 1-877-389-3160.

4. RETENTION OF PERSONAL INFORMATION

We retain the Personal Information we collect about you for the period set out in our Data Retention Policy based on the purpose of collection. For example, we retain your account information until your subscription is cancelled or expires. We may retain your Personal Information for longer periods if required or permitted by law (such as tax, accounting, or other legal requirements). We retain information derived from cookies and other tracking technologies for up to two years. When we no longer have a business need for your Personal Information, we will either delete, de-identify or anonymize it whenever feasible. Where not feasible (such as data in our backup archives) we will securely store it and keep it isolated from further processing until it can be permanently deleted.

5. DISCLOSING PERSONAL INFORMATION

a. Categories

In the preceding 12 months, HMEAssistant has disclosed all categories of Personal Information that we collected for a business purpose.

b. Recipients

HMEAssistant may disclose Personal Information to the recipients described below, or to other recipients with your permission or as required by law.

- **Service Providers:** HMEAssistant uses a variety of service providers such as data hosting companies, webhosting services, analytics services, online chat services, and payment processors. The type of information that we share with a service provider will depend on the service that they provide to us. Our service providers are subject to contractual agreements that protect your Personal Information, and we require all service providers to maintain confidentiality standards that are commercially reasonable to ensure the security of your Personal Information.
- **Government Agencies:** Occasionally HMEAssistant may be required by law enforcement or judicial authorities to provide Personal Information to governmental authorities. We fully cooperate with law enforcement agencies in identifying those who use our Services for illegal activities. HMEAssistant reserves the right to disclose Personal Information to law enforcement and other governmental agencies, at our sole discretion in connection with an investigation of any matter that is illegal or that could expose HMEAssistant or our affiliates to liability.
- **Cookie Information Recipients:** In some cases, we may allow specific cooperating entities to use [cookies](#) or similar technologies to collect non-personal data from your browser or device for measurement purposes. Receipt and use of such information are subject to each cookie information recipient's privacy policy.
- **Affiliates and Third Parties:** We may disclose the Personal Information we collect about you to our affiliates like a parent company or subsidiaries. For example, we share Personal Information for customer support purposes, marketing, or technical operations. Under specific circumstances, we may disclose Personal Information to certain third parties as permitted by applicable law, for example: if we go through a business transition (e.g., merger, acquisition, or asset sale); to comply with a legal requirement or a court order; when we believe it is appropriate to take action regarding illegal activities or prevent fraud or harm to any person; to exercise or defend our legal claims; or for any other reason with your consent.

c. Aggregated and Deidentified Information

We reserve the right to disclose aggregated, anonymized, or deidentified information about any individuals with affiliated or nonaffiliated entities for marketing, advertising, research, or other purposes, without restriction. For example, we may share reports showing trends about the general use of our Services without identifying an individual.

6. YOUR PRIVACY RIGHTS

HMEAssistant believes you should have the ability to control the Personal Information we collect and hold about you on your own. You can use the methods described below to control how we collect and use your Personal Information.

- a. **Authorized User Accounts.** Authorized Users can access, change or delete Personal Information in their accounts at any time by signing into the App and editing information or changing settings. HMEAssistant may offer instructions to guide Authorized Users in making additional changes.

- b. Email Communications.** Authorized Users may receive informational and support emails from us. If you use or have inquired about our Services, we may send you marketing emails about the Services. If you do not wish to receive these emails, you may change your preferences via the links provided in the emails or by sending a request to support@hmexassistant.com to be removed from our email list. Note that if you opt-out of marketing communications, we may still send you non-promotional communications, such as those about your account or our ongoing business relations.
- c. Texting Consent.** If you provide us with your wireless phone number, you consent to HMEEx Assistant sending you informational or service text messages. However, we will only send you marketing text messages if you opt-in to receive these notifications from us. For all HMEEx Assistant text messages, the number of texts you receive will depend on the Services you use and the information you request from us. You can unsubscribe from our text messages by replying STOP or UNSUBSCRIBE to any of these text messages. Messaging and data charges may apply to any text message you receive or send. Please contact your wireless carrier if you have questions about messaging or data charges.
- d. Do Not Track.** Do Not Track signals are signals sent through a browser informing us that you do not want to be tracked. Currently, our systems do not recognize browser “do-not-track” requests. If this changes in the future, we will update this Privacy Policy.

Depending on where you reside, you may have additional privacy rights or be entitled to additional controls over your Personal Information. Please see our supplemental notices specific to residents of **California**, the **European Union**, and **Canada**.

e. Consumer Privacy Requests

If you wish to exercise your privacy rights beyond the methods available through the App, or if you want to express concerns, lodge a complaint, or request information, please submit a verifiable Consumer Privacy Request by email at privacy@hmexassistant.com or by phone at 1-877-389-3160.

HMEEx Assistant can only fulfill a Consumer Privacy Request when we have sufficient information to verify that the requester is the person or an authorized representative of the person about whom we have collected Personal Information, and to properly understand, evaluate, and respond to the request. We do not charge a fee to process or respond to a verifiable request unless we have legal grounds to do so. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

We endeavor to respond to Consumer Privacy Requests in accordance with the requirements of the law applicable to your jurisdiction. Depending on the circumstances and the nature of your request, we may be unable to fulfill your request in part or in whole, for example, if your request falls within a statutory exception or if fulfilling your request would prevent us from complying with a statutory or contractual obligation.

7. CALIFORNIA PRIVACY RIGHTS

This section provides residents of the State of California (“**California Consumers**”) with the disclosures and notices required under the California Consumer Privacy Act of 2018 (“**CCPA**”). While HMEAssistant is not currently governed by the CCPA, the following paragraphs describe the rights afforded to California Consumers under the CCPA:

a. Right to Know. You have the right to request that we disclose information to you about our collection and use of your Personal Information, such as: (i) the categories of Personal Information we have collected about you; (ii) the categories of sources for the Personal Information we have collected about you; (iii) our business or commercial purpose for collecting, selling or sharing your Personal Information; (iv) the categories of third parties with whom we disclose your Personal Information; and (v) a list of specific pieces of Personal Information we have collected about you. If a business sells or shares your Personal Information, you also have the right to ask the company to disclose the categories of your Personal Information sold or shared and the categories of third parties to whom that Personal information was sold or shared, as well as the categories of Personal information disclosed for a business purpose and the categories of recipients of that information. HMEAssistant is only required to respond to two disclosure requests from you within a 12-month period.

b. Right to Access. You have the right to request that we provide you with access to specific pieces of Personal Information we have collected about you over the past 12 months (also called a data portability request). If you submit a right to access request, we will provide you with copies of the requested Personal Information in a portable and readily usable format. Please note that HMEAssistant may be prohibited by law from disclosing copies of certain Personal Information when the disclosure would create a substantial, articulable, and unreasonable risk to the security of the information, our systems, or your account. We are only required by law to respond to two access requests from you within a 12-month period.

c. Right to Correct. If you discover that we maintain inaccurate Personal Information about you, or if your Personal Information changes, please inform us and we will update our records to reflect the correct information.

d. Right to Deletion. You have the right to request that we delete Personal Information that we collected from you and retained, with certain exceptions. We may permanently delete, deidentify, or aggregate the Personal Information in response to a request for deletion. If you submit a right to deletion request, we will confirm the Personal Information to be deleted prior to its deletion, and we will notify you when your request is complete.

e. No Selling or Sharing Personal Information. HMEAssistant does not sell your Personal Information to third parties or share your Personal Information with third parties for cross-contextual behavioral advertising purposes. If this changes in the future, we will update this Privacy Policy and provide you with a method to opt-out of such sale and sharing.

f. Limited Use and Disclosure of Sensitive Personal Information. HMEAssistant does not seek to collect sensitive Personal Information from any consumer. If a consumer submits sensitive Personal Information to us, we will not use or disclose it for the purpose of inferring characteristics about any consumer. If this ever changes in

the future, we will update this Privacy Policy and provide you with methods to limit use and disclosure of Sensitive Personal Information.

g. Right to Nondiscrimination. We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by law, we will not: (i) deny you goods or services; (ii) charge you different prices or rates for goods or services; (iii) provide you a different level or quality of goods or services; or (iv) suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services, because you exercised a right under the CCPA.

h. Right to Disclosure of Marketing Information. Under California's Shine the Light Act (Ca. Civ. Code § 1798.83-1798.84), California Consumers are entitled to request certain disclosures about Personal Information sharing with affiliates and/or third parties for marketing purposes. Please contact us if you wish to obtain these disclosures.

Again, the CCPA does not currently apply to HMEAssistant privacy practices. If this changes in the future, we will update this Privacy Policy and California Consumers will have the right to exercise these rights over their Personal Information. At this time, California Consumers may take many of the actions described above by logging into their App account and changing profile information or settings. For additional support, please follow the instructions in Section 6 to submit a Consumer Privacy Request.

8. EUROPEAN UNION PRIVACY RIGHTS

This section provides residents of the European Union ("**EU Residents**") with the disclosures and notices required under the European Union's General Data Protection Regulations ("**GDPR**"). HMEAssistant serves as a data processor to select subscribing companies located in the European Union. In some circumstances, if an EU Resident interacts with HMEAssistant as a customer or potential customer, HMEAssistant may collect and process that EU Resident's Personal Information as a data controller. If you are an EU Resident, you have the following rights in relation to the Personal Information we hold about you:

a. Right to know how we process your Personal Information. We have set the required notices in this Privacy Policy. We may provide you with additional notices about other ways we process your Personal Information, such as by sending you a notice via email or by other means of communication.

b. Right to access your Personal Information. You can request to access your Personal Information. Upon request, we will provide you with a copy of your Personal Information, along with details about the types of Personal Information we process, why we process it, and any third parties we work with to collect Personal Information on our behalf. We may have one or more legally valid reasons to refuse your request in whole or in part, for example to protect the rights of other individuals.

c. Right to restrict processing of your Personal Information. You can request that we restrict the processing of your Personal Information if (i) the data is inaccurate, (ii) the processing is unlawful, (iii) we no longer need the Personal Information, or (iv) you exercise your right to object.

d. Right to rectify your Personal Information. If you become aware that the Personal Information that we hold about you is incorrect, or if your situation changes (e.g., you change address), please inform us and we will update our records.

e. Right to data portability. In some circumstances, we are required to provide your Personal Information to another organization at your request and in a structured, commonly used machine-readable format, so that the other organization can read and use it.

f. Right to erasure (a.k.a. the “right to be forgotten”). Upon your request, and in certain circumstances and where we are required to do so by law, we are required to delete your Personal Information. This right is not absolute, and we may be entitled to retain and process your Personal Information despite your request. If you make this request, we balance certain legal, contractual, and business interests against your right to request the deletion of your Personal Information.

g. Right to object to certain processing of your Personal Information. Upon your request, and in certain circumstances and where we are required to do so by law, we will limit our processing of your Personal Information as you request.

h. Right to not be subject to Automated Decision-Making (“ADM”). HMEAssistant does not use automated decision-making or profiling as part of the Services. If this changes in the future, we will update this Privacy Policy and provide you with an option to exercise your privacy rights related to Personal Information processed using ADM.

EU Residents can take many of the actions described above by logging into their App account and changing profile information or settings. To exercise your rights beyond what is available via the App, or if you require assistance, have questions, or wish to submit a complaint, please follow the instructions in Section 6 to submit a Consumer Privacy Request.

9. CANADIAN PRIVACY RIGHTS

This section provides supplemental information in compliance with Canada’s Personal Information Protection and Electronic Documents Act (“**PIPEDA**”) and applies solely to residents of Canada where PIPEDA applies (“**Canadian Consumers**”). PIPEDA gives Canadian Consumers specific rights regarding Personal Information offering details on an identifiable person without the inclusion of name, title, telephone number and business address of an employee of a business or organization. The following paragraphs describe PIPEDA rights and explain how to exercise those rights.

a. Right to know why we collect, use, and distribute the Personal Information we process. We have set the required notices in this Privacy Policy. We may provide you with additional notices about other ways we process your Personal Information, such as by sending you a notice via email or by other means of communication.

b. Right to expect us to collect, use or disclose Personal Information responsibly and not for any other purpose other than which you consented. We set your expectations in this Privacy Policy, and we collect express or implied consent at various stages of collection or processing. If we collect or use your Personal Information based on your consent, we will also notify you of any changes and will request your further consent as needed. You may withdraw your consent at any time with reasonable notice by contacting us at privacy@hmexassistant.com.

c. Right to accuracy of your Personal Information. We take steps to reasonably ensure that your Personal Information we are using is accurate. In most cases, we rely

on you to ensure that your information is current, complete, and accurate. We provide methods for you to correct, update, and delete inaccurate Personal Information in your account, and we will provide you with reasonable assistance to ensure that your Personal Information is accurate in our systems and with our service providers.

d. Right to access your Personal Information. Upon written request and identity authentication, we will provide you with your Personal Information under our control, information about the ways in which that information is being used and a description of the individuals and organizations to whom that information has been disclosed. We will make the information available within 30 days or provide written notice where additional time is required to fulfil the request. If limited by law or potential infringement on another's privacy rights, we may not be able to provide access to some or all of the Personal Information you request. If we must refuse an access request, we will notify you in writing, document the reasons for refusal and outline further steps that are available to you.

Canadian Consumers can take many of the actions described above by logging into their App account and changing profile information or settings. To exercise your rights beyond what is available via the App, or if you require assistance, have questions, or wish to submit a complaint, please follow the instructions in Section 6 to submit a Consumer Privacy Request.

10. DATA SECURITY

HMEEx Assistant implements reasonable and appropriate security procedures and practices to help protect your Personal Information from unauthorized or illegal access, destruction, use, modification, or disclosure. We employ a series of security measures, including unique password and two-factor authentication requirements, SSL technology, encryption at rest, backup protocols, and periodic system audits. We ensure that HMEEx Assistant employees, contractors, and agents responsible for handling your inquiries are informed of applicable privacy law requirements and we restrict access to those who need that information in order to process it.

Please note, however, that no transmission of data over the internet is 100% secure. We cannot guarantee that unauthorized third parties will not defeat our security measures or use your Personal Information for improper purposes. It is your responsibility to keep your account secure from unauthorized access. We encourage Authorized Users to take steps to protect against unauthorized access to their accounts, such as choosing a robust password, keeping the password private, and signing off after using a shared computer or other device. HMEEx Assistant is not responsible for any lost, stolen, or compromised passwords, or any unauthorized activity on your account.

11. CONSENT TO DATA TRANSFERS

HMEEx Assistant is owned and operated in the United States and offers the Services to subscribing companies around the world. If you reside in the European Union, your Personal Information will be stored on servers located in the European Union. If you reside outside of the European Union, your Personal Information will be stored on servers located in the United States. The United States, European Economic Area (“**EEA**”) Member States, and other countries all have different laws. When your information is moved from your home country to another country, the laws and rules that protect your Personal Information in the country to which your information is transferred may be different from those in the country in which you live. For example, the circumstances in which law enforcement can access personal information may vary from country

to country. In particular, if your information is in the US, it may be accessed by government authorities in accordance with US law.

To the extent that HMEEx Assistant is deemed to transfer personal information outside of the EU, we rely separately, alternatively, and independently on the legal basis that such transfer is necessary to provide you with the Services you have chosen to use. HMEEx Assistant uses technical infrastructure in the United States to provide the Services to subscribing companies wherever they are located as agreed to under our Terms of Service and, as such, we must sometimes transfer data across jurisdictional boundaries to provide our Services to subscribing companies and their Authorized Users.

By allowing us to collect Personal Information about you, you consent to the transfer and processing of your Personal Information as described in this paragraph. We do not warrant that HMEEx Assistant is appropriate or authorized for use in any other jurisdictions. Subscribing companies and their Authorized Users are solely responsible for determining whether their use of the Services complies with applicable laws.

12. THIRD PARTY WEBSITES

The Services may contain links to websites owned or operated by third parties. We have no ability to control, and we are not responsible for, the privacy and data collection, use, and disclosure practices of third-party websites. We encourage you to read the privacy statements of each website that collects your Personal Information.

13. CHANGES TO THIS PRIVACY POLICY

We may periodically update this Privacy Policy. If we make any material changes, we will notify you by updating this posting or by posting notice in the Services. The date that this Privacy Policy was last revised is identified at the top of the page. Your continued use of the Services after the effective date will be subject to the new Privacy Policy. You are responsible for periodically checking this Privacy Policy for changes.

14. CONTACT HMEEX ASSISTANT

If you have questions about our privacy practices or would like to make a complaint, please contact us at privacy@hmexassistant.com or by phone at 1-877-389-3160.