

# Privacy Statement

This Privacy Statement explains how NCD Financial, LLC ("NCD Financial" or "we") collects, uses, and shares information about individuals who do business with NCD Financial. For individuals who hold a layaway account ("Account") with us, we will use and share any information that we collect from or about you in accordance with this Privacy Statement.

**What personal information do we collect?** We obtain information about you ("personal information") when you provide it to us, such as by completing fields or submitting Account application information and/or submitting your request to activate your Account. The types of information we collect may include, without limitation, your name, address, social security number, date of birth, income information, and financial bank account information. We may supplement the information you provide to us with information about you that we collect from other sources, such as credit reporting agencies and providers of marketing information, which may furnish us with additional information about your identity, credit or payment history, purchasing preferences, and other matters.

**How do we use personal information?** We may use personal information for the following purposes:

- To deliver products and services to you.
- To respond to your inquiries and fulfill your requests;
- To send you important information, changes to our terms, conditions and policies and/or other such information;
- To send you marketing communications that we believe may be of interest to you from us or third parties (See How We Use Data for Marketing Purposes and Third Parties)
- To allow you to apply for one of our products, services, or programs;
- To verify your identity and/or location in order to access, service, and maintain your Account;
- To protect our business against risk of loss and fraud;
- To report to a credit bureau;
- For our other business purposes, such as product development, service improvements, data analysis, identification of usage trends, and determining the effectiveness of our promotional campaign; and
- To comply with laws and regulations and other legal process and law enforcement requirements.

**With whom do we share personal information?** We do not share your personal information with third parties except as indicated below:

- **Authorized Service Providers.** NCD Financial may share your personal information with our authorized service providers that perform certain services on our behalf in connection with your Account. These service providers may include, without limitation, financial service providers and fulfillment agencies. These service providers may have access to personal information needed to perform their functions but are not permitted to share or use such information for any other purpose.
- **Trusted Third Parties.** We may also share Account information with other financial companies with whom we jointly offer products and services. Any such company with whom we share your information is required to adhere to similar privacy laws as us.
- **Other Situations.** We also may disclose your information: (i) in response to a subpoena or similar investigative demand, a court order or a request for cooperation from a law enforcement or other government agency; to establish or exercise our legal rights; to defend our legal rights; to defend against legal claims; or as otherwise required by law; (ii) when we believe disclosure is appropriate in connection with efforts to investigate, prevent, or take other action regarding illegal activity, suspected fraud or other wrongdoing; to protect and defend the rights, property or safety of our company, our users, our employees or others; to comply with applicable law or cooperate with law enforcement; or to enforce our agreements or policies; and (iii) in connection with a substantial corporate transaction, such as the sale of our business, a divestiture, merger, consolidation, asset sale or in the unlikely event of a bankruptcy.
- **Aggregated Information.** NCD Financial does share, rent or license aggregated information about you and other customers collectively and other non-personal information NCD Financial collects, at our own discretion.

**How do we safeguard your personal information?** We have implemented reasonable physical, electronic, and procedural safeguards to protect the personal information we have collected about you from unauthorized use,

misuse, disclosure, loss and alteration. You must understand, however, that we cannot guarantee the absolute security of your information, as no networked system or Internet transmission is totally secure. We assume no responsibility or liability if any information relating to you is intercepted and/or used by an unintended recipient.

**How We Use Data for Marketing and with Third Parties?** In accordance with state and Federal law, and subject to its allowable use, we collect your personally identifiable information when you register or sign up to receive products and/or services from us, even if you do not complete your registration, which at our website may include not clicking next/submit or your activation link. The types of personally identifiable information that we collect, during registration or application and when you make a purchase include, without limitation, your name, street address, e-mail address, telephone number(s) and billing account and shipping information. In addition, we may also request information about your use of, or interest in, the types of products and services offered by third-party advertisers with whom we have partnered. Any personal information that you submit to us remains your property. However, by submitting that information to us, you grant us the right to use your personal information for any legal purpose including, but not limited to: a) effectuating a purchase from NCD Financial, LLC that you make at our Website(s); b) transferring your personal information to a third party to effectuate a purchase from a third party advertiser at their Website(s); c) marketing purposes such as sharing your information with third party advertisers, partners, and associates; d) providing promotional offers to you by means of e-mail advertising, telemarketing, text messaging, direct mail marketing, pop-ups, pop-unders and/or online banner advertising. If you would like to be removed from these programs, please follow the opt-out instructions in these programs. Your email address will only be shared with our mailing partner. By filling out or submitting a registration form or partial registration form you are consenting to receive offers from us and third marketers via email, telemarketing postal mail and or SMS text message wireless or other mobile offering to your cell phone. You understand that your wireless carrier's standard charges and rates apply to these messages. For SMS text messages, you may remove our information by replying 'stop', 'end', or 'quit' to the SMS text message you have received and we will remove your personal information within 10 days of receiving such request; e) tracking compliance with our Terms and Conditions; and f) for validation, suppression, content improvement and feedback purposes. You specifically authorize, and provide your express consent to receive, telemarketing calls from us and our third-party marketing partners, including auto-dialed calls, on your landline telephone and/or your cell phone (if such number was provided). You understand that wireless carrier standard rates may apply to any calls to your cell phone. You agree that NCD Financial, LLC may contact you at any time with updates and/or any other information that we may deem appropriate for you to receive in connection with your continued use of your Account with us or our Website (s). By agreeing to this Privacy Policy, you hereby consent to disclosure of any record or communication to any third party when we, in our sole discretion, determine the disclosure to be appropriate, including, without limitation, sharing your e-mail address with other third parties for suppression purposes in compliance with the requirements of the CAN-SPAM Act of 2003, as amended from time to time. In addition, you agree that by submitting your personal information to us, such act constitutes a purchase, an inquiry and/or an application for purposes of the Amended Telemarketing Sales Rule, 16 CFR §310 et seq. (the "ATSR"). Notwithstanding that your telephone number may be listed on the Federal Trade Commission's Do-Not-Call List, we retain the right to contact you via telemarketing in accordance with the ATSR. Moreover, by registering with, making a purchase from, or requesting information from, a third party advertiser at or through our Website(s), such action shall constitute a purchase, an inquiry and/or an application with the respective third party advertiser for purposes of the ATSR and you may be contacted via e-mail direct mail and/or telemarketing by such third party advertiser in accordance with the ATSR. We may share with third party advertisers certain Website usage information of individuals that have received targeted promotional campaigns for the purpose of formatting future campaigns and upgrading visitor information used in reporting statistics. For this purpose, we may track some of the pages that you visit on our Website through the use of pixel tags (also called clear gifs). By submitting information at and/or registering at this Website, you agree to allow us to share such Website usage information with third parties. You may request that we not share your information with third parties by either logging into your online Portal account or visiting: <https://www.ncdfinancial.com/unsubscribe> and completing the unsubscribe form. It is important you understand that changing your preferences

regarding your receipt of marketing communications from us will not prevent other companies with which we already have shared your information, including third party advertisers, from continuing to provide you with offers. Notify these companies directly when contacted by them of your choices regarding their use and sharing of your information. In addition, please note that if you subsequently sign up for another one of our product or service offerings, you will need to reconfirm any information sharing preferences that you have previously changed. We may collect certain non-personally identifiable information about you when you visit many of the pages of this Website. This non-personally identifiable information includes, without limitation, the type of browser that you use (e.g., Safari, Firefox, Chrome, Internet Explorer, etc.), your IP address, the type of operating system that you use (e.g., Mac OS, Windows, Linux, etc.) and the domain name of your Internet service provider (e.g., Comcast, Time Warner, Verizon, etc.). We use the non-personally identifiable information that we collect to improve the design and content of our Website and to enable us to personalize your Internet experience. We also may use this information in the aggregate to analyze Website usage, as well as to offer you products and services. We also reserve the right to use aggregate or group data about our visitors for lawful purposes. Aggregate or group data is data that describes the demographics, usage and/or characteristics of our visitors as a group. By visiting and/or supplying your personal information at this Website, you agree to allow us to provide such aggregate data to third parties. We also may use "cookies" to enhance your experience in using our Website. Cookies are text files that we place in your computer's browser to store your preferences. We use cookies to understand Website usage, to personalize your experience, and to improve the content and offerings on our Website. We do not knowingly collect information from minors under the age of 18. No information should be submitted to, or posted at, this Website by individuals under 18 years of age. We encourage parents and guardians to spend time online with their children and to participate and monitor the interactive activities of their children.

**How can you correct or update personal information we have collected about you?**

To access the personal information collected about you, to correct factual errors in such information, or to update our records with respect to your personal information, please contact us by the contact information provided below

**How do I tell you about my privacy choices?** You may contact us by the contact information provided below

**What about joint accounts?** Each person may separately make privacy choices, and joint account holders may make privacy choices for each other. If only one joint account holder makes a privacy choice, information about the other joint account holder may be shared.

**Special Notice for Vermont Residents.** In order to comply with Vermont law, we will not share information we collect about Vermont residents with companies outside our corporate family unless the law allows. For example, if we disclose information about you to other financial institutions with which we have joint marketing agreements, we will only disclose your name, contact information and information about your transactions.

**What choices do you have about information sharing?** You may tell us not to share information about you with other companies outside of those companies involved with servicing your Account. Even if you do tell us not to share, we may do so as required or permitted by law, and if you have authorized us to share information in connection with that product or service.

## YOUR CHOICES

### **Restrict Information Sharing With Companies We Own or Control**

**(Affiliates):** Unless you say "No," we may share personal and financial information about you with our affiliated companies.

NO, please do not share personal and financial information with your affiliated companies.

### **Restrict Information Sharing With Other Companies We Do Business With To Provide Financial Products And Services:**

Unless you say "No," we may share personal and financial information about you with outside companies we contract with to provide financial products and services.

NO, please do not share personal and financial information with outside companies you contract with to provide financial products and services.

## TIME SENSITIVE REPLY

You may make your privacy choice(s) at any time. Your choice(s) will remain unless you state otherwise. However, if we do not hear from you we may share some of your information with affiliated companies and other companies with whom we have contracts to provide products and services.

To exercise your choices please contact us using any one of the options listed below.

### **Contact Information:**

**Mail:** NCD Financial, LLC, 3911 N. Schreiber Way, Coeur d' Alene, ID 83815

**Email:** info@ncdfinancial.com

**Phone:** 800-654-6310

# Privacy Notice for California Residents

Effective Date: [1/1/2022]

Last Reviewed on: [12/1/2021]

This **Privacy Notice for California Residents** supplements the information contained in NCD Financial's Disclaimer and Privacy Policy and applies solely to all visitors, users, and others who reside in the State of California ("consumers" or "you"). We adopt this notice to comply with the California Consumer Privacy Act of 2018 (CCPA) and any terms defined in the CCPA have the same meaning when used in this notice.

## Information We Collect

Our Website collects information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device ("**personal information**"). In particular NCD Financial's ("**Website**"), has collected the following categories of personal information from its consumers within the last twelve (12) months:

Category	Examples	Collected
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	[YES]
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	[YES]
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	[NO]
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	[YES]
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	[NO]
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	[YES]
G. Geolocation data.	Physical location or movements.	[YES]
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	[NO]
I. Professional or employment-related information.	Current or past job history or performance evaluations.	[YES]
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	[NO]
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	[NO]

Personal information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:
  - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
  - personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

NCD Financial obtains the categories of personal information listed above from the following categories of sources:

- Directly from you. For example, from forms you complete or products and services you purchase.
- Indirectly from you. For example, from observing your actions on our Website.

## Use of Personal Information

We may use, or disclose the personal information we collect for one or more of the following business purposes:

- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to request a price quote or ask a question about our products or services, we will use that personal information to respond to your inquiry. If you provide your personal information to purchase a product or service, we will use that information to process your payment and facilitate delivery. We may also save your information to facilitate new product orders or process returns.
- To provide, support, personalize, and develop our Website, products, and services.
- To create, maintain, customize, and secure your account with us.

- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your Website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our Website, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our Website, products and services, databases and other technology assets, and business.
- For testing, research, analysis, and product development, including to develop and improve our Website, products, and services.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of NCD Financial's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by NCD Financial about our Website users is among the assets transferred.

NCD Financial *will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.*

### Sharing Personal Information

NCD Financial may disclose your personal information to a third party for a business purpose. When we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share your personal information with the following categories of third parties:

- Service providers.
- Data aggregators.

### *Disclosures of Personal Information for a Business Purpose*

In the preceding twelve (12) months, Company has disclosed the following categories of personal information for a business purpose:

[Category A: Identifiers.]

[Category B: California Customer Records personal information categories.]

[Category D: Commercial information.]

[Category F: Internet or other similar network activity.]

[Category G: Geolocation data.]

We disclose your personal information for a business purpose to the following categories of third parties:

- Service providers.
- Data aggregators

### *Sales of Personal Information*

In the preceding twelve (12) months, Company has not sold personal information

### Your Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

### *Access to Specific Information and Data Portability Rights*

You have the right to request that NCD Financial disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights), we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
  - sales, identifying the personal information categories that each category of recipient purchased; and
  - disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

### *Deletion Request Rights*

You have the right to request that NCD Financial delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights), we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

#### *Exercising Access, Data Portability, and Deletion Rights*

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- Calling us at 1-866-774-7254
- Emailing us at [privacyofficer@ncdfinancial.com](mailto:privacyofficer@ncdfinancial.com)

Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account with us. However, we do consider requests made through your password protected account sufficiently verified when the request relates to personal information associated with that specific account.

We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

For instructions on exercising sale opt-out rights, see *Personal Information Sales Opt-Out and Opt-In Rights*.

#### *Response Timing and Format*

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. 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.

#### Other California Privacy Rights

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to [privacyofficer@ncdfinancial.com](mailto:privacyofficer@ncdfinancial.com) or write us at:

Privacy Officer, NCD Financial, LLC, 3911 N. Schreiber Way, Couer d'Alene, ID 83815

#### Changes to Our Privacy Notice

NCD Financial reserves the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on the Website and update the notice's effective date. **Your continued use of our Website following the posting of changes constitutes your acceptance of such changes.**

#### Contact Information

If you have any questions or comments about this notice, the ways in which NCD Financial collects and uses your information described below and in the Disclaimer and Privacy Policy, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

**Phone:** 1-866-774-7254

**Website:** [www.ncdfinancial.com](http://www.ncdfinancial.com)