



OPTIMAL BLUE, LLC
PRIVACY POLICY





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Optimal Blue, LLC Privacy Policy (“Policy”)

Optimal Blue, LLC, 5340 Legacy Drive, Building 2, 2nd Floor, Plano, TX 75024 which is referred to below as "Optimal Blue, LLC" "Optimal Blue" or "we" or "us" or "our."

LAST UPDATED/EFFECTIVE DATE: August 14, 2017

OUR COMMITMENT TO YOUR PRIVACY

At Optimal Blue, we respect and use commercially reasonable practices in order to protect the privacy of those who visit or use our Websites. When we collect information from you, we want you to know how it is used and protected. Because of the financial nature of our business which relates to the real estate market, our Websites, products or services are not designed to appeal to children under the age of thirteen (13) and are intended for use of adults over the age of eighteen (18). Therefore, we do not knowingly attempt to solicit, receive or collect any information from children, and children should not use our Websites, products or services at any time.

This Policy describes Optimal Blue, LLC's (together with its subsidiaries and affiliates, "Optimal Blue") collection, processing, use and storage of data from customers of Optimal Blue products and services (and, where applicable, their customers) and from visitors to our websites, including www.optimalblue.com, [Optimal Blue LinkedIn Page \(https://www.linkedin.com/company/optimal-blue\)](https://www.linkedin.com/company/optimal-blue), [Optimal Blue Facebook Page \(https://www.facebook.com/optimalbluecompany\)](https://www.facebook.com/optimalbluecompany), [Optimal Blue Twitter Page \(https://twitter.com/optimalblue\)](https://twitter.com/optimalblue); www.loansifter.com and www.comergencecompliance.com (collectively, "Websites"). Our Websites and Optimal Blue Services are referred to in this Policy, collectively, as our "Services." Optimal Blue customers should also refer to their license agreement and other customer agreements, which may state additional terms governing their use of our Services. By visiting any of the Optimal Blue Websites, **you are accepting the practices described in this Privacy Notice.**

This Policy applies to information we collect:

- On the Websites.
- In email, text, and other electronic messages between you and these Websites.

It does not apply to information collected by:

- Us offline or through any other means, including on any other Websites operated by or for any third party; or
- Any third party, including through any application or content (including advertising) that may link to or be accessible from [or on] the Websites.

WHAT WE DO AND HOW WE RECEIVE INFORMATION

We provide Services to financial institutions (our "Customers"). In addition, we provide platforms that our Customers use to collect certain information which may include Personally Identifiable Information. In all such cases, we are acting only as agent for, or providing processing or other services to, our financial institution Customers. Our Customers are responsible for posting their privacy policies, providing notice and obtaining appropriate consents to collect information from their borrowers and to provide it to us as a third-party service provider. We recommend that you read and understand the privacy policies of any financial institution to whom you provide Personally Identifiable Information.

WEBSITE INFORMATION PRACTICES

Optimal Blue collects information from visitors on the Websites and users of our Services in a variety of manners, and also obtains information from third parties in the course of providing our Services to our Customers. To maximize the value of our Services, we may request information from you when you visit our Websites. We collect several types of information from and about users of our Websites, including information:

- By which you may be personally identified, (see "Personally Identifiable Information Practices");
- That is about you but individually does not identify you, such as address or employment information.
- About your internet connection, the equipment you use to access our Websites and usage details.

We collect this information:

- Directly from you when you provide it to us.
- Automatically as you navigate through the site. Information collected automatically may include usage details, IP addresses, and information collected through cookies, Web beacons, and other tracking technologies.
- From third parties, for example, financial institutions and loan originators.

Here is a description of the information we collect and how it is used:

- **Tools, Applications and Registration:** If you as our Customer opts into receiving Services, we will ask you to register at the Website and supply

other identifying and supporting information needed to process your request. By registering, you can save information for later review and update. When you register, you (i) select a member ID name (Username) by which we will know you, (ii) choose a password and (iii) provide us a valid email address. You use your unique Username and password to gain access to your information within our Services. When you log in or register, we collect your Username and password to ascertain your identity and display the proper Services to you. We use your contact information to provide you with alerts, information, and updates, which are a part of the Services. We may use your information, to send you communications and special offers on other products or Services offered by Optimal Blue. If you do not want to receive this information you may opt-out through the links provided in our email communications.

Optimal Blue or a third-party provider may also collect and/or store credit card information you input or provide for billing purposes during the subscription to our Services in order to enforce the terms of use, billing or other contract-related activity.

- **Information You Provide in Sales Inquiries or Demonstration Requests:** When you request information through the specific Website, we ask you to provide your name, title, company, address, email and telephone number.
- **Registration Information:** When you register to use one of the Services, we may collect certain information from you, including your name, email address, and other information that we use to contact you or provide Services to you.
- **Borrower Information:** In the course of delivering our hosted Services—we receive information about our Customers' mortgage borrowers or potential mortgage borrowers (which may include Personally Identifiable Information), which is provided to us by our Customers. Our Customers are responsible for posting their privacy policies, providing notice and obtaining appropriate consents to collect data from their borrowers or potential borrowers and to provide it to us as a third-party service provider.
- **Transactional Information:** Optimal Blue may also create transactional records of each of the transactions or other events occurring through our Services. This transactional information is generally collected for the purpose of loan document creation, origination, management, and distribution, to enable the Services we provide to our Customers (including the ability to document their determinations of qualification for loans or the interest rates to be applied to loans), and to enable our Customers to comply with various legal obligations.
- **To Provide our Services:** We may use the information that we collect (i) to operate, test, maintain, enhance and provide features of our Services; (ii) to

provide additional Services or information that you request; and (iii) to provide support to Customers, users, and site visitors.

- **To Improve, Analyze, and Personalize our Services:** We may use the information that we collect (i) to understand and analyze usage trends and preferences; (ii) to monitor and analyze the effectiveness of our Services; (iii) to improve our Services and develop new products, services, features, or functionality; (iv) to personalize our Services, and (v) to provide customized content and information.
- **Aggregate, De-identified (Anonymized) Data:** We may aggregate and de-identify (anonymize) data collected through our Services and may use it for purposes such as creating and publishing reports about the use of our Services, including users' interests, usage patterns, and borrowing and loan origination trends.

GENERAL INFORMATION PRACTICES

- **Mandatory and Optional Information:** We identify what information is required to fulfill your request. If you chose not to provide mandatory information, we will not be able to provide you the service you are requesting.
- **Service Alerts and Critical Notices:** Although we respect and honor the privacy preferences you have expressed, we may need to contact you to inform you of specific changes that may impact your ability to use this service or for other critical non-marketing purposes, such as bug alerts. We may also contact you to respond to your specific requests, to clarify the order information you provided to us, or to notify you of upcoming subscription expiration dates.
- **Links to other sites/Advertisers:** Our Websites, products, and services may contain links to other sites, as well as advertisements from companies linking to their own sites. We are not responsible for the privacy practices or the content of such sites. If you have any questions about how these other sites use your information, you should contact them directly.
- **International Visitors:** Our Services are hosted in the United States (U.S.) and are intended for use in connection with the U.S. real estate market only. If you choose to use them from regions of the world with laws governing data collection and use that may differ from U.S. law, then please note that you are transferring your information outside of those regions to the United States for storage and processing. By providing your information, you consent to any transfer and processing in accordance with this Policy.
- **Changes to Our Policy:** We reserve the right to modify or update this Policy at any time by posting modifications or updates on the Websites. The most current version of the policy will govern our use of your information and will

always be available at www.optimalblue.com. By continuing to access or use the Services after those changes become effective, you agree to be bound by the revised Policy.

PERSONALLY IDENTIFIABLE INFORMATION PRACTICES

Our Customers provide us information, which may include Personally Identifiable Information of their mortgage customers/consumers and potential mortgage borrowers, so that we may provide our Services to our customers. Personally Identifiable Information (PII) is any information that is not publicly available about an individual that can be used directly, or in connection with other data, to identify, contact or locate that person.

We employ industry recognized security safeguards to help protect any Personally Identifiable Information and sensitive information that may be collected, stored, or provided by our Customers. We safeguard Personally Identifiable Information and sensitive information stored on the Website's servers from unauthorized access using industry standard computer security protocols, such as firewalls or encryption and we may use other commercially reasonable accepted security procedures and practices. All employees must review and execute a Non-Disclosure Agreement and participate in ongoing security practices training. Additional privacy safeguard practices may include limiting access to sensitive information, enforcing strict password protocols for all employees, and unique usernames and passwords are required to access, use, or view contracted Services. We utilize internal and external resources to review and conduct testing as to the adequacy of our security measures on a regular basis.

- **Aggregate, De-Identified (Anonymized) Form:** We may make certain aggregated, de-identified (anonymized) non-personal information available to third parties or Customers for various purposes, including (i) for compliance with various reporting obligations; (ii) for business or marketing purposes; or (iii) to assist such parties in understanding our users' interests, usage patterns, and borrowing and loan origination trends.
- **Change of Control:** Your information, including Personally Identifiable Information may be transferred, disclosed, or otherwise transferred to an acquirer, successor, or assignee in connection with a sale of assets, merger, transfer, exchange, debt financing, or other disposition (whether of assets, stock or otherwise) or in the event of an insolvency, bankruptcy, or receivership in which information is transferred to one or more third parties of all or a portion of Optimal Blue, LLC.

TECHNOLOGY PRACTICES

The information we collect may include personal information or we may maintain it or associate it with personal information we collect in other ways or

receive from third parties. Here is how and why we may use some common technologies to help manage our Services, including our Websites:

- **Cookies and Other Technologies:** A "cookie" is a small piece of information that our Websites may provide to your browser while you are at our sites. We collect certain information through the use of "cookies" and other tracking technologies. We may use session cookies, persistent cookies, and other tracking technologies to better understand how you interact with our Services, to monitor usage by our users and web traffic routing on our Services, and to improve and personalize our Services. Most Internet browsers automatically accept cookies. You can instruct your browser to stop accepting cookies or to prompt you before accepting cookies from the websites you visit. We may also use web beacons, which are transparent graphic images on a webpage or within the body of one of our marketing emails, to allow us to measure visitor actions and assess the effectiveness of our Services or email marketing campaigns. For example, we use web beacons in our email marketing to track instances where a user clicks through a link in the email.
- **Website Usage Data:** Our Websites tracks or collects standard technical usage data, including, for example, your internet protocol (IP) address, your browser type and version, Internet Service Providers (ISPs), which pages you view, which page, if any, linked you to our site, and which link, if any, you follow off of our site. We use this data in the aggregate and on an individual level to better understand specific Website activity to improve our site offerings, to reconstruct activity from a session or by a user, for troubleshooting and issue resolution purposes. We may also use this data to provide you a more personalized Website experience, assistance with technical support questions, and to send you special offers, product and service updates, or other promotional materials that are relevant and tailored to your interests. Optimal Blue may also employ third party service providers to help us collect and understand our Website's usage data.

We give you the opportunity to control the use of your personal information for purposes other than to fulfill your request. For example, on occasion we may use your contact information to send you promotional communications about Optimal Blue products. If you do not wish to receive such communications and wish to be removed, you may send an email notating your request to support@optimalblue.com.

- **Google Analytics:** We also may use these technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking). Our Sites use Google Analytics, a web analytic service provided by Google, Inc. Google Analytics uses JavaScript ad cookies to help us analyze how visitors use the Optimal Blue Websites. For more information on Google Analytics cookies, visit www.google.com/policies. Google provides some additional privacy

options relating to Google Analytics, described at www.google.com/policies/privacy/partners. For information on how you can opt out of behavioral tracking or to opt-out of being tracked by Google Analytics across all websites visit <http://tools.google.com/dlpage/gaoptout>. This allows you to download and install a Google Analytics cookie-free web browser.

INFORMATION SHARING PRACTICES

Optimal Blue may disclose personal information that we collect or you provide to fulfill the purpose for which you provide it, for any other purpose disclosed by us when you provide the information and with your consent. We may also disclose information as described in this Policy and may share, transfer, or disclose your information if you consent to us doing so, as well as in the following circumstances:

- **To Our Customers:** We may disclose aggregated information about our users, and information that does not identify any individual, without restriction. Transactional information collected through our Services may be available to Customer Account Managers or other Optimal Blue employees required by their role, and may be shared with loan originators or other Optimal Blue Customers. Optimal Blue Customers may use certain information they collect through Optimal Blue platforms (such as the Optimal Blue Consumer Direct and Point of Sale Services) for marketing or promotional communications.
- **To Service Providers:** In some cases, we will employ or use service providers such as consultants, temporary workers, and third-party software developers, or other third-party providers to provide website services or hosting, maintenance, operations, marketing, and other services as needed to complete a business process or provide a service on our behalf. For example, we may use service providers to enhance our website's technology, deliver products, or to send emails on our behalf. These third parties may have access to or process your information as part of providing those services for us. Generally, we limit the information provided to these service providers to that which is reasonably necessary for them to perform their functions, and we require them to agree in writing to maintain the confidentiality of such information. Third party service providers are strictly prohibited from using our Customer's Confidential Information for purposes other than to act on our behalf.
- **Legal Disclosures:** In some cases, we may disclose certain information to comply with a legal process, such as a court order, subpoena, search warrant, or law enforcement request when (a) we believe that disclosure is reasonably necessary to comply with any applicable law, regulation, legal process, regulator or governmental request, (b) to enforce our agreements, policies and terms of service, (c) to protect the security or integrity of our Services, including our Websites, (d) to protect the property, business rights,

and safety of Optimal Blue, our users, or the public from harm or illegal activities, (e) to respond to an emergency which we believe in good faith requires us to disclose information to assist in preventing the death or serious bodily injury of any person, or (f) to investigate and defend ourselves against any claims or allegations.

- **Within the Optimal Blue Family:** Within Optimal Blue, our parent company and other affiliated partners we may exchange our Customer information.
- **To a Buyer or Other Successor:** In the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Company's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by Company about our Website's users is among the assets transferred.
- **To Third Parties:** To market their products or services to you if you have consented to or not opted out of these disclosures. We contractually require these third parties to keep personal information confidential and use it only for the purposes for which we disclose it to them.

We may also disclose personal information:

- To enforce or apply our terms of use in the executed Optimal Blue Agreements, Amendments or Addendums thereto including for billing and collection purposes.
- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of the Company, our customers, or others. Disclosure may include exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

THIRD-PARTY USE OF COOKIES AND OTHER TRACKING TECHNOLOGIES

Some content or applications, including advertisements, on the Websites are served by third-parties, including advertisers, ad networks and servers, content providers, and application providers. While we generally do not allow them to collect personally identifiable tracking information from consumers, these third parties may use cookies (alone or in conjunction with web beacons or other tracking technologies) to collect information about you when you use our websites. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used nor are we responsible for those third parties' practices. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. We encourage you to visit the third parties' websites to learn about their privacy practices. For information about how you can opt out of receiving targeted advertising from many providers, see Technology Practices section.

EMAIL COMMUNICATION PRACTICES

Our Anti-Spam practices tolerate only permission-based email. You may choose to opt-out or select your email preferences when you sign-up for our email lists. You always have the opportunity to opt-out or change preferences by following a link in the footer of all non-transactional email messages sent by us via email. In addition, anyone receiving emails from us on behalf of our Customers always has the opportunity to opt-out of email messages from such Customer by using the opt-out link included in the link in the footer of the message.

- **Email Message Formatting:** We may use your email address or other information we collect to contact you for administrative purposes such as customer service or to send communications, including marketing or promotional communications relating to our Services. When sending you email we may use an image called a single-pixel GIF, that allows us to (i) format messages that best align with your computer's capabilities, and (ii) determine whether you have opened an HTML email. When you click on a link within an email message, you will first pass through our server, and then are redirected onto the Internet. We use this data on an aggregate level to evaluate response rates to our email messages and to determine which links are most useful to our client base. Generally, you have the ability to opt out of receiving promotional communications as described below.

SECURITY PRACTICES

Optimal Blue has commercially reasonable industry standard physical, administrative and technical measures in place to maintain the security, confidentiality and integrity of the information gathered through the Websites, and to help protect against the loss, misuse and alteration of such information. For example, Optimal Blue generally uses Transport Layer Security (TLS) and uses server authentication when you connect to the Optimal Blue Services. While we take reasonable steps to protect information and data against security breaches and unauthorized access, no data transmission over the Internet can be guaranteed to be totally secure and therefore we cannot guarantee or warrant the security of any information you send to us.

All data sent to Optimal Blue through its Websites is reasonably protected with technology that enables encryption of your data using methods such as:

- **Secure Socket Layer (SSL):** The Optimal Blue Web server supports the Secure Socket Layer (SSL) transaction protocol. The purpose of this encryption protocol is to keep confidential the information passed back and forth between a Web server and its users.
- **128-Bit Domestic Grade Strong Encryption:** Optimal Blue uses a minimum of 128-Bit Domestic Grade Strong Encryption and will increase this standard as commercially available enhancements become widely supported on the Internet.

QUESTIONS

If you have any questions, comments or concerns regarding the Optimal Blue Security and Privacy Policy, our information practices or other aspects of the security or privacy on our Websites, please contact us via email at support@optimalblue.com or by writing to us at Optimal Blue, LLC, Attn: Legal Department, 5340 Legacy Drive, Building 2, 2nd Floor, Plano, TX 75024.