

Best of Biltmore Community Privacy Policy

This Best of Biltmore Community Privacy Policy ("Privacy Policy") governs participation in The Biltmore Company's ("Biltmore") Best of Biltmore Community ("BoBC" or "Community"), use of BoBC's website ("Website") and online services (collectively, "Online Services"), and any related participation in or responses to online panel research surveys. By joining the Community, accessing our Online Services, or participating in or responding to an online panel research survey, you signify your acceptance of this Privacy Policy. If you do not agree with the terms of this Privacy Policy, please do not join the Community or access, use or submit any personal information to us through our Online Services.

OVERVIEW

At Biltmore, respecting privacy is an important part of our commitment to our guests, Best of Biltmore Community participants and the general public.

When you participate in an online panel research survey for the Best of Biltmore Community, you can be confident that any Personal Information that you share with us will stay with us and those Third Parties we use to facilitate our Identified Purposes.

Any time you participate as a Respondent in one of our panel surveys, you can be assured that your individual responses will be kept confidential and never linked to your personal identifying information without your express permission. You are free to choose whether or not to participate in a panel survey, free to choose not to answer any specific questions that are not required for the completion of a survey, and free to discontinue participation at any time.

This Privacy Policy is a statement of principles and guidelines describing the level of protection of Personal Information provided by the Best of Biltmore Community to Respondents and the general public. The objective of this Privacy Policy is to promote responsible and transparent Personal Information management practices in a manner consistent with the provisions of the Children's Online Privacy Protection Act (US).

For more information about this Privacy Policy, or if you have any concerns about how your privacy is protected as a member of the Best of Biltmore Community, please contact our Best of Biltmore Community team by e-mail at marketresearch@biltmore.com or by mail at:

The Biltmore Company
Best of Biltmore Community
Market Research Department
1 North Pack Square
Asheville, NC 28801

PRIVACY POLICY SCOPE AND APPLICATION

The ten principles that form the basis of this Privacy Policy are interrelated and Biltmore shall adhere to the ten principles as a whole. Each principle must be read in conjunction with the accompanying commentary. As permitted by the Children's Online Privacy Protection Act (US), the commentary in this Privacy Policy has been drafted to reflect personal information issues specific to BoBC.

The scope and application of this Privacy Policy are as follows:

- The Privacy Policy applies to Personal Information Collected, Used, or Disclosed by BoBC in the course of analyzing or reporting on research results.
- The Privacy Policy applies to the management of Personal Information in any form whether oral, electronic or written.
- The Privacy Policy does not impose any limits on the Collection, Use or Disclosure of the following information by Biltmore:
 - (a) non-personally identifiable information;
 - (b) the name, title, business address and/or telephone number of an employee of an organization;
 - (c) other information about an individual that is publicly available and is specified by regulation pursuant to the Children's Online Privacy Protection Act (US).
- The application of this Privacy Policy is subject to the requirements and provisions of the Children's Online Privacy Protection Act (US), the regulations enacted thereunder, and any other applicable legislation or regulation.
- By joining the Community or accessing or using our Online Services, you confirm that you are age 25 or older, currently reside in the United States, and your command and knowledge of English is sufficient to understand the terms and conditions set forth in this Privacy Policy. BoBC's personal information practices and the terms of this Privacy Policy may or may not comply with foreign law, so if you do not agree with this Privacy Policy, please do not join the Community or use our Online Services.

DEFINITIONS

"Collect(ion)": The act of gathering, acquiring, recording, or obtaining Personal Information from any source, including Third Parties, by any means.

"Consent": Voluntary agreement for the Collection, Use and Disclosure of Personal Information for defined purposes. Consent can be either express or implied and can be provided directly by the individual or by an authorized representative. Express Consent can be given orally, electronically or in writing, but is always unequivocal and does not require any inference on the part of Biltmore. Implied Consent is consent that can reasonably be inferred from an individual's action or inaction.

"Disclosure": Making Personal Information available to a Third Party.

"Employee": An employee of or independent contractor to Biltmore.

"Personal Information": Information about an identifiable individual including the individual's name, address, telephone number, email address, demographic information, survey responses and any photographs, images or videos, but does not include the name, title, business address or telephone number of an employee of an organization, and does not include descriptive, factual information about an organization.

"Respondent": A member of the public who provides Personal Information to Biltmore in the course of participating in a panel survey conducted by Biltmore. For example, a Respondent is an individual who discloses Personal Information to Biltmore in the course of quantitative or qualitative marketing or social research.

"Third Party": An individual or organization outside of Biltmore.

"Use": The treatment, handling, and management of Personal Information by and within Biltmore or by a Third Party with the knowledge and approval of Biltmore.

"we", "us", and "our": Refers to Biltmore.

"Website": Refers to *www.bestofbiltmore.com* and subdomains and any other site on which this Privacy Policy appears.

"you": Refers to the member of the Best of Biltmore Community, participant, Respondent or user of our Online Services.

THE TEN PRINCIPLES OF PRIVACY

PRINCIPLE 1 - ACCOUNTABILITY

Responsibility for compliance with the provisions of this Privacy Policy rests with Biltmore. We can be contacted by e-mail at marketresearch@biltmore.com or by mail at:

The Biltmore Company
Best of Biltmore Community
Market Research Department
1 North Pack Square
Asheville, NC 28801

Individuals within Biltmore may be delegated to act on behalf of Biltmore or to take responsibility for the day-to-day Collection and/or processing of Personal Information.

Biltmore is responsible for Personal Information in its possession or control and shall use contractual or other means to provide a comparable level of protection while information is being processed or Used by a Third Party.

PRINCIPLE 2 - IDENTIFYING PURPOSES FOR COLLECTION OF PERSONAL INFORMATION

BoBC shall identify the purposes for which Personal Information is Collected at or before the time the information is Collected.

BoBC Collects Personal Information from the public only for the following purposes:

- (a) to conduct quantitative or qualitative marketing and social research;
- (b) to understand Respondent opinions to establish suitability for further quantitative and qualitative marketing and social research; and
- (c) to meet legal and regulatory requirements.

Further reference to "Identified Purposes" mean the purposes identified in this Principle.

Biltmore shall specify orally, electronically or in writing the Identified Purposes to the Respondent at or before the time Personal Information is Collected in a survey. Upon request, persons Collecting Personal information shall explain these Identified Purposes or refer the individual to a designated person within Biltmore who can explain the purposes.

When Personal Information that has been Collected is to be Used or Disclosed for a purpose not previously identified, the new purpose shall be identified prior to Use. Unless the new purpose is permitted or required by law, the Consent of the Respondent will be acquired before the information will be Used or Disclosed for the new purpose.

BoBC may provide Employees, partners or other Third Parties with information from any survey, in aggregate form. In aggregate form it is impossible to identify an individual Respondent's Personal Information. Identifiable Personal Information will be Used or Disclosed only in accordance with Principle 5.

Suggestions, materials or other intellectual property sent or transmitted to us via our Online Services that are not within the scope of Personal Information are governed by the separate terms applicable to such materials identified at the time of submission (if any). All such items shall be deemed to be

non-confidential, and we shall have no obligation of any kind with respect to such items and shall be free to use and distribute them to others without limitations, including, but not limited to developing and marketing products or services that incorporate them.

PRINCIPLE 3 - OBTAINING CONSENT FOR COLLECTION, USE OR DISCLOSURE OF PERSONAL INFORMATION

The knowledge and Consent of an individual is required for the Collection, Use, or Disclosure of Personal Information, except where inappropriate.

The participation by Respondent in a quantitative or qualitative marketing or social research study is always voluntary and participating constitutes Consent for Biltmore to Collect, Use and Disclose Personal Information for the Identified Purposes. A Respondent is always free to choose whether or not to participate in a panel survey, free to choose not to answer any specific questions that are not required for the completion of a survey, and free to discontinue participation at any time.

In obtaining Consent, Biltmore shall use reasonable efforts to ensure that a Respondent is advised of the Identified Purposes for which Personal Information will be Used or Disclosed. The Identified Purposes shall be stated in a manner that can be reasonably understood by the Respondent.

Generally, Biltmore shall seek Consent to Use and Disclose Personal Information at the same time it Collects the information. However, Biltmore may seek Consent to Use and/or Disclose Personal Information after it has been Collected, but before it is Used and/or Disclosed for a new purpose.

In determining the appropriate form of Consent, Biltmore shall take into account the sensitivity of the Personal Information and the reasonable expectations of its Respondents.

Only individuals who are age 25 or older and who currently reside in the United States may join the Community or use our Online Services. BoBC and our Web Services are not intended for, or directed to, persons less than 13 years of age. Biltmore will not request any information from a person younger than age 13, in compliance with the Children's Online Privacy Protection Act, as amended and will not knowingly accept Personal Information from a child younger than age 13.

PRINCIPLE 4 - LIMITING COLLECTION OF PERSONAL INFORMATION

Biltmore shall limit the amount and type of Personal Information it Collects to that which is necessary for the Identified Purposes. Biltmore shall collect Personal Information by fair and lawful means.

Biltmore collects Personal Information about an individual primarily from that individual or a member of that individual's household. In accordance with Principle 5, Biltmore may also engage a third party vendor to match your Personal Information with relevant demographic and psychographic data. Except as permitted by this Privacy Policy, Biltmore will only Collect Personal Information from external sources, such as client organizations, if individuals have Consented to such collection.

PRINCIPLE 5 - LIMITING USE, DISCLOSURE, AND RETENTION OF PERSONAL INFORMATION

Biltmore shall not use or disclose Personal Information for purposes other than those for which it was Collected, except with the Consent of the individual or as required or permitted by law.

Biltmore may disclose a Respondent's Personal Information to:

- (a) Biltmore-affiliated organizations;

- (b) a Third Party engaged by Biltmore to perform functions on its behalf;
- (c) a public authority or agent of a public authority if, in the reasonable judgment of Biltmore, it appears that there is imminent danger to life or property which could be avoided or minimized by Disclosure of the information; or
- (d) a Third Party or Parties, where the Respondent Consents to such Disclosure or Disclosure is required or permitted by law.

We use Third Parties to facilitate our business, including, but not limited to, providing the necessary hardware, software, networking, storage and related technology to run BoBC and our Online Services, as well as to match Personal Information with relevant demographic and psychographic data. Such Third Parties may have access to your Personal Information for use in connection with our business activities. Notwithstanding the foregoing, the information we collect will never be shared or sold to other organizations for commercial purposes.

Only Employees with a business need-to-know, or whose duties reasonably so require, are granted access to Personal Information about Respondents.

Biltmore shall keep Personal Information only as long as it remains necessary or relevant for the Identified Purposes or as required by law. Depending on the circumstances, where a Respondent may have to be re-contacted for purposes of clarifying responses to a survey, seeking additional responses, or providing information regarding BoBC's incentives programs, Biltmore shall retain the Personal Information for a period of time that is reasonably sufficient to allow this re-contact. If you choose to correspond with us through email, we may retain the content of your email messages together with your email address and our responses.

PRINCIPLE 6 - ACCURACY OF PERSONAL INFORMATION

Personal Information shall be as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be Used.

Biltmore shall update Personal Information about Respondents and Employees as necessary to fulfill the Identified Purposes or upon notification by the individual.

PRINCIPLE 7 - SECURITY SAFEGUARDS

Biltmore follows generally accepted industry standards to protect the Personal Information submitted to us, both during transmission and once we receive it. Biltmore uses Third Party vendors and hosting partners to provide the necessary hardware, software, networking, storage, and related technology to run BoBC and our Online Services. Please be aware that no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, we cannot guarantee its absolute security.

Biltmore shall protect personal information by reasonable security safeguards appropriate to the sensitivity of the information against such risks as loss or theft, unauthorized access, disclosure, copying, use, modification or destruction, regardless of the format in which it is held. Biltmore shall further protect Personal Information Disclosed to Third Parties by contractual agreements stipulating the confidentiality of the information and the purposes for which it is to be used. All of Biltmore's employees with access to Personal Information shall be required to respect the confidentiality of that information.

PRINCIPLE 8 - OPENNESS CONCERNING POLICIES AND PROCEDURES

Biltmore shall make readily available to individuals specific information about its policies and procedures relating to the management of Personal Information.

Biltmore shall make information about its policies and procedures easy to understand, including:

- (a) contact information where any questions or complaints regarding this Privacy Policy or Biltmore's privacy practices can be sent;
- (b) the means of gaining access to Personal Information held by Biltmore;
- (c) a description of the type of Personal Information held by Biltmore, including a general account of its Use; and
- (d) a description of what Personal Information is made available to Biltmore-affiliated organizations.

Biltmore may make material changes to this Privacy Policy from time to time and such changes will be posted on the Website. Continuing to be a member of BoBC or use our Online Services following any revisions to this Privacy Policy will mean you accept those changes.

PRINCIPLE 9 - INDIVIDUAL ACCESS TO PERSONAL INFORMATION

Upon request, Biltmore shall inform an individual of the existence, Use, and Disclosure of his or her Personal Information and shall give the individual access to that information. An individual shall be able to challenge the accuracy and completeness of the information, have it updated or amended as appropriate, or request that we delete/remove such information.

In certain situations, Biltmore may not be able to provide access to all the Personal Information that it holds about a Respondent. For example, Biltmore may not provide access to information if doing so would likely reveal Personal Information about a Third Party or could reasonably be expected to threaten the life or security of another individual. Also, Biltmore may not provide access to information if Disclosure would reveal confidential commercial information.

In order to safeguard Personal Information, a Respondent may be required to provide sufficient identification information to permit Biltmore to account for the existence, Use and Disclosure of Personal Information and to authorize access to the individual's file. Any such information shall be used only for this purpose.

Biltmore shall promptly correct or complete any Personal Information found to be inaccurate or incomplete. Any unresolved differences as to accuracy or completeness shall be noted in the individual's file. Where appropriate, Biltmore shall transmit to Third Parties having access to the Personal Information in question any amended information or the existence of any unresolved differences.

Respondents can obtain information or seek access to their individual files by contacting us by e-mail or mail using the contact information provided above.

PRINCIPLE 10 - CHALLENGING COMPLIANCE

An individual shall be able to challenge Biltmore's compliance with the above principles. Biltmore shall maintain procedures for addressing and responding to all inquiries or complaints from its Respondents regarding Biltmore's handling of Personal Information. Biltmore shall, on written

request, inform its Respondents about the existence of these procedures as well as the availability of complaint procedures.

Biltmore shall investigate all complaints concerning compliance with this Privacy Policy. If a complaint is found to be justified, Biltmore shall take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. The Respondent shall be informed of the outcome of the investigation regarding his or her complaint. Biltmore may seek external advice where appropriate before providing a final response to individual complaints.