California Privacy Notice and Policy

This California Privacy Notice and Policy ("Privacy Notice) is provided on behalf of Fair American Insurance and Reinsurance Company and Fair American Select Insurance Company ("FASIC") (referred to hereinafter as "FAIRCO," "we" or "our"). We are providing this Privacy Notice in accordance with our obligations under the California Consumer Privacy Act, as amended by the California Privacy Rights Act, and its implementing regulations (together, "CCPA") and to describe how we process the personal information of California residents and their rights under the CCPA. As used in this Privacy Notice, personal information means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular California resident or household. This Privacy Notice applies to personal information we collect online and offline, including when you use our website, apply for insurance, conduct business dealings with us or otherwise interact with us.

This Privacy Notice does not apply to the personal information of California residents that is exempt under the CCPA, such as: (i) personal information collected pursuant to the federal Gramm-Leach-Bliley Act and its implementing regulations ("GLBA") or the California Financial Information Privacy Act; (ii) personal information subject to the California Insurance Code; and (iii) medical and health information covered by the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and California Confidentiality of Medical Information Act.

If you have trouble accessing this Privacy Notice because of a disability, please email us at privacy@fairco.com or call us at 1-855-251-1196 to receive it in an alternative format, as described in our Website Accessibility Statement, https://www.fairco.com/accessibility-statement/.

NOTICE AT COLLECTION AND PRIVACY POLICY

Source of Personal Information Collected

FAIRCO may collect personal information directly from you, such as when you fill out an application for insurance or file a claim, or from your transactions with FAIRCO. In addition, we collect personal information from individuals engaging in business-to-business transactions with us, such as from our business partners and service providers, including their representatives. Further, we may also collect personal information provided by third parties as permitted by law, such as from agents or brokers, service providers, or consumer reporting agencies. We may also automatically collect personal information when you use the FAIRCO websites.

Types of Personal Information Collected

We collect, and have collected in the preceding 12 months, different categories of personal information depending on your interactions with us. For example, we collect, and have collected in the preceding 12 months, personal information when an insured applies for a policy, including name, address and other relevant application information that the applicant voluntarily provides to us. Application and claim information is used to evaluate underwriting risk, to formulate policy terms, and to assist in claims handling. In addition, we may collect information about payment history and methods, billing, accounting, and other similar information.

Information collected in connection with being an insured includes information about the type of business in which the insured is involved relevant to the policy and coverage, including information about such things as training, credentials, work history, and license status. In some instances, a credit check may be conducted on the applicant's credit history. We may also ask for information concerning past claims by patients, clients or licensing bodies. In the event of a claim or anticipated claim, we collect related claim information to help evaluate and complete the claims process. This may include information as to the nature of the claim, the parties involved, and documentation that supports the underlying claim.

Currently and in the preceding 12 months, FAIRCO also processes other information, including personal information, depending on the services involved and how you interact with us. We may have collected and/or disclosed to service providers, contractors and third parties (as described in detail in the **Service Providers, Contractors and Third Parties**

to Whom Personal Information is Disclosed section below) for FAIRCO's business purposes, the following types of personal information about California residents:

- Individual identifiers, such as name, alias, postal address, email address, unique personal or online identifier, internet protocol address, account name, social security number, driver's license or passport number, or other form of persistent or probabilistic identifiers that FAIRCO may use to identify a particular consumer, family, or device;
- Personal Information as defined in the California Customer Records Act (Cal. Civ. Code § 1798.80(e)), which, in addition to the individual identifiers described above, also includes a person's signature, state identification card number, physical characteristics or description, insurance policy number, education, employment or employment history, bank account number, credit card number, debit card number, any other financial information, or medical or health insurance information;
- Characteristics of protected classifications under California or federal law, such as age, race, marital status, national origin, religion, military or veteran status, physical or mental disability, gender, or sexual orientation;
- Commercial or financial information, such as bank account or payment card details, income or other financial information, records of personal property, and purchasing or consuming histories or habits. Commercial or financial information may also include credit and anti-fraud information, such as credit history, credit score, sanctions and criminal offenses, and information received from various anti-fraud databases relating to you or those seeking insurance coverage pursuant to one of our products;
- Internet or other similar network activity, including browsing history, search history or information regarding your interaction with an internet website, application, or advertisement;
- Geolocation data;
- Audio, electric, visual, thermal, olfactory, or similar information;
- Professional or employment-related information;
- Non-publicly available educational information as defined under the Family Educational Rights and Privacy Act and related regulations;
- Sensitive personal information, such as social security, driver's license, state identification card, or passport number, account login information, financial account, debit card, or credit card information, race or ethnic origin, citizenship or immigration status, religious or philosophical beliefs, health information, and information about sex life or sexual orientation;
- Inferences drawn from other personal information to create consumer profiles reflecting preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, or aptitudes.

Purpose for Collecting Personal Information

Currently and in the preceding 12 months, the business or commercial purpose for which we process the personal information described above under the **Types of Personal Information Collected** section depends on our relationship or interaction with a specific California resident. FAIRCO may use this information in order to operate, manage, and maintain our business, provide and service our products and services, for our vendor management purposes, and to accomplish our business purposes and objectives. Specific examples include:

- Providing quotes, underwriting and rating insurance policies;
- Responding to inquiries, fulfilling requests, completing transactions and otherwise servicing insurance policies;

- Investigating and processing claims;
- Developing products and services;
- Marketing and research, including trends, usage and advertising-related services;
- Enhancing safety and security controls and detecting and preventing fraud;
- Paying compensation and administering benefits;
- Managing performance and other aspects of your relationships with FAIRCO;
- Accounting, auditing, and other internal functions, such as internal audits;
- Complying with applicable laws, valid legal processes, and internal policies; and
- Responding to governmental or regulatory inquiries or requests.

If we process sensitive personal information, we will only use or disclose it for certain limited purposes under the CCPA, such as: (1) to perform the services or provide the goods reasonably requested by you; (2) to prevent, detect, and investigate security incidents that compromise the availability, authenticity, integrity, or confidentiality of stored or transmitted personal information; (3) to resist malicious, deceptive, fraudulent, or illegal actions directed at our business or at consumers, or to prosecute those responsible for those actions; (4) to ensure the physical safety of natural persons; (5) for short-term, transient use, including, but not limited to, nonpersonalized advertising shown as part of a consumer's current interaction with us, provided that the personal information is not disclosed to another third party and is not used to build a profile about the consumer or otherwise alter the consumer's experience outside the current interaction with our business; (6) to perform services on behalf of a business; (7) to verify or maintain the quality or safety of a product, service, or device that is owned, manufactured, manufactured for, or controlled by our business, and to improve, upgrade, or enhance the service or device that is owned, manufactured by, manufactured for, or controlled by our business; and (8) to collect or process sensitive personal information where the collection or processing is not for the purpose of inferring characteristics about a consumer.

Service Providers, Contractors and Third Parties to Whom Personal Information is Disclosed

This section describes our current and preceding 12 month personal information disclosure practices. We do not sell your personal information or share your personal information for cross-context behavioral advertising, and have not done so in the prior 12 months. We also do not knowingly sell or share the personal information of children under the age of 16, and have not done so in the prior 12 months. However, we may disclose, and have disclosed in the preceding 12 months, the personal information described in the **Types of Personal Information Collected** section above, as explained below.

Application or other business information may be disclosed with business contacts such as program administrators, managing general agents, insurance brokers, actuaries, accountants, reinsurers and reinsurance brokers and legal counsel to facilitate FAIRCO's insurance business objectives and operations. Regulators may also view application or other business information in carrying out their regulatory responsibilities. Other information may be used in furtherance of FAIRCO's routine business activities, including evaluating and underwriting policies, auditing, establishing pricing and other underwriting criteria, evaluating, processing, paying or rejecting claims, and other purposes authorized by law.

FAIRCO may also disclose Personal Information with affiliates or other parties in connection with the performance of FAIRCO's services and business operations, as permitted or requested by applicable law. Specifically, FAIRCO may work with service providers, contractors or other third parties to develop, operate, deliver, maintain, improve, enhance or protect our services and products. Those parties include, but are not limited to:

- Financial service providers, such as agents or brokers;

- Website hosting or information technology consulting service providers;
- Marketing service providers;
- Data analysis service providers;
- Legal service providers;
- Administrative service providers; or
- Security and application service providers.

In the event there is a change or contemplated change in the corporate structure of FAIRCO, such as a merger, consolidation, sale, liquidation or transfer of substantial assets, FAIRCO may disclose your personal information and may, in its sole discretion, transfer, or assign personal information collected on and through the services, including your personal information, to one or more affiliated or nonaffiliated third parties.

Lastly, we may disclose personal information with your consent or if we believe that disclosure is in accordance with, or required by, any applicable law or legal process, including lawful requests by public authorities to meet national security or law enforcement requirements. We may disclose personal information if we believe that your actions are inconsistent with our user agreements or policies, if we believe that you have violated the law, or if we believe it is necessary to protect the rights, property, and safety of FAIRCO, our users, the public, or others.

Retention of Personal Information

We retain personal information for as long as necessary to carry out the purposes for which we originally collected it and for other legitimate business purposes, including to meet our legal, regulatory, or other compliance obligations. Specifically, we will retain your personal information while we have an ongoing relationship with you and during the length of time you are receiving services from us. We may also need to retain your personal information after your relationship with us ends if we are subject to a legal obligation to keep the information or if we need to maintain the information for business, tax, or accounting purposes.

YOUR PRIVACY RIGHTS UNDER THE CCPA

The CCPA affords California residents certain rights with respect to their personal information, subject to certain exceptions, including those described above. Subject to certain limitations you have the following rights:

- **(1) Right to Delete**. You have the right to request us to delete the personal information we have collected about you.
- **(2) Right to Correct**. You have the right to request us to correct inaccurate personal information we maintain about you.
- **(3) Right to Know and Access**. You have the right to know and access the personal information we have collected about you, including the categories of personal information, the categories of sources from which the personal information is collected, the business or commercial purpose for collecting, selling or sharing personal information, the categories of personal information and service providers, contractors and third parties to whom we disclosed personal information, and the specific pieces of personal information we have collected about you. You have the right to receive this information in a format, to the extent technically feasible, in a structured, commonly used, machine-readable format that may also be transmitted to another entity at the consumer's request without hindrance.
- **(4) Rights Related to Sharing for Cross-Context Behavioral Advertising or Sale**. We do not share your personal information for cross-context behavioral advertising or sell your personal information. As such, there is

no need to exercise your opt out of sale or sharing right. As we do not sell or share your personal information, we do not process opt-out preference signals.

- **(5) Rights Related to Sensitive Personal Information**. We only use your sensitive Personal Information for permitted purposes. As such, there is no need to exercise your right to limit the use or disclosure of sensitive personal information.

- **(6) Rights Related to Automated Decision making Technology ("ADMT")**. We do not use ADMT to make decisions that result in the provision or denial of financial or lending services, housing, education enrollment or opportunities, employment or independent contracting opportunities or compensation, or healthcare services. As such, there is no need to exercise opt-out and other rights related to ADMT.

- **(7) Right to No Discrimination**. You have the right not to be discriminated against for exercising any of your privacy rights. This includes us not: (a) denying you goods or services; (b) charging you different prices or rates for goods or services, including through the use of discounts or other benefits or imposing penalties; (c) providing you a different level or quality of goods or services; (d) suggesting to you that you will receive a different price or rate for goods or services or a different level or quality of goods or services; and (e) retaliating against you for exercising your privacy rights.

You may exercise your privacy rights by emailing us at privacy@fairco.com, calling us at 1-855-251-1196, or sending us a letter at FAIRCO, 165 Broadway, One Liberty Plaza New York, NY 10006. We will need to verify your identity before honoring your privacy rights request. We will verify your identity by asking you to provide personal information related to your recent interactions with us (e.g., the information you provided for insurance, to receive other services from us, to conduct business dealings with us, or on our website). We will honor your privacy rights request within 45 calendar days of receipt, unless we request an extension as permitted under the CCPA.

You may exercise your privacy rights through an authorized agent. If we receive your request from an authorized agent, we may ask for evidence that you have provided such agent with a power of attorney or that the agent otherwise has valid written authority to submit requests to exercise rights on your behalf. If you are an authorized agent, you may make a request by emailing us at privacy@fairco.com, calling us at 1-855-251-1196, or sending us a letter at FAIRCO, 165 Broadway, One Liberty Plaza New York, NY 10006.

Changes to this Privacy Notice

We may update this Privacy Notice from time to time. If we make changes, we will notify you by revising the date at the bottom of this policy. We may also provide you with an additional notice (such as by sending you a notification), in connection with making material changes to this Privacy Notice. We encourage you to review this Privacy Notice regularly to stay informed about our information practices and the choices available to you.

Contact Information

If you have any questions or comments about this Privacy Notice, please feel free to contact us by emailing us at privacy@fairco.com, calling us at 1-855-251-1196, or sending us a letter at FAIRCO, 165 Broadway, One Liberty Plaza New York, NY 10006.