



**1031 Exchange Advantage®**

*a tradename of 1031 EA, LLC*

**Privacy Policy of 1031 Exchange Advantage**

## **Privacy Policy of 1031 Exchange Advantage**

**Last Revised June 2015**

In this Agreement, "we", "our" and "us" means 1031 Exchange Advantage™ and/or any of its agents, employees or principals; "you" and "your" mean an individual who has made application to us for any product or service offered by us, including any co-applicants, spouses, partners or personal representatives.

Collecting, Using and Disclosing Your Information

1. When you apply for or use any service and while you are our customer, you agree that:

We may collect personal information from you and about you such as:

Your name, address and date of birth, which may be required by law;

Identification, such as a valid driver's license, passport or birth certificate.

Detailed information about the real estate or other property you plan to use to complete a 1031 exchange, including proof of your legal title or ownership of the subject real estate or other property, or if the real estate or other property is held in trust or within a business entity, your legal rights in that entity that allow you to sell, convey or otherwise dispose of the subject real estate or other property;

Other information we may need in order to provide you with a service.

We may collect from, and use and disclose this personal information to, any person or organization for the following purposes:

To confirm your identity;

To confirm your title in real estate or other property;

To determine the suitability of our services for you;

To determine your eligibility for our services;

To set up, manage and offer services that meet your needs;

To provide you with ongoing service;

To meet our legal and regulatory requirements;

To investigate and adjudicate any legal claims; and

To detect and prevent fraud or other criminal activity.

**5355 Avenida Encinas, Suite 203 Carlsbad, Ca 92008**

**T 866-944-1031 [www.my1031place.com](http://www.my1031place.com)**

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We do not provide directly all the services related to your relationship with us. We may use third party service providers to assist us with various services such as banking, legal services, title, escrow, mortgage, printing, mail distribution and marketing and you acknowledge that we may release information about you to any of these, or other related entities. When personal information is provided to our service providers, we will require them to protect the information in a manner that is consistent with our own privacy policies and practices.

2. We may collect, use and disclose your Social Security Number (Social Insurance Number if you are a Canadian national) or the Tax Identification Number of any business entity with which you are engaged (if that business entity is owner in whole or in part of any property which is the subject of a proposed 1031 exchange) for income tax reporting purposes, as required by law. In addition, we may ask you for your SSN to verify and confirm your identity. This allows us to keep your personal information separate from that of other customers, particularly those with similar names, and helps maintain the integrity and accuracy of your personal information. You may refuse to consent to its use or disclosure for purposes other than as required by law.

3. We may verify relevant information you give us with persons or entities, including investigative entities and you authorize any person whom we contact in this regard to provide such information to us. You also authorize us to release information about you to any state or federal regulatory authorities as required by law. You further acknowledge that such regulations may change over time and these changes may impact our duty to provide information about you to such regulatory entities.

4. We may monitor or record any telephone call we have with you. The content of the call may also be retained. We may inform you prior to proceeding with the call of this possibility. This is to establish a record of the information you provide, to ensure that your instructions are followed properly and to ensure customer service levels are maintained.

5. We may give information (except health information) about you to other companies with which we have business relationships (where the law allows this) so that these companies may tell you directly about their products and services. 1031 Exchange Advantage™ has or may develop relationships with a wide range of products and services that may be of interest to you or your business. You also agree that we may provide you with information from third parties we select. Your consent to this is not a condition of doing business with us and you may withdraw it at any time (see below).

6. If we sell the company or a portion of the company, we may release the information we hold about you to the purchaser.

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7. We may keep and use information about you in our records for as long as it is needed for the purposes described in this Agreement, or required by law, even if you cease to be a customer.

8. All information that you give us will, at any time, be true and complete. If any personal information changes or becomes inaccurate or out of date, you are required to advise us so we can update our records. It is your responsibility to provide accurate personal information and to update that information with us when it changes.

#### **Refusing or Withdrawing Consent**

Subject to legal, regulatory and contractual requirements, you can refuse to consent to our collection, use or disclosure of information about you, or you may withdraw your consent to our further collection, use or disclosure of information at any time in the future by giving us reasonable notice. Depending on the circumstances, however, withdrawal of your consent may impact on our ability to provide you or continue to provide you with some services or information that may be of value to you. We will act on your instructions as quickly as possible but there may be certain uses of your information that we may not be able to stop immediately.

You cannot refuse our collection, use and disclosure of information required by third party service providers essential for the provision of the services or required by law.

You can tell us at any time to stop using information about you to promote our services or the products and services of third parties we select.

If you wish to refuse consent or to withdraw consent as outlined in this Agreement, you may do so at any time in writing or by calling us toll-free.

1031 Exchange Advantage R  
5355 Avenida Encinas, Suite 203  
Carlsbad, CA 92008  
1-866-944-1031

#### **Further Information**

You acknowledge that we may amend this agreement from time to time to take into consideration changes in legislation or other issues that may arise. We will post the revised agreement on this website and make it available at our offices. We may also send it to you by mail.

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#### **TaxSaver Network and Fortune Cookie Consulting Ltd.**

1031 Exchange Advantage R does offer on its website under a license from Fortune Cookie Consulting, Ltd. access to its TaxSaver Network, an e commerce platform comprised of software based information tools and services which allows users to transact business more efficiently on the 1031 Exchange Advantage R website. The following paragraphs cover the privacy policy that is endorsed by Fortune Cookie Consulting, Ltd. (Fortune Cookie) For its TaxSaver network product it licenses to **1031 Exchange Advantage R:**

#### **Information Collected by Fortune Cookie**

Fortune Cookie collects user information from several areas of the Fortune Cookie site including the 'New Member Registration' area business services; the adding and editing of listings; the adding and editing of Professional Profiles; email forms;. Fortune Cookie collects individual user search activity for statistical, archival, and business purposes. Fortune Cookie collects financial information (such as billing address, credit card number, expiration date) for billing payment and credit card authorization purposes. Fortune Cookie may track the IP address of a user's computer or place a "cookie" in the browser files of a user's computer. This is required by Fortune Cookie services to provide automated features.

#### **Use of Information Collected**

Email addresses are used to communicate with members through promotional emails, partner emails and for site administration purposes. Users may be deleted from any such email lists at their request. Personal information may be used to contact users for the purpose of research, product development, marketing, or customer service, if the user has opted to receive such communication. User search activity is collected and analyzed and may be utilized by Fortune Cookie in the aggregate or in the abstract for a variety of business purposes. Financial information is used to bill users for products and services purchased. Within Fortune Cookie , only accounting managers have access to the credit card account information. This information is not shared with anyone outside of Fortune Cookie . IP address and cookie log data is analyzed to better understand traffic flows and user preferences. Fortune Cookie may retain the data it collects indefinitely. You may have your personal information deleted or deactivated by sending an email to [privacy@taxsavernetwork.com](mailto:privacy@taxsavernetwork.com) . You may be asked to confirm your identity. You will receive a response within 10 business days.

#### **Use of Email Tools**

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You may NOT use the website's email listing service or other email services that we offer to send spam (i.e. unsolicited commercial email) or otherwise send content that would violate Fortune Cookie 's Terms and Conditions. We may monitor, track or save the use of this feature, but will be under no obligation to monitor, track or save these email messages sent from these tools. If you send an email using the Email This Item to a Friend service to an email address that is not registered in our system, we do not use that email address for any purpose other than to send your email, and for us to automatically send your friend a one-time email inviting him or her to visit the site. Fortune Cookie stores this information for the sole purpose of sending this one-time email and for tracking the success of our referral program. We also do not rent or sell these email addresses of un-registered users.

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