



CCPA Privacy Notice

PRIVACY STATEMENT-CALIFORNIA

*Effective Date 07/06/2020*

*Last Updated on 06/23/2022*

This PRIVACY NOTICE FOR CALIFORNIA RESIDENTS supplements the information contained in the Privacy Policy provided by Topa Insurance Company, Dorchester Insurance Company and/or the Privacy Policy issued by Hines Peak Claims Adjusting LLC (“we”, “us”, or “our”) and applies solely to visitors, users, and others who reside in the State of California (“consumers” or “you”). We adopt this notice to comply with the California Consumer Privacy Act of 2018 (“CCPA”) and other California privacy laws. Any terms defined in the CCPA have the same meaning when used in this notice.

Information We Collect

We collect information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household 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, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES
B. Personal information categories listed in the Cal. Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	YES
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	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.	NO
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	NO
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO

Personal information does not include:

- Publicly available information from government records.
- De-identified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:
  - Health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
  - Personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

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



- Directly from our customers or their agents. For example, from documents that our customers provide to us related to the services for which they engage us.
- Indirectly from our customers or their agents. For example, through information we collect from our customers in the course of providing services to them.
- Directly and indirectly from activity on our website (www.topains.com). 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 the customer's broker.
- Government entities, including the state departments of insurance.

#### Use of Personal Information

We may use or 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, to process an application for insurance or a claim.
- To provide you with information or services that you request from us.
- To provide you with email alerts, event registrations and other notices concerning our 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 billing and collections.
- To improve our website and present its contents to you.
- For testing, research, analysis and product development.
- As necessary or appropriate to protect the rights, property or safety of us, our customers or others.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

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.



### Sharing 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:

Category A: Identifiers.

Category B: California Customer Records personal information categories.

Category C: Protected classification characteristics under California or federal law.

Category D: Commercial information.

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

- Our affiliates.
- Service providers.
- Third parties to whom you or your agents authorize us to disclose your personal information in connection with services we provide to you.

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

### Your Rights and Choices

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.

#### *Right to Know 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 (the “right to know”). Once we receive your request and confirm your identity, we will disclose to you:

- 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 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 disclosed your personal information for a business purpose, we will identify the categories of personal information that each recipient group obtained.



For requests that seek the disclosure of specific pieces of information about the consumer, if we cannot verify the identity of the person making the request, we will not disclose any specific pieces of personal information to the requestor and will inform the requestor that we cannot verify their identity. If the request is denied in whole or in part, we will also evaluate the request as if it is seeking the disclosure of categories of personal information about the consumer below.

For requests that seek the disclosure of *categories* of personal information about the consumer, if we cannot verify the identity of the person making the request, we may deny the request to disclose the categories and other information requested and will inform the requestor that we cannot verify their identity. If the request is denied in whole or in part, we will provide or direct the consumer to our general business practices regarding the collection, maintenance, and sale of personal information set forth in our privacy policy.

We will not disclose in response to a request to know a consumer's Social Security number, driver's license number or other government-issued identification number, financial account number, any health insurance or medical identification number or an account password. We will, however, inform the consumer with sufficient particularity that we have collected that type of information.

If we deny a consumer's verified request to know specific pieces of personal information, in whole or in part, because of a conflict with federal or state law, or an exception to the CCPA, we will inform the requestor and explain the basis for the denial, unless prohibited from doing so by law. If the request is denied only in part, we will disclose the other information sought by the consumer.

In responding to a consumer's verified request to know categories of personal information, categories of sources, and/or categories of third parties, we will provide an individualized response to the consumer as required by the CCPA. We will not refer the consumer to our general practices outlined in our privacy policy unless our response would be the same for all consumers and the privacy policy discloses all the information that is otherwise required to be in a response to a request to know such categories.

In responding to a verified request to know categories of personal information, we will provide:

- (1) The categories of personal information we have collected about the consumer in the preceding 12 months;
- (2) The categories of sources from which the personal information was collected;
- (3) The business or commercial purpose for which we collected or sold the personal information;
- (4) The categories of third parties with whom we share personal information;
- (5) The categories of personal information that we sold in the preceding 12 months, and for each category identified, the categories of third parties to whom we sold that particular category of personal information; and
- (6) The categories of personal information that we disclosed for a business purpose in the preceding 12 months, and for each category identified, the categories of third parties to whom we disclosed that particular category of personal information.

*Right to Delete*



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 (the “right to delete”). We use a two-step process for online requests to delete where the consumer must first, submit the request to delete and then second, separately confirm that they want their personal information deleted. Once we receive your request and confirm your identity, we will review your request to see if an exception allows us to continue to retain and/or use the information. We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

- Complete the transaction for which we collected the personal information, provide a 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.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 seq.).
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

We will delete or deidentify personal information not subject to one of these exceptions from our records and will direct our service providers to take similar action.

In responding to a request to delete, we will inform you whether or not we have complied with your request.

If we comply with the request we will maintain a record of the request. We may retain a record of the request for the purpose of ensuring that your personal information remains deleted from our records.

In cases where we deny a request to delete, we shall do all of the following:

- (1) Inform you that we will not comply with your request and describe the basis for the denial, including any conflict with federal or state law, or exception to the CCPA, unless prohibited from doing so by law;



(2) Delete your personal information that is not subject to the exception; and

(3) Not use your personal information retained for any other purpose than provided for by that exception.

#### *Requests to Know or Requests to Delete Household Information*

If your household does not have a password-protected account with us, then we will not comply with a request to know specific pieces of personal information about your household or a request to delete household personal information unless all of the following conditions are satisfied:

- (1) Your entire household jointly request to know specific pieces of information for the household or the deletion of household personal information;
- (2) We individually verify all of the household subject to the verification requirements; and
- (3) We verify that each member making the request is currently a member of the household.

If you have a password-protected account with us that collects personal information about a household, we may process requests to know and requests to delete relating to household information through our existing business practices.

If a member of your household is under the age of 13 and is a consumer as defined by the California Consumer Privacy Act, we must obtain verifiable parental consent before complying with a request to know specific pieces of information for the household or the deletion of household personal information. This may include any of the following:

- (1) The parent or guardian of the minor under the age of 13 provides a consent form under the penalty of perjury and returns it to us by postal mail or electronic scan; or
- (2) The parent or guardian of the minor under the age of 13 calls the toll-free telephone number (877) 353-8672 and selects option 6 once prompted.

We will verify and document the verification of the parent or guardian of the minor under the age of 13 who is making the request to know or request to delete the personal information of a child under the age of 13.

#### *Exercising Your Rights to Know or Delete*

To exercise your rights to know or delete described above, please submit a verifiable consumer request to us by either:

- Calling us at (877) 353-8672, select option 6 once prompted.
- Visiting <https://www.topa-ins.com/contact-us>

You may use the provided form to submit a request.

Only you or someone legally authorized to act on your behalf, may make a request to know or delete related to your personal information. You may also make a verifiable consumer request on behalf of your minor child. You may submit a request through an authorized agent (examples of an authorized agent



may include a power of attorney, guardian, conservator or one registered with the California Secretary of State). Requests submitted to us are subject to review, identification, and verification. We will acknowledge receipt of your request and provide information about processing the request and the verification process. We may ask you for information which allows us to confirm your identity in relation to information we currently have. In addition, we may require notarization of any forms submitted. We will reimburse you for reasonable fees incurred for the notarization of documents. We may also ask for documentation verifying that your designated agent is authorized to act on your behalf. We may not be able to fulfill your request if we are unable to verify you are the consumer that is the subject of the request, or that the agent is, in fact, authorized to act on your behalf.

You may only make a verifiable consumer request to know or delete 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.

We must be able to verify your identity before we can process your request to know or request to delete information. If your identity cannot be verified, then we may deny your request.

The verification process will include matching the identifying information provided by you to the personal information maintained by us whenever feasible, or use a third-party identify verification service. Please note that we will conduct a stringent verification process as we may seek any of the information below to verify your identity:

- Social security number
- Driver's license number
- California identification number
- Tax identification number
- Passport number
- Military identification number
- Any other identification number issued on a government document that is used to verify an identity of an individual



- Account number, credit card number, or debit card number – in combination with any required security code, access code, or password – that would permit access to your financial account
- Medical information, including but not limited to individually identifiable information in electronic or physical form, medical history, medical treatment, or medical diagnosis.
- Health insurance information, including but not limited to your individual insurance policy number, subscriber identification number, any unique identifier used by a health insurer to identify you, or any information in your application and claims history (including any appeal records).
- A username or email address in combination with a password or security question and answer that would permit access to an online account.

The information we request to verify your identity pursuant to a request to know or a request to delete will only be used to verify your identity to comply with the requirements under the California Consumer Privacy Act for the purposes of security or fraud-prevention. We will delete the information you provide pursuant to a request under the California Consumer Privacy Act as soon as practical after we have processed your request.

If the information that we have collected and maintained is deidentified, we are not obligated to provide or delete this information in response to your request or reidentify the individual data to verify your request to know or request to delete.

#### *Verification for Categories of Personal Information*

Our compliance with a request to know categories of personal information requires that we verify the identity of the consumer making the request to a reasonable degree of certainty. A reasonable degree of certainty includes matching at least two data points provided by the consumer with data points maintained by us that we have determined to be reliable for the purpose of verifying the consumer.

#### *Verification for Specific Pieces of Personal Information*

Our compliance with a request to know specific pieces of personal information requires that we verify the identity of the consumer making the request to a reasonably high degree of certainty. A reasonably high degree of certainty includes matching at least three pieces of personal information provided by the consumer with personal information maintained by us that we have determined to be reliable for the purpose of verifying the consumer together with a signed declaration under penalty of perjury that the requestor is the consumer whose personal information is the subject of the request. When we use this method for verification, we will maintain all signed declarations as part of our record-keeping obligations.

#### *Compliance with Requests to Know Your Personal Information*

If we cannot verify your identity, then we will provide or direct you to our general business practices regarding the collection and maintenance of your personal information as set forth in our privacy policy.

Please note that we are not required to search for personal information if all of the following conditions are met:



- (1) We do not maintain the personal information in a searchable or reasonably accessible format;
- (2) We maintain the personal information solely for legal or compliance purposes;
- (3) We do not sell the personal information and do not use it for any commercial purpose; and
- (4) We describe to you the categories of records that may contain personal information that we did not search because it meets the conditions above.

We will not disclose in response to a request to know the following information:

- Your social security number;
- Your driver's license number or other government-issued identification number;
- Financial account number;
- Any health insurance or medical identification number;
- An account password;
- Security questions and answers; or
- Unique biometric data generated from measurements or technical analysis of human characteristics.

We will, however, inform you of the generic categories listed above that we have collected in response to a request to know.

If we completely or partially deny your verified request to know specific pieces of personal information because it conflicts with federal or state law or it is an exception to the California Consumer Privacy Act, then we will provide you with an explanation for the basis of the denial unless we are prohibited by law to do so. If the request is only partially denied, then we will disclose the other information that you sought in your request to know.

We will use reasonable security measures when transmitting personal information to the consumer. If you have a password-protected account with us, we may comply with a request to know by using the secure self-service portal for you to access, view, and receive a portable copy of your personal information. We will only use this method if we can fully disclose your personal information that you are entitled to under the California Consumer Privacy Act and the accompanying regulations, have ensured that reasonable data security controls are in place and functioning properly, and can comply with the verification requirements.

In response to a verified request to know, we will provide you with an individualized response and we will not refer you to our general business practices outlined in our privacy policy unless the response would be the same for all consumers and the privacy policy discloses all of the information that is required to respond to your request to know. We will identify the categories of personal information, categories of sources of personal information, and categories of third parties to whom we disclosed your personal information. This will include the following:



- (1) The categories of personal information we have collected about you in the preceding 12 months;
- (2) The categories of sources from which the personal information was collected;
- (3) The business or commercial purpose for which we collected your personal information;
- (4) The categories of third parties with whom we share personal information;
- (5) The categories of personal information that we disclosed for a business purpose in the preceding 12 months, and for each category identified, the categories of third parties to whom it disclosed that particular category of personal information.

#### *Verification for Requests to Delete Personal Information*

Our compliance with a request to delete requires that we verify the identity of the consumer to a reasonable or reasonably high degree of certainty depending on the sensitivity of the personal information and the risk of harm to the consumer posed by unauthorized deletion. For example, the deletion of family photographs may require a reasonably high degree of certainty, while the deletion of browsing history may require only a reasonable degree of certainty. We will act in good faith when determining the appropriate standard to apply when verifying the consumer.

We will deny a request to know specific pieces of personal information if we cannot verify the identity of the requestor.

If there is no reasonable method by which we can verify the identity of the consumer to the degree of certainty described by this section, we will state so in response to any request and explain why we have no reasonable method by which we can verify the identity of the requestor.

#### *Compliance with Requests to Delete Your Personal Information*

To comply with a request to delete your personal information, we may do one or more of the following:

- (1) Permanently and complete erase the personal information on our existing systems with the exception of archived or back-up systems;
- (2) Deidentify the personal information; or
- (3) Aggregate your information.

We will only remove your personal information from an archived or back-up system when that system is restored to an active system or is next accessed or used for a disclosure or commercial purpose.

We will inform you whether or not your request to delete has been complied with. If we complied with your request, then we will maintain the record of the request and we may retain a record of the request for the purpose of ensuring that your personal information remains deleted from our records.

If we deny your request to delete, then we will do all of the following:



- (1) We will provide you with an explanation for the basis of the denial, including any conflicts the request may have with federal or state law or if there is an exception to the California Consumer Privacy Act that applies, unless we are prohibited by law to do so;
- (2) Delete your personal information that is not subject to the exception; and
- (3) Not use your personal information retained for any other purpose than provided for by the exception to the California Consumer Privacy Act or any other applicable state or federal law.

Please note that we may present you with the choice to delete select portions or your personal information, but we will also offer a global option to delete all personal information.

#### *Response Timing and Format*

We will confirm receipt of your request within ten (10) business days. If you do not receive confirmation within the 10-day timeframe, please call (877) 353-8672 and select option 6 once prompted.

We endeavor to substantively respond to a verifiable consumer request within 45 days of its receipt. If we require more time (up to another 45 days), we will inform you of the reason and extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, 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 the verifiable consumer request's receipt. 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. You may also change your election to receive the information in an electronic (rather than a physical) format to avoid fees.

#### 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.



### Changes to Our Privacy Notice

We reserve the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on the Website and update the notice's effective date. Your continued use of our Website following the posting of changes constitutes your acceptance of such changes.

### Contact

Consumers with questions or concerns about Topa's privacy policies and practices may be directed to the following email address: [reporting@topa-ins.com](mailto:reporting@topa-ins.com)

### Update

This privacy policy was last updated June 23, 2022.