



PRIVACY POLICY

Last updated: December 15, 2019

1. General Information

Fundation Group LLC (“Fundation”, “we” or “us”) owns and operates the website www.fundation.com. This privacy policy describes Fundation’s policies regarding the collection, use and disclosure of personal information that you provide us directly or through third parties, whether through the website, any other website from which you access this privacy policy (collectively, the “Site”), or by other electronic or physical means. Fundation respects and is committed to protecting your privacy and the privacy of all users of the Site.

By using the Site or applying for any Fundation service either on the Site or through a third party, you consent to this policy, including to the collection, disclosure and use of information in accordance with this privacy policy and as permitted under applicable law.

In accordance with the Children’s Online Privacy Protection Act (COPPA), Fundation does not knowingly request, collect, or utilize any information from children under the age of thirteen or any persons under the age of eighteen. The Site is intended as a general audience website.

2. Information We Collect

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device (“personal information”). In particular, we have collected the following categories of personal information from consumers within the last twelve (12) months:

Category	Examples	Collected
A. Identifiers	A real name, alias, postal address, Internet Protocol address, email address, Social Security number, driver's license number, passport number, or other similar identifiers.	Yes
B. Personal information categories listed in the California Customer Records Statute (Cal. Civ. Code § 1798.80(e))	A name, signature, Social Security number, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number or any other financial information, or medical information. Some	Yes

	personal information included in this category may overlap with other categories.	
C. Protected classification characteristics	Age (18 years or older), citizenship or military status.	Yes
D. Commercial information	Business bank account number and bank statements, business tax returns, business personal or real property information or other business asset information.	Yes
E. Biometric information	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	No
F. Internet or other similar network activity	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	Yes
G. Geolocation data	Physical location or movements.	Yes
H. Sensory data	Audio, electronic, visual, thermal, olfactory, or similar information.	Yes
I. Professional or employment-related information	Current or past job history or professional experience.	Yes
J. Inferences drawn from other personal information	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	Yes

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from you or through your agents. For example, from documents that you provide to us related to the services for which you engage us.



- Indirectly from you or your agents. For example, through information we collect about you based on information or authorization you provide to us.
- Directly and indirectly from activity on the Site. For example, from submissions through our website portal or website usage details collected automatically.
- From third parties that interact with us in connection with the services we perform. For example, from partners who submit applications and supporting documents to us on behalf of the individual applicant.
- From third party data providers, such as consumer or commercial credit reporting agencies and other data sources.

Fundation collects personal information from you when visiting the Site to assist Fundation in providing you with information in connection with an inquiry about Fundation services. The information collected may vary depending upon what specific products or services you are requesting. Fundation may also collect personal information to process credit applications and to obtain credit and background reports from third party service providers. The information collected may include, but not be limited to, the following personal information:

- Contact information, including name, address, phone number and email address;
- Business information, including business credit reports, ownership information, financial statements, bank statements and tax returns, to help Fundation assess eligibility for credit;
- Banking information such as account balances and payment history, so Fundation can fund the requested credit product and receive payments;
- Social Security Number or Employer Identification Number;
- Site registration and login information;
- Credit history and/or credit scores;
- Other information that enables Fundation to identify you or your business, determine the business' eligibility for credit and to provide services, such as non-demographic data and data regarding a use of the Site that does not identify you; and
- Any additional information you may provide to Fundation about other persons such as business partners or loan co-guarantors.

3. Use of Personal Information

We may disclose the personal information we collect for one or more of the following business purposes:

- To fulfill or meet the reason for which the information is provided. For example, if you provide us with personal information in order to apply for an extension of credit, we will use that information to underwrite the application and provide a credit decision.
- To provide you with information, products or services that you request from us.
- To provide you with customer service, service your loan, process payments and verify compliance with applicable laws.
- To provide you with email alerts and other notices concerning our products or services, or events or news that may be of interest to you.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for loan repayment and collections.
- To improve our website and present its contents to you.



- For testing, research, analysis and product development.
- To test new products and services with our partners or potential partners.
- When we reasonably believe disclosure is appropriate in connection with efforts to investigate, prevent, or take other action regarding illegal activity, suspected fraud or other wrongdoing; or to enforce the Site's terms and conditions or other agreements or policies.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- In connection with state and/or federal licensing requirements.
- In connection with a substantial corporate transaction, such as the sale of the business, a divestiture, merger, consolidation, asset sale or in the unlikely event of a bankruptcy.
- To sell or assign a loan, line of credit or other credit product, or any part thereof, to a third party, a Foundation affiliate or business partner or if Foundation is otherwise contractually required to share such information with third parties.
- For marketing purposes or joint marketing with other companies to offer products and services to you.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA (defined below).

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

4. Sharing of Personal Information

We may disclose your personal information to a third party for a business purpose. When we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

In the preceding twelve (12) months, we have disclosed the following categories of personal information for a business purpose (as listed in Section 1 above):

Category A: Identifiers

Category B: Personal information categories list in the California customer records statute

Category C: Protected classification characteristics

Category D: Commercial information

We disclose your personal information for a business purpose to the following categories of third parties:

- Our affiliates
- Service providers and prospective service providers
- Third parties to whom you or your agents authorize us to disclose your personal information in connection with products or services we provide to you
- Government or regulatory agencies with which we are required to provide personal information

In the preceding twelve (12) months, we have not sold any personal information.

5. Information for California Residents

This section applies solely to visitors, users, credit applicants and others who reside in the State of California (“consumers” or “you”) and is effective beginning January 1, 2020. Fundation complies with the California Consumer Privacy Act of 2018 (“CCPA”). Any terms defined in the CCPA have the same meaning when used in this privacy policy.

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, we will disclose to you, if applicable:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
 - sales, identifying the personal information categories that each category of recipient purchased; and
 - disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

Deletion Request Rights

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *seq.*).



6. Comply with Federal Regulations such as Regulation B (12 CFR 1002), the Fair Credit Reporting Act (15 U.S.C. 1681), the Servicemembers Civil Relief Act (50 U.S.C. 3901), and the Bank Secrecy Act and regulations put forth by the Financial Crimes Enforcement Network (“FinCEN”) (31 CFR 1010).
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by:

- Calling us at 888-390-8246;
- Visiting www.fundation.com and submitting a request through the website; or
- Emailing compliance@fundation.com

Only you or a person registered with the California Secretary of State whom you authorize to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child. In order to process your request please provide the following information:

- Your first and last name
- The name of your business (if you are a loan applicant or borrower)
- Your email address
- Your phone number
- Your foundation account number (if available)
- Request details

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. Making a verifiable consumer request does not require you to create an account with us. We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

Response Timing and Format



We endeavor to respond to a verifiable consumer request within 45 days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing. We will deliver our written response by mail or electronically, at your option. Any disclosures we provide will only cover the 12-month period preceding our receipt of the verifiable consumer request. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

6. Log Data

Like many website operators, Foundation makes use of standard internet technologies to collect information that a browser sends whenever you visit the Site or perform any activity on the Site ("Log Data"). This Log Data may include information such as your computer Internet Protocol ("IP") address, browser type, browser version, pages of the Site that you visit, the time and date of a visit, the time spent on those pages and other statistics.

7. Cookies

Foundation uses "cookies" on this Site. A cookie is a small text file that is stored on a site visitor's hard drive to help Foundation improve access to the Site and identify repeat visitors. When you visit the Site, Foundation may assign your computer one or more cookies to facilitate access to the Site and record information about your visit. Cookies can also enable Foundation to track and target the interests of visitors to enhance the experience on the Site. Usage of a cookie is in no way linked to any personally identifiable information on the Site and cookies do not store any personal information. Visitors can instruct a web browser to refuse all cookies or to indicate when a cookie is being sent. However, if you choose to decline cookies some of the features and services of the Site may not function properly and you may not be able to use some portions of the Site.

Some of the cookies in use on the Site are for Google Analytics. Google Analytics is a web analytics tool that helps Foundation understand how visitors engage with the Site so that it can be improved. Google Analytics collects information anonymously. It reports website trends without identifying individual



visitors. You can opt out of Google Analytics without affecting how you visit the Site. For more information on opting out, visit <https://tools.google.com/dlpage/gaoptout>.

8. Security

The security of personal information is important to Foundation and we take reasonable measures to help safeguard it. To protect personal information from unauthorized access and use, Foundation uses appropriate physical and technical security measures that comply with federal law. Personal information is protected by Secure Sockets Layer (SSL) software, which encrypts it so that it cannot be read over the Internet.

Though Foundation is dedicated to the security of Personal Information, no method of transmission over the Internet, or method of electronic storage, is 100% secure. While Foundation strives to use commercially acceptable means to protect personal information, by using the Site you understand and acknowledge that Foundation cannot guarantee its absolute security.

9. Changes to This Privacy Policy

Foundation may update or modify this privacy policy from time to time to reflect changes in the collection, use and/or sharing of information. This policy will reflect the date it was last updated. If any material change is made to this policy, Foundation will notify visitors of any changes by posting the new privacy policy on the Site. All visitors are advised to review this privacy policy periodically for any changes. Your continued use of the Site will signify acceptance of any changes to the privacy policy.

10. Visiting the Site from Outside the United States

This privacy policy is intended to cover collection of information on the Site from visitors located within the United States. If you are visiting the Site from outside the United States, please be aware that information may be transferred, stored and processed in the United States.

11. Contact Foundation

If you have any questions about this privacy policy, the ways in which we collect and use your personal information or your choices and rights regarding such use, please contact us at:

Email: compliance@foundation.com

Postal Address: Foundation Group LLC

Attn: Compliance Department

11501 Sunset Hills Road, Suite 100

Reston, VA 20190