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Watermark Retirement Communities, LLC Privacy Policy

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Our Privacy Policy Has Recently Changed.

Your privacy is important to Watermark Retirement Communities, LLC (“Watermark,” “our,” “us,” or “we”). This Privacy Policy explains the types of information we may collect from you or that you may provide when you visit or use our website <https://www.watermarkcommunities.com/> (the “Website”) and SMS or text messaging services, and our practices for collecting, using, maintaining, protecting, and disclosing that information. This Privacy Policy does not apply to information collected through any other means, including on any other website operated by a third party.

Please read this Privacy Policy carefully. If any term in this Privacy Policy is unacceptable to you, please do not use our Website or provide us with any personal information.

In this Privacy Policy, when we talk about “Personal Information,” we mean any information that is related to an identified or identifiable natural person. Please note that “Personal Information” as governed by this Privacy Policy does not include certain medical or health information subject to the Confidentiality of Medical Information Act or the Health Insurance Portability and Accountability Act.

This Privacy Policy does not apply to any products, services, websites, mobile applications, or content (including advertising) offered by third parties or that may be linked to or from the Website. Data collected by these third parties is covered by their own privacy policies.

1. Information We Collect

Depending on your relationship with us, we may collect the following information from you, including Personal Information:

- **Personal identifiers:** Name, email address, mailing address, telephone number, and similar identifiers, including whether you are looking for information for yourself, your relative, your friend, or for employment purposes;
- **Device and other automatic information:** Browsing history, search history, and information regarding your interactions with our Website. For more information, see “Information We Collect Automatically About You” below;

and

- **Communications, views, and opinions:** We may record our communications, including chat messages via the Website, phone calls, e-mails, SMS and/or text messages, and other written communications, such as when you provide us with feedback or respond to our surveys.

2. How We Collect Your Information

Information We Collect Directly From You

We may collect Personal Information that you provide to us when you use our Website or SMS/text messaging services or interact with us. For example, we may collect information when you browse through the Website, make an information request, or when you otherwise interact with us and provide your information via our Website or SMS/text messaging services.

Information We Automatically Collect About You

As with many websites, when you interact with our Website, we may use automatic data collection technologies to collect and log certain information about your equipment, browsing actions, and patterns, including details of your visits to our Website (e.g., traffic data, logs, other communication data, and resources that you access and use on our Website), information about your computer, mobile device, and internet connection (including your operating system and browser type), messages sent or shared through chat or chatbot services, and location data, which we collect to ensure you reside in a jurisdiction in which you are eligible for using our Website, to comply with relevant laws, and for fraud prevention purposes.

Cookies

The technologies we use for automatic data collection include cookies (i.e., browser cookies), flash cookies, and web beacons/pixels. We may store cookies (e.g., locally stored objects) on your device when you use our Website. These technologies help us speed up your future activities and improve your experience by remembering the information that you have already provided to us. Third parties operating on our behalf may also use these technologies to provide us with anonymous data and information regarding the use of our Website. You may block or delete these technologies from your device. However, by disabling such technologies, you may not have access to the entire set of features of our Website. For more information about cookies, including links to web browser instructions for disabling and managing such technologies, visit <https://optout.networkadvertising.org/>.

We use Google Analytics to collect information on your use of our Website. Google Analytics collects information such as how often users visit our Website, what pages they visit, and other websites visited prior to or after coming to this Website. The data collected through these tools is not tied to other Personal Information that we collect about you. To know more about the data collected by Google Analytics, visit <https://policies.google.com/privacy>.

You may prevent the use of Google Analytics by disabling cookies as described above. You may also prevent Google Analytics from recording the data generated by the cookie and pertaining to your use of our Website or processing this data, by downloading and installing the following browser plug-in available through Google at the following link: <https://tools.google.com/dlpage/gaoptout>.

We partner with Microsoft Clarity to capture how you use and interact with our website through behavioral metrics, heatmaps, and session replay to improve and market our services. Website usage data is captured using first and third-party cookies and other tracking technologies to determine the popularity of services and online activity. Additionally, we use this information for site optimization. For more information about how Microsoft collects and uses your data, visit the [Microsoft Privacy Statement](#).

Information We Collect From Other Sources

We may collect Personal Information about you from our service providers and business partners, including lead generators, and their service providers and contractors. We also may obtain information you have made publicly available, including from websites and online services you use, consumer research platforms, and/or business contact databases.

3. How We Use Your Information

We may collect Personal Information for the following purposes:

- Provide our Website and its contents to you;
- Provide or improve the services requested by you, including in the context of your business relationship with us, and perform our contractual obligations;
- Fulfill or meet the reason you provided the information (e.g., to respond to your request for information);
- Communicate with you, including via our chat, email, and SMS and text messaging services, about our Website or to provide you with information or marketing materials that may be of interest to you;
- Send you transactional or relationship messages, such as invoices, receipts, customer service responses, and other administrative messages;
- Monitor and analyze trends, usage, and activities in connection with the Website;
- Comply with the law, and protect or defend our interests or the interests of our customers or users of our Website if permitted by law or required to do so by law, court order, or government regulations, or where we believe such action is necessary;
- Help maintain the safety, security, and integrity of our Website, products and services, databases, other technology assets, and business;
- System administration and to monitor the use of our Website;
- Any other purpose disclosed by us when you provide the information or with your consent; and
- Disclose to third parties for the performance of services provided to us, including third-party providers of services related to the operation and management of our Website, or in connection with the administration and support of the activities noted above.

4. With Whom We Disclose Your Information

We may disclose information about you as follows and as otherwise described in this Privacy Policy or at the time of collection:

- With companies and vendors that perform services for us, including email, chatbot, and SMS and text messaging service providers (as further discussed below), analytics providers, advertising partners, resident services providers, and other service providers;

- To accountants, auditors, lawyers, and other outside professional advisors to Watermark, subject to appropriate contractual obligations of confidentiality;
- Where required by law, court order, or subpoena if we believe disclosure is in accordance with, or required by, applicable law or legal process or where necessary to prevent, detect, or prosecute criminal offenses or to protect the rights, property, and safety of Watermark or others;
- In connection with any merger, sale of company assets, financing, or acquisition of all or a portion of our business by another company;
- Between and among Watermark and our affiliates, subsidiaries, and other companies under common control and ownership; and
- With your consent or at your direction.

SMS/MMS: We may share certain Personal Information with third parties that support our message services, including but not limited to platform providers, phone companies, and other vendors who assist us in the delivery of mobile messages. However, no mobile information will be shared with third parties/affiliates for marketing/promotional purposes. All the above categories exclude text messaging originator opt-in data and consent; this information will not be shared with any third parties.

We may also process and disclose information to third parties if the information has been de-identified or aggregated in a way that it cannot be used to identify you.

5. How We Protect Your Information

We use reasonable security measures to protect your Personal Information. Please understand, however, that no security system is impenetrable. We cannot guarantee the security of our databases, nor can we guarantee that the information you supply will not be intercepted while being transmitted to and from us over the Internet.

6. Children

The Website is not directed towards children. We do not knowingly collect Personal Information from children under the age of 13 (or 16 where applicable by law) through the Website. If you are under 13, please do not give us any Personal Information. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce our Privacy Policy by instructing their children to never provide Personal Information through the Website without their permission. If you have reason to believe that a child under the age of 13 has provided Personal Information to us, please contact us using the methods described in the Section "How to Contact Us," and we will endeavor to delete that information from our databases.

7. Links

The Website may contain content, services, advertising, and other materials that link to external websites. We do not endorse and are not responsible for the content of any such external website. Please refer to the terms of use and privacy policies of the external website for more information.

8. Changes to This Privacy Policy

This Privacy Policy is effective as of the date stated at the top of this Privacy Policy. We may change this Privacy Policy from time to time. Your access of the Website after such change will be deemed acceptance of the new Privacy Policy.

9. How to Contact Us

If you have any questions or concerns about our privacy practices or about exercising your rights, you may send an email to getinfo@watermarkcommunities.com or call us at 520-797-4000. You may also write to us at: 2020 West Rudasill Road, Tucson, AZ 85704.

10. Other Choices

Promotional Emails. You may opt out of receiving promotional emails from us by following the instructions in those emails. If you opt out, we may still send you non-promotional emails, such as those about your transactions with us or our ongoing business relations.

Marketing Phone Calls/Text Messages/Postal Mail. We may engage in marketing campaigns, which may include phone calls and text or SMS messages, and postal mail. You are not required to consent to such communications as a condition of using our Website, and you may revoke consent at any time by contacting us via the methods described in Section “How to Contact Us.”

11. Additional Information for Residents Of California

The California Consumer Privacy Act, as amended by the California Privacy Rights Act (Civil Code Section 1798.100, et seq.) (“California Law”), provides eligible California residents with specific rights with respect to our collection, retention, disclosing, selling, sharing, and use of Personal Information. This section on Additional Information for Residents of California supplements this Privacy Policy and applies solely to eligible residents of the State of California. Any terms used but not defined in this section have the same meaning as defined in California Law.

Collection of Personal Information

Depending on your relationship with us, in the preceding twelve (12) months, we may have collected the following categories of Personal Information about you:

Category	Example
Identifiers	Name, email address, mailing address, telephone number, unique personal identifiers, online identifiers, or other similar identifiers
Internet or other electronic network activity information	Browsing history, search history, and information regarding interactions with our Website

We may collect the Personal Information identified in the table above from the sources of Personal Information discussed in the Section “How We Collect Your Information.” The business or commercial purpose for collecting that information is disclosed in the Section “How We Use Your Information.”

Disclosure of Personal Information

In the preceding twelve (12) months, we may have disclosed your Personal Information for a business or commercial purpose described in the Section “How We Use Your Information” to the categories of third parties described in the Section “With Whom Do We Disclose Your Information.”

Sales and Shares of Personal Information

We do not sell your Personal Information for monetary profit. However, we engage in certain information disclosure activities that may be considered “sales” or “sharing” under California Law. In the last twelve (12) months, we have sold or shared the following Personal Information:

Category	Business or Commercial Purpose	Categories of Third Parties to Whom Personal Information was Disclosed That May be Considered a “Sale/Sharing” Under California Law
Identifiers.	To provide you with personal advertising and content	Advertisers and advertising networks
Internet or other similar network activity.	To provide you with personal advertising and content	Advertisers and advertising networks

We do not knowingly sell or share the Personal Information of consumers under 16 years of age.

California Privacy Rights

California Law provides consumers with specific rights regarding their Personal Information. The following Section describes your California Law rights and explains how to exercise those rights. Your California Law rights include the:

- **Right to Know or Access:** Request that we disclose to you your Personal Information that we collected, used, disclosed, shared, and sold.
- **Right to Delete:** Request that we delete any of your Personal Information that we collected from you and retained, subject to certain exceptions.
- **Right to Correct Inaccurate Personal Information:** Request that we correct any of your Personal Information that we maintain about you that is inaccurate.
- **Right to Opt Out of Sales or Sharing of Personal Information:** If we sell your Personal Information to or share such information with third parties, you may have the right to opt out of the sale or sharing of such information.
- **Right to Non-Discrimination:** We will not discriminate against you for choosing to exercise any of your rights. If you exercise certain rights, understand that you may be unable to use or access certain features of the Website.

Exercising Your Rights

To exercise your California Law privacy rights, please submit a request by:

- Visiting our online [web form](#), or
- Calling us at 800-780-9186

Identify Verification

We may require you to prove your identity to exercise certain rights. Depending on your request, we will ask for information such as your name, your telephone number, your email address, and/or the date of last communication with us. We may also ask you to provide a signed declaration confirming your identity. We will only use the Personal Information provided in your consumer request to verify your identity or authority to make the request.

Only you, your parent, guardian (if you are under 13 years of age), conservator, a person to whom you have given power of attorney, or an authorized agent may make a verifiable consumer request related to your Personal Information. You may, however, make a verifiable consumer request on behalf of your minor child if necessary. Your verifiable consumer request must provide sufficient information that allows us to reasonably verify that you are the person about whom we collected Personal Information or an authorized representative. We cannot respond to your request if we cannot verify your identity or authority to make the request. You may only make a verifiable consumer request for your right to access twice within a 12-month period.

Data Retention

We retain your Personal Information so long as necessary for the purposes for which it was collected or otherwise processed. When determining the retention period, we take into account criteria, such as the type of services requested by or provided to you, the nature and length of our relationship with you, use of our Website, and the impact on the Website if we delete your Personal Information.

Your Rights Under “Shine the Light”

In addition to your rights under California Law, California Civil Code Section 1798.83 permits California residents to request information regarding our disclosure, if any, of their Personal Information to third parties for their direct marketing purposes. If this applies, you may obtain the categories of Personal Information disclosed and the names and addresses of all third parties that received Personal Information for their direct marketing purposes during the immediately prior calendar year (e.g., requests made in 2024 will receive information about 2023 sharing activities). To make such a request, please provide sufficient information for us to determine if this applies to you, attest to the fact that you are a California resident, and provide a current California address for our response. You may make this request in writing by contacting us via the methods in Section 9, “How to Contact Us.”

12. Additional Information for Residents of Other States

For eligible residents of Connecticut, Delaware, Maryland, Oregon, Texas, and Utah, you also have rights with respect to the Personal Information, also known as personal data, that we collect about you. This Section supplements this Privacy Policy and applies solely to eligible residents of Connecticut, Delaware, Maryland, Oregon, Texas, and Utah. Any terms not defined in this Section have the same meaning as defined under applicable Connecticut, Delaware, Maryland, Oregon, Texas, and Utah privacy law, including the Connecticut Data Privacy Act, Delaware Personal Data Privacy Act, Maryland Online Data Privacy Act, Oregon Consumer Privacy Act, Texas Data Privacy and Security Act, and Utah Consumer Privacy

Act. Subject to certain exceptions, if you are an eligible resident of one of these states, you have certain privacy rights which may include, depending on your state of residency:

- **Right to Know/Access.** You have the right to confirm whether we process your Personal Information and access such Personal Information. You also have the right to obtain your Personal Information in a portable, and to the extent reasonably feasible, readily usable format that you can transmit without hindrance. In addition, eligible Delaware and Maryland residents have the right to obtain a list of categories of third parties to which Watermark has disclosed Personal Information, and Oregon residents have the right to receive a list of specific third parties to which Watermark has disclosed any Personal Information.
- **Right to Delete.** You have the right to request that we delete the Personal Information you have provided to us or that we have otherwise obtained about you.
- **Right to Correct.** You have the right to request that we correct inaccuracies in your Personal Information, taking into account the nature of the Personal Information and the purposes of the processing of your Personal Information.
- **Right to Opt Out.** You have the right to opt out of the processing of your Personal Information for the purposes of (i) targeted advertising, (ii) the sale of your Personal Information, and (iii) profiling in furtherance of decisions that produce legal or similarly significant effects. Please note that we do not engage in such profiling as defined under applicable law.
- **Right to Appeal.** You have the right to appeal our decision with regard to your request to exercise any rights described herein.

You do not need to create an account with us to exercise your Connecticut, Delaware, Maryland, Oregon, Texas, or Utah privacy law rights. To exercise the rights described in this Section, including your opt-out rights, please submit a consumer request to us by:

- Visiting our online [web form](#), or
- Calling us at 800-780-9186

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Hacienda

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