



# **PRIVACY NOTICE**

Version 2026.1

*This Privacy Notice was last updated on 22 April 2026 and takes effect from 1 May 2026.*





**Element Properties Alexandra Park Ltd** (trading as **Element Properties & Co.**) ("Element", "we", "us", "our") is the data controller for the personal data described in this Privacy Notice. We are committed to protecting your privacy and to handling your personal data lawfully, fairly and transparently, in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, the Privacy and Electronic Communications Regulations 2003 (as amended) ("PECR") and all other applicable data protection laws in force from time to time in the United Kingdom (together, "Data Protection Legislation").

This Privacy Notice explains what personal data we collect, why and how we use it, who we share it with, how long we keep it, your rights and how to exercise them. It applies to prospective and current landlords, tenants, guarantors, buyers, sellers, contractors and any other individuals who interact with us in connection with residential sales, lettings, property management and related services.

**IMPORTANT Renters' Rights Act 2025.** From 1 May 2026 the Renters' Rights Act 2025 reforms the private rented sector in England, including a ban on rental bidding, a prohibition on discrimination against tenants receiving benefits or with children, a new statutory Section 13 rent-increase process (Form 4A), an implied right to request pets, and (in a later phase) a Private Rented Sector Database and a Private Landlord Ombudsman. Sections 3, 5, 6 and 7 of this Notice reflect these changes.

## **1. WHO WE ARE AND HOW TO CONTACT US**

**Data Controller:** Element Properties Alexandra Park Ltd, a company registered in England and Wales with company number 10951289.

**Registered Office:** 26 Palace Gates Road, London, N22 7BN.

**ICO Registration Number:** ZA242204.

**Trading Offices:** 26 Palace Gates Road, London N22 7BN (Alexandra Park Office); 147 Church Walk, London N16 8QW (Stoke Newington Office).

**Contact for Data Protection Enquiries:** [info@elementproperties.co.uk](mailto:info@elementproperties.co.uk) | 020 8057 0777.

We are not required by law to appoint a statutory Data Protection Officer. Our Directors have overall accountability for data protection compliance, and data-protection enquiries received at the email address above are escalated to a Director as appropriate.

## **2. PERSONAL DATA WE COLLECT**

The categories of personal data we collect depend on your relationship with us. We collect only what is relevant and necessary for the purposes set out in section 4. We do not knowingly collect personal data from children.



## **2.1 Identity and Contact Data**

- Full name, title, date of birth, nationality and immigration status (where required under the Right to Rent scheme)
- Current and previous residential addresses
- Email address, telephone number, emergency contact details
- Identification documents (passport, driving licence, biometric residence permit, share code)

## **2.2 Property, Tenancy and Transaction Data**

- Property details, ownership, title and mortgage information (for landlords and sellers)
- Tenancy history, tenancy agreements, rent-payment records and deposit data
- Offer history, viewings attended and property preferences
- Details of pets, parking, keyholders and other tenancy-related arrangements
- Information relating to statutory notices served or received (including Section 8 and Section 13 notices under the Housing Act 1988, as amended by the Renters' Rights Act 2025)

## **2.3 Financial Data**

- Bank account details used for rent, deposit and supplier payments (processed via our client-money provider, PayProp)
- Rent-payment history, arrears records and account reconciliations
- Income, employment and affordability information provided for referencing
- Credit-history information obtained from referencing and credit-reference providers

## **2.4 Compliance, Verification and Regulatory Data**

- Anti-money laundering (AML) and Know Your Customer (KYC) information obtained through Lifetime Legal or equivalent providers, including source-of-funds evidence and politically-exposed person (PEP) and sanctions screening
- Right to Rent check records and supporting evidence under the Immigration Act 2014
- Information submitted to the Private Rented Sector Database established under Part 2 of the Renters' Rights Act 2025, once that database is operational

## **2.5 Referencing Data**

- Information obtained from referencing providers (including Canopy or equivalent providers used from time to time), including employment references, landlord references, credit checks and adverse financial history
- Guarantor information where a guarantor is provided

## **2.6 Communications and Interaction Data**

- Emails, letters, SMS and instant-messaging communications (including WhatsApp)
- Telephone-call records and, where applicable, call recordings (you will be informed at the start of a recorded call and given the opportunity to opt out of recording)
- Enquiry forms, viewing feedback and complaint correspondence





- CCTV footage captured at our offices (where applicable and clearly signposted)

## 2.7 Non-Discrimination and Accessibility Data

From 1 May 2026 the Renters' Rights Act 2025 makes it unlawful to discriminate against prospective tenants on the basis that they receive benefits or have children. We record limited information about source of income, household composition and accessibility needs for the strict purposes of:

- Matching tenants to suitable properties, where the tenant has asked us to do so
- Making reasonable adjustments under the Equality Act 2010
- Demonstrating our compliance with the non-discrimination provisions of the Renters' Rights Act 2025 to a local authority or redress body

We do not use this data as a factor in refusing or disadvantaging any application.

## 2.8 Technical and Website-Usage Data

- IP address, browser type, device identifiers and operating system
- Pages visited, property listings viewed and enquiries submitted
- Cookie and similar-technology data (see section 10)

## 2.9 Marketing and Preferences Data

- Property-search criteria and alert preferences
- Consent and opt-out records for marketing communications
- Records of your interaction with our marketing campaigns (open rates, click-throughs)

## 2.10 Special Category Data

We only process special category data (for example, health information relevant to reasonable adjustments) where you have given your explicit consent, or where another Article 9 UK GDPR condition applies (such as substantial public interest, legal claims, or vital interests). We collect the minimum special category data necessary and apply enhanced safeguards, including access restrictions and additional retention controls.

# 3. HOW WE COLLECT YOUR PERSONAL DATA

- **Directly from you** — when you enquire, register, submit an offer, apply for a tenancy, sign a contract or otherwise interact with us
- **From third parties** — including property portals (such as Rightmove and Zoopla), referencing providers, AML providers, credit-reference agencies, guarantors, employers, previous landlords, local authorities, the courts and public registers
- **Automatically** — through our website, marketing-analytics tools and communications platforms
- **From other individuals** — for example, where one joint tenant provides details of another joint tenant, or where a next-of-kin or emergency contact is supplied





## **4. PURPOSES AND LAWFUL BASES FOR PROCESSING**

We process your personal data only where we have a lawful basis under Article 6 UK GDPR. Special category data is processed under an additional Article 9 condition.

### **4.1 Performance of a Contract (Article 6(1)(b))**

- Arranging property viewings and valuations
- Negotiating and managing tenancies, sales and purchases
- Providing property management, maintenance coordination and rent collection
- Holding and protecting tenancy deposits in accordance with the Housing Act 2004
- Serving statutory notices and administering tenancies in accordance with the Housing Act 1988 (as amended)

### **4.2 Compliance with Legal Obligations (Article 6(1)(c))**

- Anti-money laundering and counter-terrorist financing checks under the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017
- Right to Rent checks under the Immigration Act 2014
- Client-money handling and reporting obligations under our Client Money Protect membership
- Registration and information-sharing obligations with the Private Rented Sector Database under Part 2 of the Renters' Rights Act 2025, once operational
- Compliance with the non-discrimination, rental-bidding and rent-increase provisions of the Renters' Rights Act 2025
- Responding to lawful requests from HMRC, the police, local authorities, the courts and other regulators

### **4.3 Legitimate Interests (Article 6(1)(f))**

We rely on legitimate interests only where the processing is necessary to operate our business and does not override your rights and freedoms. We have conducted a Legitimate Interests Assessment (LIA) for each activity listed below and will provide a summary on request.

- Managing ongoing client relationships and providing continuity of service
- Instructing contractors and service providers to carry out repairs, maintenance and statutory safety checks
- Communicating with landlords, tenants, guarantors and applicants in the ordinary course of business
- Preventing and detecting fraud, rent arrears, tenancy fraud and unauthorised subletting
- Improving our services, training our staff and quality-monitoring client interactions
- Marketing our own similar services to existing and former clients, subject to your right to object at any time
- Responding to, investigating and defending complaints, disputes and legal claims



#### 4.4 Consent (Article 6(1)(a))

- Direct marketing to prospects who are not existing clients (for example, website enquirers who have not transacted with us)
- Non-essential cookies and tracking technologies on our website
- Sharing special category data where no other lawful condition applies

You may withdraw your consent at any time by contacting us. Withdrawal does not affect the lawfulness of processing carried out before withdrawal.

#### 4.5 Summary Table of Purposes and Lawful Bases

Purpose	Lawful Basis
Arranging viewings and negotiating offers	Contract (prospective client) / Legitimate Interests
Managing lettings, sales and tenancies	Contract
Property management and repairs coordination	Contract / Legitimate Interests
Sharing data with contractors and service providers	Legitimate Interests / Contract
Referencing and affordability checks	Contract / Legitimate Interests
AML, Right to Rent and sanctions screening	Legal Obligation
Rent collection and client-money handling	Contract / Legal Obligation
Serving statutory notices (including Section 13 Form 4A)	Contract / Legal Obligation
Submissions to the PRS Database (when operational)	Legal Obligation
Responding to Private Landlord Ombudsman complaints	Legal Obligation / Legitimate Interests
Non-discrimination and rental-bidding compliance records (RRA 2025)	Legal Obligation
Marketing to existing and former clients	Legitimate Interests (PECR soft opt-in)
Marketing to non-client prospects	Consent





Purpose	Lawful Basis
Defending legal claims and complaints	Legitimate Interests / Legal Obligation
Website analytics and operational cookies	Consent (non-essential) / Legitimate Interests (essential)

## 5. WHO WE SHARE YOUR PERSONAL DATA WITH

We share personal data only where necessary for the purposes set out above, and always under appropriate contractual and legal safeguards. We do not sell your personal data.

### 5.1 Landlords, Tenants, Guarantors and Applicants

We share personal data between parties to a tenancy or prospective tenancy to the extent reasonably necessary to negotiate, manage or end that tenancy. This includes providing landlords with referencing outcomes and applications, and providing tenants with information about the landlord where required by law.

### 5.2 Contractors and Service Providers

We share your name, contact details and relevant property information with contractors and service providers engaged to carry out repairs, maintenance, gas-safety checks, electrical inspections, EPC assessments, inventory check-in and check-out, cleaning and other property-related services. These providers act as independent controllers or processors depending on the service. We share only the minimum data necessary for the instruction.

### 5.3 Professional and Compliance Providers

- Referencing providers, including Canopy or equivalent providers used from time to time
- AML and KYC providers, including Lifetime Legal or equivalent providers
- Tenancy-deposit protection-scheme providers
- Legal advisers, accountants, auditors and insurers
- Regulatory and redress bodies, including Property Redress, the forthcoming Private Landlord Ombudsman (once operational), Client Money Protect, National Trading Standards, the Information Commissioner's Office and local-authority housing and licensing teams

### 5.4 Technology and Platform Providers

- Property-management and CRM systems (including Reapit)
- Client-money and rent-collection platforms (including PayProp)
- Workflow, automation and productivity tools (including Monday.com, Zapier, Make and n8n)
- Marketing, advertising and analytics platforms (including Google, Meta, TikTok and Looker Studio)





- Hosting, email and communications providers (including WP Engine and our telephony and email providers from time to time)
- Media and embedded services (including YouTube, Vimeo and Google Maps)

### 5.5 Government and Statutory Bodies

- HMRC, the Department for Work and Pensions and local authorities
- The Private Rented Sector Database (once operational under Part 2 of the Renters' Rights Act 2025)
- The Private Landlord Ombudsman (once operational)
- The courts and tribunals, including the First-tier Tribunal (Property Chamber) in relation to Section 13 rent challenges
- Law enforcement and regulatory bodies where required by law

### 5.6 Cross-Entity Sharing within the Element Group

Element Properties Alexandra Park Ltd is part of a group of associated businesses under common ownership, including **Element Pro Ltd**, which provides related property services such as maintenance, refurbishment and associated works.

We may share your personal data with Element Pro Ltd and other group companies only where it is reasonably necessary for, and directly connected to, the performance of a contract or the provision of property-related services. Each entity acts as an **independent Data Controller** in respect of its own processing.

Where the factual arrangements between two entities amount to **joint controllership** under Article 26 UK GDPR, we will put in place an Article 26 arrangement setting out the parties' respective responsibilities, and we will make the essence of that arrangement available to you on request. We do not rely on an "independent controllers" label to avoid Article 26 responsibilities where the substance of our arrangement is one of joint control.

We will not use personal data shared within the group for unrelated purposes. You have an **absolute right to object to direct marketing** by any group entity, and a right to object (on grounds relating to your particular situation) to any other processing based on legitimate interests. To exercise these rights, contact us at [info@elementproperties.co.uk](mailto:info@elementproperties.co.uk).

### 5.7 Sales Transactions

In a sales context we may share buyer and seller information with estate-agent counterparts, conveyancers, mortgage brokers, surveyors and HM Land Registry to the extent reasonably necessary to progress the transaction.

## 6. RENTAL BIDDING, RENT INCREASES AND NON-DISCRIMINATION

From 1 May 2026 the Renters' Rights Act 2025 prohibits landlords and letting agents from inviting, encouraging or accepting offers of rent above the advertised rent. We process and retain records





of advertised rents, offers received, and offers accepted in order to demonstrate compliance with this prohibition and to respond to investigations by local authorities or redress bodies.

We process and retain records relating to tenant source of income and household composition only for the purposes of demonstrating non-discrimination and making reasonable adjustments, as described in section 2.7. This data is not used in making letting decisions.

Where rent is increased under Section 13 of the Housing Act 1988 (using Form 4A from 1 May 2026), we retain records of the notice served, the supporting market evidence, and the outcome of any referral to the First-tier Tribunal, for regulatory and legal compliance purposes.

## **7. INTERNATIONAL DATA TRANSFERS**

Some of our service providers operate, or store data, outside the United Kingdom. Where we transfer personal data outside the UK we ensure that an appropriate transfer mechanism is in place, including:

- Transfers to jurisdictions covered by a UK adequacy regulation
- The UK International Data Transfer Agreement (IDTA)
- The UK Addendum to the European Commission Standard Contractual Clauses
- Binding Corporate Rules, where relevant

We carry out a Transfer Risk Assessment where required. You may request further details of the safeguards in place for any specific transfer by contacting us at the address in section 1.

## **8. HOW LONG WE KEEP YOUR PERSONAL DATA**

We keep personal data only for as long as necessary for the purposes for which it was collected and to comply with our legal, regulatory, tax, accounting and insurance obligations. Our standard retention periods are:

<b>Data Category</b>	<b>Retention Period</b>
Tenancy agreements and related records	7 years from end of tenancy
Sales transaction records	7 years from completion
AML / KYC / Right to Rent records	5 years from end of business relationship (statutory minimum)
Client-money records and PayProp transactions	6 years from end of the relevant financial year
Deposit-protection records	6 years from end of tenancy





Data Category	Retention Period
Section 13 notices and rent-increase records	7 years from end of tenancy
Non-discrimination compliance records (RRA 2025)	6 years from last processing activity
Complaints and redress correspondence	6 years from closure of complaint
Enquiries that do not progress to a transaction	12 months (24 months where a registered search is active)
Marketing consents and opt-out records	For the duration of the relationship plus 3 years, or until you opt out
CCTV footage (where operated)	30 days unless required for an investigation
Website analytics (aggregated)	26 months

At the end of the retention period, personal data is securely deleted or anonymised. Where specific legal, tax or regulatory requirements call for longer retention (for example, documents relating to ongoing litigation), we will retain only the minimum data necessary for the remaining purpose.

## 9. YOUR RIGHTS UNDER UK DATA PROTECTION LAW

You have the following rights, subject to the conditions and exemptions set out in the Data Protection Legislation:

- **Right of access** — to obtain a copy of the personal data we hold about you
- **Right to rectification** — to have inaccurate or incomplete personal data corrected
- **Right to erasure** — to have your personal data deleted where one of the UK GDPR grounds applies
- **Right to restriction of processing** — to ask us to limit processing in certain circumstances
- **Right to data portability** — to receive certain data in a structured, commonly used format
- **Right to object** — including to processing based on legitimate interests, and an absolute right to object to direct marketing
- **Right to withdraw consent** — where processing is based on your consent
- **Rights in relation to automated decision-making** — we do not carry out automated decision-making that produces legal or similarly significant effects on you; tenancy decisions are made by our staff, even where referencing or affordability tools are used
- **Right to lodge a complaint** with the Information Commissioner's Office (see section 13)

To exercise any of these rights, please contact us at [info@elementproperties.co.uk](mailto:info@elementproperties.co.uk). We will respond within one month of receipt of a valid request, extendable by a further two months for





complex requests with notice to you. We may ask for proof of identity. Most rights are exercised free of charge; we may charge a reasonable fee or refuse manifestly unfounded or excessive requests, explaining our reasons.

## 10. COOKIES AND SIMILAR TECHNOLOGIES

Our website uses cookies and similar technologies to make the site work, to analyse usage and performance, and to support marketing and advertising. Strictly necessary cookies are set automatically under the "communication" and "strictly necessary" exemptions in PECR. All other cookies (including analytics and marketing cookies) are set only with your consent, which you may give, refuse or withdraw through our website cookie banner and preference centre.

Full details of the cookies we use, their purposes, providers and retention periods are set out in our Cookie Policy, available on our website.

## 11. DATA SECURITY

We implement appropriate technical and organisational measures to protect personal data against unauthorised or unlawful processing and against accidental loss, destruction or damage. These measures include access controls, multi-factor authentication on key systems, encryption of data in transit, secure authentication, staff training, vendor due diligence and a documented breach-response process.

If we become aware of a personal-data breach that is likely to result in a risk to your rights and freedoms, we will notify the Information Commissioner's Office within 72 hours where required, and will notify affected individuals without undue delay where the breach is likely to result in a high risk.

## 12. MARKETING COMMUNICATIONS

We may send you marketing communications about services that are relevant to you, including property alerts, market updates and news about the services of Element Properties & Co. and the Element group.

- Where you are an existing or former client, we rely on the **soft opt-in** under regulation 22(3) PECR and will only market similar services
- Where you are a prospect who has not previously transacted with us, we will obtain your **consent** before sending marketing communications

You may opt out at any time by clicking the unsubscribe link in any marketing email, by replying STOP to a marketing SMS, or by contacting us. Opting out does not affect our ability to send you service communications required to manage your tenancy, sale or purchase.





### **13. COMPLAINTS ABOUT OUR HANDLING OF PERSONAL DATA**

If you have a concern about how we handle your personal data, please contact us first at **info@elementproperties.co.uk** so that we can investigate. Our Complaints Handling Procedure is available on request and on our website.

You also have the right to lodge a complaint with the Information Commissioner's Office:

- **Information Commissioner's Office**, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
- **Helpline:** 0303 123 1113
- **Website:** [www.ico.org.uk](http://www.ico.org.uk)

### **14. CHANGES TO THIS PRIVACY NOTICE**

We keep this Privacy Notice under review and will update it to reflect changes in our processing activities or the law. The version and effective date are shown at the top of the document. Material changes will be notified to you directly where we hold a current contact email.

### **15. REGULATORY MEMBERSHIPS AND AUTHORISATIONS**

- Property Redress — government-approved redress scheme membership
- Client Money Protect — client money protection membership
- Information Commissioner's Office — registered data controller (ZA242204)
- Appointed representative of Danire Services Limited, which is authorised and regulated by the Financial Conduct Authority

