

**G. California Consumer Privacy Act (01/01/20)**

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**1. Purpose**

To establish and outline NOVA® Home Loans (NOVA®) policy and process for responding to California Consumer Privacy Act (CCPA) requests.

**2. Policy Statement**

NOVA® recognizes that a consumer's personally identifiable information (PII) is highly confidential and that consumers have specific rights under the CCPA. This includes the right to know what information was or will be collected and how that information will be used. Also, consumers can request their information be deleted or access restricted, and that they are no longer marketed to. The purpose of this policy is to outline the steps NOVA® has taken to protect consumer information as defined under the CCPA.

**3. Responsibilities**

**Executive Team**

The Executive Team is responsible for the approval and enforcement of this policy.

**Chief Loan Operations Officer**

The Chief Loan Operations Officer will be engaged as needed for any issues arising from third-party relationships that pose potential risk to or exposure of NOVA® or any of its interests.

**Director of Compliance & Policy Management**

The Director of Compliance & Policy Management oversees the development and execution of this policy and identifies the regulations NOVA® and our vendors must comply with. The Director of Compliance & Policy Management maintains a copy of this policy in NOVA's Policy and Procedure library, and ensures that annual reviews of third-party service providers meet compliance standards.

**Director of Training & Development**

The Director of Training & Development will be familiar with this policy and corresponding procedures. NOVA's Training Department will provide compliance training to third parties with whom NOVA® is affiliated as needed.

**Management Team**

**Production**

Production Management should be familiar with this policy and must follow the procedures outlined below.

**Operations**

Operations Management should be familiar with this policy and must follow the procedures outlined below.

**Corporate Support (Acct/Benefits, Cap Markets, HR, Marketing, MIS, Specialty Depts.)**

Corporate Support should be familiar with this policy and must follow the procedures outlined below.

**Employee**

NOVA® employees should be familiar with this policy and must follow the procedures outlined below. Employees that receive a consumer request to exercise their rights under CCPA must immediately follow the submission process as outlined below.

**4. Procedures**

**Who is considered a California consumer under CCPA?**

Under CCPA any individual who resides in, owns property in, or transacts business in California is considered a California Consumer. For the purpose of

this policy NOVA® will consider the following California consumers subject to CCPA.

1. Borrowers currently residing in California
2. Borrowers purchasing property in California, regardless of the properties use.
3. Borrowers that currently own property in California regardless of the properties use.

How does NOVA® notify California consumers of their rights under CCPA?

1. NOVA® maintains a California-specific privacy policy to outline California consumer rights under CCPA that supplements our main privacy policy and is accessible from the NOVA® website.
2. Consumers with a property or mailing address in California receive the Collection of Personal Information Notice in the initial disclosure package.
3. The NOVA® website has the CCPA required “Do Not Sell My Information” link or linked button where consumers can access CCPA details and submit their opt-out request.
4. All NOVA® branches have posted signage indicating the web address of CPC.NOVAHOMELOANS.COM so all consumers may access CCPA information and notice of data collection.
5. The NOVA NOW website (an application-specific portal) has direct links to the general NOVA® Privacy Policy and California-specific Privacy Policy on all pages where consumer information is collected.

#### Consumer Methods for Opt-Out

Consumers can submit their request verbally to any NOVA® employee during a branch visit or through one of the following methods.

1. Online: [cpc.novahomeloans.com](http://cpc.novahomeloans.com)
2. Toll Free: 800-955-9125
3. Email: [optout@novahomeloans.com](mailto:optout@novahomeloans.com)

What can a consumer request under CCPA?

1. To no longer be marketed to.
2. To know what information was collected and how that information was used.
3. To receive copies of information provided to NOVA® during the application process.
  - a. Consumer may request copies of documents up two times in a 12-month period.
4. To have their information deleted from NOVA® and affiliate records. \*

\*As a result of state and federal requirements, NOVA® cannot delete any consumer information received in conjunction with a mortgage application. However, NOVA® will restrict account access to only those with a legitimate business need once a transaction has been completed.

#### Employee Responsibility

If a consumer notifies you that they wish to exercise their rights under CCPA either verbally or in writing, you must notify Compliance immediately by emailing [optout@novahomeloans.com](mailto:optout@novahomeloans.com). In your email, please include as many of the details listed below as possible. You may also submit the request through JIRA at JIRA Portal.

These requests will be reviewed by the Compliance Department to ensure all CCPA requirements are met.

Points of Information to collect:

- Borrower Names(s)
- Loan Number
- Phone Number
- Current Address
- Email Address
- Preferred contact method
- What are they requesting (opt-out, details on what was collected, copies of documents, deletion)

#### Compliance Department Responsibility

Once Compliance receives notice that a consumer has elected to opt out under CCPA, the following steps will be taken.

1. The request will be logged and acknowledged in the JIRA tracking system.
  - a. Written notice confirming receipt of the request will be sent based on the consumer elected communication preference.
2. Compliance will validate the consumer is eligible to opt-out under CCPA and meets the definition of a California consumer.
  - a. If the requestor does not meet the definition of a California Consumer, Compliance will complete the opt-out under the Gramm-Leach-Bliley Act (GLBA) requirements.
  - b. In the event additional information is needed to process the request, Compliance will contact the consumer using the provided contact information to gather any additional information needed.
    - i. Compliance will send written notice to the consumer that additional information is needed to complete their request as soon as identified.
3. Compliance will validate the request was submitted directly by the consumer or an authorized third party.
  - a. In order to validate the request was submitted by the consumer or an authorized third-party compliance will verify at least three of the following pieces of information.
    - i. Last six digits of the borrower social security number
    - ii. Date of birth
    - iii. Subject property address or mailing address

- iv. Phone number used at the time of application
- v. Loan number generated by NOVA®.
- b. In the event the request is only to opt-out of marketing, this step will not be completed and accounts will automatically be removed from future marketing.
- 4. In the event the request is to provide copies of documentation, Compliance will use the provided contact information to validate that the request was submitted directly by the consumer or an authorized third party.
  - a. In the event Compliance cannot verify the request was submitted by the consumer or an authorized third-party, Compliance will only opt-out the account and will not provide any copies of documentation.
  - b. Copies of documentation will be provided to the borrower using SecureDock by the Compliance department once the request has been verified.
- 5. If the borrower requests to have their information deleted, Compliance will notify MIS, Marketing, NOVA® affiliates/vendors, and the Loan Officer(s) of the request.
  - a. MIS will move the consumers' loan(s) to a restricted access folder that can only be accessed by NOVA employees with a legitimate business need to access the information.
    - i. Those with a legitimate need are considered NOVA departments or employees who need continued access to borrower information in order to complete the transaction for which the borrower has applied for.
  - 1. In the event a consumer submits a request to restrict access or delete information while an active application is in process, NOVA® will not complete the request until the transaction has been completed in order to ensure all consumers receive an equal level of service.
  - ii. Additionally, department or employees that need account access to complete required government reporting, accounting, servicing, complaint response, or secondary market functions will have access to borrower information.
  - iii. Legitimate business need is not considered any marketing or future sales-related activities.
- b. Marketing will update all internal marketing channels to indicate that the borrower can no longer be marketed to and will request consumer information be deleted from all marketing managed assets.
- c. NOVA® affiliates/vendors will be notified that the consumer has requested to have their information deleted pursuant to CCPA and the information must be deleted unless the affiliate/vendor has a specific regulatory requirement that prevents them from doing so.
- d. Loan Officers will update any marketing assets that they maintain and are not managed by marketing by removing the consumers' information.
- 6. Compliance will include a copy of all notifications and responses in JIRA to serve as evidence that all steps were completed in the process.
- 7. All above steps in the process will be completed within 30 days of the borrowers submission to exercise their rights under CCPA. \*\* Upon Compliance completing the consumers' request to exercise their rights under CCPA, written notice will be provided to the borrower via the borrowers preferred communication method.

\*\*In the event the Compliance Department determines additional time is needed to complete the consumers' request, Compliance will send written notice to the borrower advising an additional 30 days is needed to complete their request.

#### 5. Appendices

- 1. California Consumer Privacy Act Legislation - [http://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=CIV&division=3.&title=1.81.5.&part=4.&chapter=&article=](http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=CIV&division=3.&title=1.81.5.&part=4.&chapter=&article=)

#### 6. References/Relevant NOVAnotes

List policies, procedures, statements, etc. affected by the policy and/or relevant to the policy.

#### 7. Approval

BY EXECUTIVE TEAM

Signed	Date
Name	Title

Section VI.G. www.novahomeloans.com  
 Category: California Consumer Privacy Act  
 Compliance Department