

## Tenant self-disclosure / prospective tenant form Application for business tenants

I/We am/are interested in renting the unit

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City, Street + House number + Location

starting from ----- or alternatively on -----

Intended use as: -----

Desired term: ----- years plus  
----- years Option renewal

Planned opening hours: ----- h until ----- h (weekly)  
----- h until ----- h (weekend)

I/we intend to carry out the following conversion measures:

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I/we have the following conditions for a tenancy:

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I/we have enclosed the following documents with my/our application:

- Completed tenant self-disclosure form
- Business concept, business plan
- Business evaluation (period min. 12 months)
- Proof of capital
- Proof of current income (salary statements)
- Proof of creditworthiness (Schufa information or Creditreform information)
- Certificate of freedom from rental debt private and commercial (voluntary)
- Preliminary building permit (planned use in the object possible under building planning law)

I/we am/are aware that we do not require the self-disclosure form to be completed in full. If you would nevertheless like to voluntarily provide us with the information requested here (you can also answer only part of the information), we would be pleased. Of course, your application will be considered even if you do not provide all the voluntary information requested here. Voluntary information is marked accordingly.

## General information and declarations of the prospective tenant(s)

As part of the voluntary self-disclosure, I/we provide the landlord with the following information regarding a possible lease of the above rental property:

	Prospect tenant 1 (m/f/d)	Prospect tenant 2 (m/f/d)
<b>Name, first name</b> or name of legal entity and the representative		
<b>Date of birth / No. from register</b> (e.g. commercial register/ register of associations/ etc.)		
<b>Current address / Business address</b>		
<b>Phone number</b>		
<b>E-mail address</b>		

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Has an <b>eviction action</b> been filed against you in the last 5 years? (If yes, when?)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has an <b>enforcement action</b> been initiated against you in the last 5 years?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you provided an <b>affidavit</b> in the last 5 years? (If yes, when?) (voluntary)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have <b>insolvency proceedings</b> been opened against you in the last 5 years? (If yes, when?)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

- I. Ich / Wir I/We declare that I/we am/are able to meet all obligations to be assumed under the lease, in particular the provision of the rental deposit and the contractual rent plus incidental expenses.
- II. I/We declare that the above information has been provided completely and truthfully. When concluding a rental agreement, false statements may result in the cancellation or termination of the rental agreement without notice.
- III. The landlord is entitled to use this voluntary self-disclosure form only for the purpose of its own rental purposes. If the tenant self-disclosure is no longer needed - if a rental agreement is not concluded - Heimstaden, after the cessation of the purpose in terms of Art 5 para 1 lit b) DSGVO, delete this data immediately.

This does not affect your rights as data subject(s) under the General Data Protection Regulation, in particular your rights to information, correction, deletion, complaint and objection. See section <https://heimstaden.com/de/uber-uns/datenschutz/>.

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I would like to be informed by e-mail about offers and services as well as events and benefits for tenants by Heimstaden Germany GmbH and affiliated companies with the opportunity to participate in surveys.

You can withdraw your consent(s) at any time for the future. The withdrawal can be made form-free, e.g. via a corresponding link in the e-mail. The granting or non-granting or revocation of your consent has no effect on your rental relationship. You can find further information in the attached data privacy information.

Prospect tenant 1 (m/f/d)

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E-Mail

Prospect tenant 2 (m/f/d)

-----  
E-Mail

-----  
Place, Date

-----  
Signature Prospect tenant 1

-----  
Signature Prospect tenant 2

## Heimstaden Privacy Information for prospective business tenants

The following privacy information for prospective tenants applies to the application process for a rental property and is therefore not suitable for tenants.

### 1. Definition of terms

The data protection terms used in the following are defined in Art. 4 GDPR. The full text of the GDPR is available on the Internet at the following link: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&from=de>.

### 2. Controller according to Art. 4 No. 7 GDPR

Controller within the meaning of Art. 4 No. 7 GDPR is

Heimstaden Germany GmbH

Postal address:

Erkelenzdamm 11-13

10999 Berlin

Phone.: 0800 9858 202

You can reach our data protection officers at [dsb\\_heimstaden@riscreen.de](mailto:dsb_heimstaden@riscreen.de).

### 3. Sources and data used

Heimstaden processes your personal data in the context of the application for the rental property.

The following personal data is processed by us:

- First name and surname
- Date of birth
- Current home or business address
- Phone number
- E-mail address if applicable
- Information about your business
- Information about your current income
- Information on any foreclosures or insolvency proceedings
- Information about your creditworthiness

### 4. Processing purposes and legal bases

Heimstaden processes your personal data in accordance with the provisions of the GDPR and the German Federal Data Protection Act (BDSG). In detail:

## **4.1 Fulfilment of pre-contractual obligations (Art. 6 (1) p. 1 lit. b GDPR)**

Heimstaden processes your data to fulfil pre-contractual obligations. The legal basis for this processing is Art. 6 (1) p. 1 lit. b GDPR. The purpose of the processing is:

The conduction of the pre-contract for the conclusion of a lease agreement between you and Heimstaden

## **4.2 Legal obligations (Art. 6 (1) p. 1 lit. c GDPR)**

Heimstaden processes personal data to be able to fulfil legal obligations such as reporting and information obligations to authorities and from tax law:

Legal obligations include, for example, retention obligations under tax and commercial law, existing obligations to carry out monitoring measures to prevent white-collar crime or money laundering.

## **4.3 Your consent (Art. 6 (1) p. 1 lit. a GDPR)**

Heimstaden processes personal data based on your consent. Data processing is legally permissible if you have consented to such processing for one or more specific purposes. You have the right to withdraw this consent at any time without affecting the legal basis of the processing carried out because of the consent until the withdrawal.

Information provided voluntarily by you

Mailing of tenant newsletter and similar content may be based on tenant consent.

## **4.4 Legitimate interest (Art. 6 (1) p. 1 lit. f GDPR)**

Heimstaden also processes data based on legitimate interests: The settlement of legal disputes, assertion, exercise and defence of legal claims.

## **5. Recipients of personal data**

Within Heimstaden, only those departments will have access to your data that need it to fulfil their tasks in connection with application procedures.

To be able to offer our service optimally, we also exchange data within the Heimstaden Group, insofar as this is necessary to safeguard our legitimate interests and your interests or fundamental rights and freedoms do not outweigh our interests.

We also transfer your personal data to the following parties for the following purposes. The transfer is only made on an as-needed basis and only those personal data are transferred by us that are required for the respective recipient and for the provision of its services or its involvement:

- IT service providers - we contract IT service providers in data processing.
- Public authorities - we may transfer personal data to courts, supervisory authorities, tax authorities and other public authorities based on statutory regulations.

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- Schufa Holding AG -For the purpose of checking the creditworthiness of prospective tenants, we transmit personal data collected in the context of this (pre)contractual relationship prior to the conclusion of the rental agreement to SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden, Germany, as well as data on non-contractual or fraudulent behaviour. The legal basis for these transfers is Article 6 (1) (b) and Article 6 (1) (f) GDPR. Transfers based on Art. 6 (1) (f) GDPR may only be made if this is necessary to protect the legitimate interests of the landlord or third parties and does not override the interests or fundamental rights and freedoms of the data subject that require the protection of personal data. SCHUFA processes data and uses it for the purpose of profiling (scoring) to provide its contractual partners in the European Economic Area and in Switzerland and, where applicable, other third countries (insofar as there is an adequacy decision on these by the European Commission) with information on, among other things, the assessment of the creditworthiness of natural persons. Further information on SCHUFA's activities can be found in the SCHUFA information sheet at [www.schufa.de/datenschutz](http://www.schufa.de/datenschutz).

As far as the third parties are not themselves data controllers according to Art. 4 No. 7 GDPR, they process your data as so-called processors on our behalf according to Art. 28 GDPR. Processors only process personal data according to instructions and are contractually obligated to comply with the applicable data protection regulations.

## 6. Third country transfer

No data is transferred to countries outside the EU or the EEA (so-called third countries).

## 7. Storage period

We process personal data for as long as is necessary to achieve the purpose for which it was collected. In the present case, until the application process is completed, or until the conclusion of a tenancy agreement with an applicant. After that, the data is deleted.

## 8. Your privacy rights

As a data subject of a data processing operation, you have the following (data subject) rights under the GDPR:

- Right of access - Pursuant to Art. 15 GDPR, you may request information from us as to whether Heimstaden processes personal data of you and which data this is.
- Right to rectification - If your data is incorrect, you can request a correction in accordance with Art. 16 GDPR. If your data is incomplete, you can request that it be completed. If Heimstaden has disclosed your data to third parties, these third parties will be informed about your correction - if required by law.
- Right to erasure - You have the right to have your data deleted, provided that the requirements of Art. 17 GDPR are met (especially if the purposes for which your data was collected or processed cease to apply).
- Right to restriction of processing - You have the right to restrict processing, provided that the requirements of Art. 18 GDPR are met.

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- Right to data portability – In accordance with Art. 20 GDPR Heimstaden will, if you wish, make your data available to you for further use or transfer it to a recipient to be designated by you.
- Right to withdraw consent - If consent has been given to process personal data, the right exists to withdraw the given consent at any time with effect for the future, i.e. the withdrawal does not affect the lawfulness of the processing carried out before the withdrawal based on the consent. After withdrawal, Heimstaden may further process the personal data only to the extent that the processing is still necessary for Heimstaden due to legal obligations. The withdrawal can be made form-free, e.g. by sending a message to the contact details provided above. In addition, you can declare the revocation of the subscription to the newsletter by clicking on the link provided in a newsletter e-mail.

## Right to object to processing

Pursuant to Art. 21 (1) GDPR, you have the right to object at any time, on grounds relating to your situation, to the processing of personal data relating to you which is carried out based on Art. 6 (1) sentence 1 lit. f GDPR (data processing for the purposes legitimate interests).

Insofar as you object, we will no longer process your personal data for the purposes covered by the objection unless

- we can demonstrate compelling legitimate reasons that override the interests, rights and freedoms of the data subject, or
- the processing serves the enforcement, exercise or defence of legal claims.

Insofar as the objection is also or only directed against data processing for direct marketing, we will no longer process your personal data for this purpose.

The objection can be made informally, e.g. by sending a message to the contact details provided.

- Right to lodge a complaint with a supervisory authority –You have a right of appeal to a data protection supervisory authority (Art. 77 GDPR in conjunction with § 19 BDSG).

We recommend that you always address a complaint to us first.

## 10. Effect of non-disclosure

If the personal data are not provided, Heimstaden will not be able to collect them and participation in the application process may not take place.

## 11. No automated decision making

Heimstaden does not use fully automated decision-making within the meaning of Art. 22 GDPR