

# California Privacy Notice and Notice At Collection

Last updated: March 27, 2024

This California Privacy Notice (California Notice) is for California residents only, pursuant to the California Consumer Privacy Act, as amended by the California Privacy Rights Act (CCPA), and supplements information contained in the (i) EverBank Notice of Online Privacy Practices provided by EverBank and its affiliated “EverBank Companies” using the EverBank brand or sharing a common corporate identity and the (ii) EverBank, N.A., Consumer Privacy Notice provided by EverBank, N.A., to the extent you have a relationship with any of these entities.

Please review this California Notice carefully, as it applies to the collection, use and sharing of the personal information (as defined by the CCPA) we may collect about you in connection with:

- i. A business relationship you may have with EverBank or an EverBank Company (in which case you are referred to as a “Business Client”); or
- ii. If you do not yet have a relationship with EverBank or the EverBank Companies, introducing you to our financial products and services for personal or household use (in which case you are referred to as a “Prospect”).

Specifically, CCPA exempts the personal information collected by EverBank Companies once you apply for, access or purchase a financial product or service for your direct personal or household use and/or used to deepen our financial relationship with you; our collection, use and sharing of such personal information is instead subject to the EverBank Notice of Online Privacy Practices and the EverBank, N.A., Consumer Privacy Notice for EverBank, N.A. Customers (each referred to hereafter as a “Privacy Notice”).

As used in this California Notice and as defined in the CCPA, personal information includes information that relates to, is capable of being associated with, or could reasonably be linked to you, one of your devices and/or a member of your household, that is not in furtherance of your current relationship with EverBank or an EverBank Company. Personal information also includes “sensitive personal information,” which is further described below.

## Your rights under the CCPA

If you are a California resident, you have the following rights with respect to your personal information:

- **Receive information on our privacy and information practices, including why we collect personal information about you, from whom, for what purposes, and with whom we share or “sell” it.** This information is described below. You are also entitled to know how long we expect to retain your personal information. Our retention periods vary, and we use the following criteria to determine them: if you are a Prospect, usually three years; if you are a Business Client, the time during which our business relationship with you continues. In addition, we comply with our internal retention requirement, which is generally seven years, which can be extended under some circumstances, such as anticipated or ongoing litigation or regulatory activities.
- **Request access to personal information that we have collected about you in the twelve months prior to your request.** Please note that we are not required to disclose any personal information that may compromise the security of your account(s) or put you at risk of identity theft; for example, we will not disclose to you your specific Social Security Number if we have collected it.
- **Request the deletion of your personal information, if we use it outside our business purposes (which are explained below).**
  - Request the correction of your personal information.
  - Limit the use of your sensitive personal information, if we use it outside our business purposes. We do not collect sensitive personal information from you, with the exception of a government-issued identification number (such as a Social Security or a Driver’s License Number) if you are a Business Client. We use this information to authenticate you, which is considered to be a “business purpose” under CCPA. Therefore, the right to limit our use of your sensitive personal information is not available at this time.
- **Opt-out of certain automated decision-making.** Until the California regulators define automated decision making, we are not yet able to offer this right to you. We do not use automated decision-making in a way that will materially impact your legal rights or discriminate against you.

- **Receive information whether we “sell or share” your personal information** with vendors that provide cross-context digital advertising or cannot assure us that your personal information is used only to deliver services we have hired them to provide us. You are also entitled to opt-out of any such “sale or sharing.”
  - We do not sell to anyone any of your personal information for money.
  - Personal information collected by our use of digital tracking technology is information that, on its own, might not identify you; however, when such information is combined with other information about you, it may be possible to identify you or your household.
  - Digital tracking technology may be deployed by us or our service providers on our behalf, for analytics, marketing, and interest-based advertising services. We may, and our service providers may also, rely on other third parties to deliver to you our interest-based advertising on websites and platforms that you may visit while online. EverBank and its service providers do not share your personal information with these third parties to enable interest-based advertising. Regardless, we recognize that the use of third-party providers for certain marketing activities may be considered a “sale” or “sharing” under the CCPA. By visiting our digital preference management center, you have the ability to review a current list of digital tracking technology that we allow on our sites and opt out of the digital activities that could constitute sales/sharing of your personal information. Please note that your opt-out preferences will be stored in cookies and that if you clear your cookie cache or access our site from another device, we may not have the ability to identify you for the purpose of applying your opt-out choices, and you may need to opt out again.
  - Our website also detects the Global Privacy Control signal from a number of common browsers, and we will automatically opt you out of interest-based advertising if we detect that you have enabled this signal. To learn more about the Global Privacy Control, please visit [globalprivacycontrol.org](https://globalprivacycontrol.org).
- **Not be discriminated against for exercising these rights.** However, we may offer certain programs that, to the extent your Personal Information falls within the scope of CCPA, may be considered “financial incentives.” These programs may result in different prices, rates, or quality levels for certain participants. While we do not generally assign a monetary or other value to personal information as part of these programs, any permitted “financial incentive” we offer will (a) reasonably relate to the value of your personal information which falls within the scope of CCPA and, (b) contain written terms that describe the program’s material aspects. Participation in these programs requires your opt-in consent, which you may revoke at any time.

## Our business purposes

Certain activities we perform require the use of your personal information and/or your sensitive personal information. Under the California Privacy Rights Act, you may not request that we (i) delete it; (ii) limit our use of your personal information or sensitive personal information; or (iii) limit our sharing it with our service providers when our activities fall within our “business purposes.”

We require our service providers to contractually agree to use your personal and sensitive personal information only to render us the services we have hired them to perform, to protect it with technical, administrative and physical measures appropriate to its sensitivity, not to use it for their own purposes, collect further personal information with respect to it, to tell us if they cannot comply with such requirements and to allow us to make sure that they are complying with their obligations.

The activities constituting our “business purposes” are:

- Completing a transaction for which the personal information was collected, providing a product or service requested by you, taking actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise performing our contract(s) with you;
- If you are a Business Client and the entity that you represent has hired us, performing the contracted services we were hired to perform, including granting you access to the information your employer has authorized you to access from us;
- Preventing, detecting and investigating security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, or prosecuting those responsible for such activities;
- Debugging products to identify and repair errors that impair existing intended functionality;
- Short-transient use relating to our current business interaction with you;

- Exercising free speech, ensuring the right of other consumers to exercise their free speech rights, or exercising another right provided for by law;
- Enabling solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us. This includes performing analytics to improve the products and services we provide you, creating internal reports for our management, and providing information to auditors.
- Complying with a legal obligation, including our records retention obligations, to answer subpoenas or requests from our regulators;
- Making other internal and lawful uses of that information that are compatible with the context in which you provided it;
  - Information that helps us match you to our products and services, such as information about your interests and activities, including your purchases; and
  - Inferences or insights we may draw from such information.

## **Personal Information of Minors**

Our products and services are not geared to minors and we do not knowingly collect Personal Information of minors under sixteen years of age outside your existing relationship with us (e.g., Beneficiary information).

# **Category and Sources of Personal Information**

## **Contact Information**

### **We collect this type of information from:**

- You, when you contact us via the internet, in person, by phone or online communities that you may have agreed to join;
- Your employer, if you are a Business Client such as a plan sponsor, plan administrator or your role includes administering employment benefits or your employer has a business relationship with EverBank or an EverBank Company;
- A client that we have in common, if you are a Business Client such as a third party administrator or agent hired by a plan, an investment advisor hired by a plan, an individual investor or a global investor; and
- A third party service provider, such as LinkedIn, trade shows and conferences.

### **Examples of Types of Data Elements:**

- Full name, title, preferred form of address;
- Mailing address;
- Residential address;
- Email address;
- Telephone number; and
- Mobile number.

## **Purpose for Collecting and Disclosing the Personal Information.**

We use this type of information to identify you and stay in touch with you, including:

- To communicate with you and to maintain our business relationship and provide customer service;
- To send marketing communications, contests/sweepstakes and other invitations;
- To personalize our communications; and
- For our business purposes.

## **Categories of Third Parties to whom this type of Personal Information is Disclosed for a Business Purpose.**

We may disclose this type of information to other EverBank Companies for their business purposes and to service providers, since they have agreed to use your information solely to render services to us and protect it. This disclosure may include social media companies that have agreed to such conditions, such as Facebook and Google.

## **Categories of Third Parties with whom this type of Personal Information is Sold or Shared.**

We do not sell this information for money or share this personal information with third parties for cross-context behavioral advertising or other activities from which you are entitled to opt-out.

## **Government-issued Identification Numbers**

We collect this type of information from: You

### **Examples of Types of Data Elements:**

- A government issued identifier, such as a Social Security Number or Driver's License Number.

### **Purpose for Collecting and Disclosing the Personal Information.**

We use this type of information:

- To identify you;
- For authentication;
- For security and risk management, fraud prevention and similar purposes; and
- For our business purposes.

## **Categories of Third Parties to whom this type of Personal Information is Disclosed for a Business Purpose.**

We may disclose this type of information to our service providers and to other EverBank Companies for our business purposes.

## **Categories of Third Parties with whom this type of Personal Information is Sold or Shared.**

We do not sell this information for money or share this personal information with third parties for cross-context behavioral advertising or other activities from which you are entitled to opt-out.

## **Account Access Information**

### **We collect this type of information from:**

- You, when you establish an account or change your password in an online portal that you need pursuant to our business relationship.

### **Examples of Types of Data Elements:**

Data elements in this category include:

- Usernames and passwords; and
- Account recovery information.

### **Purpose for Collecting and Disclosing the Personal Information.**

We use this type of information:

- To identify and authenticate you;
- To permit you to access the online portals that you need pursuant to your relationship with us; and
- For security and similar purposes.

## **Categories of Third Parties to whom this type of Personal Information is Disclosed for a Business Purpose.**

We may disclose this type of information to service providers that we have hired for IT services and for our business purposes.

## **Categories of Third Parties with whom this type of Personal Information is Sold or Shared.**

We do not sell this information for money or share this personal information with third parties for cross-context behavioral advertising or other activities from which you are entitled to opt-out.

## Relationship Information

### We collect this type of information from:

- You;
- Your employer, if you are a Business Client; and
- Third parties that provide access to information you make publicly available, such as social media.

We may also infer information about you based on information that you have given us and your past interactions with us and other companies.

### Examples of Types of Data Elements.

Data elements in this category include:

- Personal characteristic and preferences, such as your age range, marital and family status, shopping preferences, languages spoken;
- Data from social media profiles, such as Facebook, X (**formerly** known as Twitter), LinkedIn and similar platforms;
- Education information;
- Professional information; and
- Hobbies and interests.

### Purpose for Collecting and Disclosing the Personal Information.

We use this type of information:

- To identify prospective customers and
- For our business purposes.

### Categories of Third Parties with whom this type of Personal Information is Sold or Shared.

We do not sell this information for money or share this personal information with third parties for cross-context behavioral advertising or other activities from which you are entitled to opt-out.

## Online & Technical Information

We use digital tracking technology on our websites and in our marketing campaigns including, but not limited to, pixels, beacons, and cookies to collect from your computer or other connected device information about you, your internet and website activity, and your preferences. We collect this type of information from:

- You and from your connected devices when you interact with our websites, online content, and mobile applications. For example, when you visit our websites, our server logs record your IP address and other information.
- Through digital tracking technologies such as cookies, pixels, and beacons.

We also associate information with you using unique identifiers collected from your devices or browsers.

### Examples of Types of Data Elements.

Personal information collected by our use of digital tracking technology is information that, on its own, might not identify you; however, when such information is combined with other information about you, it may be possible to identify you or your household. In the context of digital tracking technology, such information may include:

- Your identifiers, including your cookie identifier, IP address, hashed email address, device identifier, mobile ad identifier, and similar online and unique personal identifiers;
- Our geolocation data; and
- Your internet or other electronic network activity information, such as the time you spent on the website, your navigation throughout the site, and other information regarding your interaction with an internet website, application, or advertisement.

## **Purpose for Collecting and Disclosing the Personal Information.**

We use this type of information:

- To make our website usable by enabling basic functions, like page loading, account sign-in, and filling out forms;
- To monitor website traffic and activity;
- To maintain security, enable fraud detection, and provide trouble-shooting and support;
- To facilitate an action initiated by you, such as setting or detecting your privacy settings;
- To establish and maintain a logged-in connection while you are in the secure section(s) of our website. For example, when you visit your account, perform transactions, update contact information or perform other activity a "cookie" allows you to navigate from page to page in a secure fashion without having to repeatedly log in;
- To enable us to personalize your web experience by remembering your online preferences including, but not limited to, your preferred language, web layout, or location settings;
- To detect your browser and device capabilities for displaying website content;
- To understand how you interact with our marketing content and use our website, including in some instances identifying the marketing channel through which you have accessed our site; and
- To track your visit across our websites and to serve you targeted advertising and content we think will interest you while you are on our site or visiting non-EverBank sites ("interest-based advertising").

## **Categories of Third Parties to whom this type of Personal Information is Disclosed for a Business Purpose.**

We may disclose this type of information to:

- EverBank Companies;
- Service providers;
- Third parties who assist with our information technology and security programs, including companies such as network security services who retain information on malware threats detected;
- Third parties who assist with fraud prevention, detection and mitigation;
- Third party network advertising companies; and
- Other third parties as required by law.

## **Categories of Third Parties with whom this type of Personal Information is Sold or Shared.**

Our use of third-party providers for certain marketing activities may be considered a "sale" or "sharing" under the CCPA. Accordingly, in the past 12 months, we may have "sold" or "shared" this type of personal information with these providers. You are entitled to opt-out of such activities.

To visit our digital preference management center to review a current list of digital tracking technology that we allow on our sites and to opt-out of sales/sharing of your personal information, please click the "Do Not Sell or Share My Personal Information" link on our website.

Our website also detects the Global Privacy Control signal, and we will automatically opt you out of interest-based advertising if we detect that you have enabled this signal. To learn more about the Global Privacy Control, please visit [globalprivacycontrol.org](https://globalprivacycontrol.org).

## **What to Expect When You Exercise an Available CCPA Right**

### **Verification & Response Process**

We take protecting your Personal Information very seriously. When you make a request, we will first take steps to verify that it is really you who is making the request. Depending on the sensitivity of your Personal Information, we may request that you provide us with additional documentation to verify your identity and may decline your request if we are unable to verify your identity.



## Access to Personal Information

Once we have verified your request, we will provide information from our records for the preceding 12 months, including the business purpose for our collection. We will also direct our service providers to do the same if they are holding your Personal Information. Please note, we may decline your request if we are unable to verify your identity. We also decline to provide you with any of your personal information that may put you at risk of ID theft or create a security risk. For example, we would not disclose to you a specific government-issued ID number.

## Deletion of Personal Information

Once we have verified your request, we will delete your personal information from our records, and will also direct our service providers to do the same, unless retaining the information is necessary for us or our service providers to conduct our business purposes, as more fully described above.

## Appointing a designated agent

CCPA allows you to exercise your rights through a designated agent. Please submit to us at our address below a duly notarized California power of attorney appointing the individual whom you have designated to act on your behalf for this purpose. We will verify your identity and the identity of your attorney-in-fact.

### **EverBank, N.A.**

P.O. Box 44060  
Jacksonville, FL 32231

## Exercising rights and verifiable requests

To exercise the access and deletion rights described above, please submit a request by either:

- Visiting [everbank.com/CAprivacyform](https://everbank.com/CAprivacyform); or
- Calling us at 1.855.260.8856 weekdays, 8 a.m. to 10 p.m. (ET).

## Correction of inaccurate Personal Information

- To correct or update your personal information please visit your online account or call 1.855.260.8856—our menu will prompt you through your choice(s).

To provide a “verifiable request” you must provide enough information that allows us to reasonably confirm and verify you are the person about whom EverBank collected personal information or you are the attorney-in-fact of a California resident.

## Questions

If you have any questions about this California Notice, EverBank’s Notice of Online Privacy Practices, EverBank’s Consumer Privacy Notice, the ways in which EverBank collects and uses your personal information, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at **1.855.260.8856**.

## Non-Discrimination

EverBank will not discriminate against you for exercising any of your CCPA rights as described in this California Notice. Unless permitted by the CCPA, we will not:

- Deny you goods or services;
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties;
- Provide you a different level or quality of goods or services; or
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

## Changes to this privacy notice

We reserve the right to amend this California Notice at our discretion and at any time. When we make substantive changes to this California Notice, we will inform you through a notice on our website.