

Henderson, Franklin, Starnes & Holt, P.A. Privacy Policy

Henderson, Franklin, Starnes & Holt (“HFSH”), P. A. Privacy Policy

Henderson, Franklin recognizes the importance of privacy and the sensitivity of Nonpublic Personal Information (“NPI”). As attorneys or title insurance agents we have an obligation to keep confidential all information we receive within an attorney-client or title insurance agent relationship. We are committed to protecting any NPI we hold. This Privacy Policy outlines our obligation to you concerning how we manage your NPI and safeguard your privacy.

Henderson, Franklin is responsible for the personal information we collect and hold. To ensure this accountability, we have developed the following policy as it applies specifically to residential real estate closings, whether acting in the capacity of attorneys or title insurance agents, as applicable.

Why Does HFSH Need Personal Information

HFSH provides various legal and title insurance agent services to a wide range of clients, including residential real estate transactions on behalf of consumers and financial institutions. To successfully complete these transactions, it is necessary for us to obtain certain NPI from you.

What NPI do we collect?

Personal information is any information that identifies you, or by which your identity could be deduced. If we did not collect and use your personal information, we could not provide you with legal or title insurance agent services. Examples of information that we may collect to complete your real estate transaction include:

- Full name
- Date of birth
- Marital status
- Social Security number
- Driver’s license or other government issued identification card information
- Financial account data
- Income
- Credit or debit card numbers
- Names of your partners (or members) in this transaction
- Copy of trust agreements
- Assets and debts
- Tax returns
- Tax ID numbers

How do we collect your personal information?

We collect information only by lawful and fair means, and not in an unreasonably intrusive way. Wherever possible we collect your personal information directly from you, both at the start of an engagement and in the course of our representation. We usually receive this information from a financial institution involved in the transaction.

Sometimes we may obtain information about you from other sources, for example:

- your insurance company;
- your real estate agent in a property transaction;
- from a government agency or registry;
- your employer, if we are acting for you, at your request;
- your accountant

Consent

In most cases, we shall ask you to specifically consent, if we collect, use, or disclose your personal information. Normally, we ask for your consent in writing, but in some circumstances, we may accept your oral consent. Sometimes, your consent may be implied through your conduct of business with us.

Use of Your Information

We use your personal information to provide legal advice and services to you or to provide title insurance agent services to you, to administer our client (time and billing) data bases. We grant access to your NPI only to those HFSH employees who must use it in the performance of their job related services. We may use it to include you in any direct marketing activities of our law firm. If you tell us that you do not wish to receive information about our services, or about new developments in the law, we will not send any further material.

HFSH does not disclose your personal information to any third party to enable them to market their products and services.

Disclosure of your Personal Information

Under certain limited circumstances, HFSH will disclose your personal information:

- when we are required or authorized by law to do so, for example if a court issues a subpoena;
- when you have consented to the disclosure;
- when the legal or title insurance agent services we are providing to you requires us give your information to third parties (for example a lender in a real estate mortgage transaction) your consent will be implied, unless you tell us otherwise;
- if we engage certain outside experts on your behalf;
- to title companies for your policies

Updating Your Information

Since we use your personal information to provide legal or title insurance agent services to you, it is important that the information be accurate and up-to-date.

If during the course of our engagement, any of your information changes, please inform us so that we can make any necessary changes.

Is My Personal Information Secure?

HFSH takes all reasonable precautions to ensure that your personal information is kept safe from loss, unauthorized access, modification or disclosure. Among the steps taken to protect your information are:

- premises security including door locks, security alarm monitoring, security cameras and elevator iris scanners in non-public work areas;
- restricted file access by using locked file cabinets;
- deploying technological safeguards like security software and firewalls to prevent hacking or unauthorized computer access;
- internal password and security policies;
- use of encrypted e-mails

Access to Your Personal Information

You may ask for access to any personal information we hold about you. Current summary information is available on request. More detailed requests which require archive or other retrieval costs may be subject to our normal professional and disbursement fees.

Credit Bureaus

To help us make credit decisions about clients, prevent fraud, check the identity of new clients and prevent money-laundering, we may – with your consent – request information about you from the files of consumer credit reporting agencies.

Communicating with Us

You should be aware that e-mail is not a 100% secure medium, and you should be aware of this when contacting us to send personal or confidential information. We have access to encrypted e-mails and will use it for your real estate transaction.

Changes to this Privacy Policy

Since HFSH regularly reviews all of its policies and procedures, we may change our Privacy Policy from time to time.

Requests for Access

If you have any questions, or wish to access your personal information, please write to our Privacy Contact at:

Director of Administration
Henderson, Franklin, Starnes & Holt P. A.
1715 Monroe Street
Fort Myers, FL 33901

Web Site

Our website www.henlaw.com is governed by this privacy policy. You should know that we do not collect or maintain NPI via our web site. We do include notices of this Privacy Policy (and any updates thereto) on our web site.

Acknowledgment:

I have read and received a copy of the above HFSH Privacy Policy:

Signature

Printed Name

Date