

## Trust Capital Funding LLC Privacy Policy

This Privacy Policy has been updated effective July 1, 2022.

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### Overview

This Privacy Policy (“Policy”) applies to data collected by Trust Capital Funding LLC, doing business under the Trust Capital brand (collectively with their respective affiliates, “Trust Capital Funding LLC,” “Us,” “Our” or “We”), a provider of business loan products and related services (collectively “Services”). The Policy has two parts:

- **Part 1** provides our U.S. **Privacy Policy**, including our Privacy Policy for trustcapitalfunding.com (“Website”), which is owned and operated by Trust Capital Funding LLC. This Policy describes how Trust Capital Funding LLC collects and uses the personal information you provide (directly or through third parties), or which is automatically generated when you interact with our Website, and our mobile application (“Mobile App”).
- **Part 2** is our California Supplement, which provides our **California Consumer Privacy Act of 2018 (“CCPA”) Privacy Policy**. The CCPA provides various rights to consumers who reside in California with regard to personal information. A natural person, including a business owner or guarantor, is considered to be a consumer under the CCPA. Any terms defined in the CCPA have the same meaning when used in Part 2.

### Part 1: Trust Capital Funding LLC US Privacy Policy

This Privacy Policy describes the choices available to you regarding our use of your personal information and how you can access and update such information. For purposes of this Privacy Policy, “Personal Information” means information that personally identifies you, including your contact information, IP address, and loan application information. A large portion of the Personal Information we collect, use,

share, and store is sensitive in nature, including your social security number and financial account information (“Sensitive Personal Information”).

### **Information We Collect**

We collect the following information from you:

- Contact information such as name, business name, email address, mailing address, and phone number;
- Financial information such as bank statements, credit card statements, your average bank balance, personal and business credit history, payment behavior, bank account information, and tax ID number;
- Social security number;
- Unique identifiers such as user name and password, and IP address;
- Business information including company size, and business type, and
- Beneficial ownership information\*

In addition to collecting information via our Website and Mobile App, we may also conduct a site visit to collect information, and obtain information and external data used by lenders to process applications and complete and manage transactions, e.g., from credit reporting agencies and other vendors, as well as from social media. Once you are a Trust Capital Funding LLC customer, we may reach out to you for, or otherwise obtain, information if you decide to renew your loan or as otherwise needed to provide the Service.

\* When required in the U.S., we will collect information on the beneficial owners of our business customers for purposes of verifying their identity only. The U.S. Government implemented the beneficial ownership regulation to help deter financial crimes. By complying, we are doing part in upholding the regulation to protect the financial system. Pursuant to our privacy policies and procedures, we will maintain beneficial ownership information in our system of record.

### **Use of Information**

We use the information we collect to:

- Compile, save, use and analyze your Personal Information in both a personally identifiable form and as part of aggregated data;
- Operate, maintain, improve, and provide to you the Service and to conduct our business, including our own lending and referring you to third party small business lenders;
- Verify your identity and conduct appropriate diligence;
- Register you as a user and identify you when you sign into your account;
- Process your business' application and determine whether or not your business qualifies for one of our loan products;
- Process your business loan product account, including deducting automatic payments;
- Communicate with you to send order confirmations, respond to customer service requests, send marketing communications, and send account update notifications;
- Post and review your comments on our blog;
- Conduct research and analyses to better understand our customers; and
- Produce data analytics and reports containing de-identified summaries of Personal Information and other information that is not Personal Information (such information, "General Information") that we share with business partners. General Information may include Personal Information that has been aggregated and will not identify you.

## **Privacy and Sharing of Information**

Trust Capital Funding LLC may share your information with its affiliated entities for business purposes, such as financial reporting. Should you apply to Trust Capital or its affiliated entities for a financial product or service, Trust Capital Funding LLC may share your application status, borrowing history, and loan performance.

Trust Capital Funding LLC will share your Personal Information with third parties only in the ways that are described in this Privacy Policy and as required by law. Neither Trust Capital Funding LLC (or any of its affiliated entities) will sell your Personal Information to third parties.

We will provide your Personal Information, which may include application information, to our trusted business partners, third party lenders of Trust Capital Funding LLC products, service providers, and subsidiaries and affiliates to provide financing and/or to provide services to help us with our business activities, such as offering customer service, processing credit checks or secure data storage, and other similar services. These companies are authorized to use your Personal Information only as necessary to provide these types of services to us. In addition, we may share your basic information (name, company name, phone number, email address and requested loan amount) with one of our business partners to market their services to you, provided, however, if you do not want us to share your Personal Information in these circumstances with these business partners, please contact us to opt out by email at [mail@trustcapitalfunding.com](mailto:mail@trustcapitalfunding.com) by postal mail at the contact information listed below. In addition, we may also share General Information for the same reasons as we provide Personal Information and for business partners and others to conduct analyses and research and track marketing performance or as otherwise provided in the Tracking Technologies part herein.

Some of our pages utilize framing or white-labeling techniques to serve content from our partners while preserving the look and feel of our Website. For example, our Careers page utilizes white-labeling techniques. Please be aware that in these instances you are providing your Personal Information to these third parties and not to Trust Capital Funding LLC.

We may also disclose your Personal Information:

- As required by law, such as to comply with a subpoena, or similar legal process, including in a bankruptcy proceeding;
- When we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a request from a governmental entity;

- If Trust Capital Funding LLC is involved in a merger, acquisition, or sale of all or substantially all of its assets or equity, in which case, you will be notified via email and/or a prominent notice on our Website of any change in ownership or uses of your Personal Information, as well as any choices you may have regarding your Personal Information; and
- To any other third party with your prior consent to do so.

### **User Access and Choice**

If your Personal Information changes, or if you no longer desire our Service, you may correct, update, amend, delete/remove, ask to have it removed from a public forum or testimonial on our Website or deactivate it by emailing our Customer Support at [info@trustcapitalfunding.com](mailto:info@trustcapitalfunding.com) or by contacting us by postal mail at the contact information listed below. We will respond to your request within 30 days.

We will retain your information for as long as your account is active or as long as reasonably useful for commercial purposes. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

#### *Opt-Out Policy*

Trust Capital Funding LLC and our business partners may contact you to offer you products and services that may be of interest to you. Out of respect for your privacy, you may choose to stop receiving our newsletter or marketing emails, telephone solicitations or other forms of contact from Trust Capital Funding LLC and our trusted business partners by following the unsubscribe instructions included in these emails, accessing the email preferences in your account settings page or by contacting us by email at [mail@trustcapitalfunding.com](mailto:mail@trustcapitalfunding.com) or by postal mail at the contact information listed below.

### **Tracking Technologies**

Trust Capital Funding LLC and our partners (for example, our marketing partners), affiliates, or analytics or service providers, including our live chat, marketing trackers, and survey tool service providers use cookies or similar technologies. These technologies are used in analyzing trends, administering the Website, tracking users' movements around the Website and to gather demographic information about our user base as a whole. We may receive reports based on the use of these technologies by these companies on an individual as well as aggregated basis.

A cookie is a small text file that is stored on a user's computer for record-keeping purposes. We use cookies for user authentication and analytics. Users can control the use of cookies at the individual browser level. If you reject cookies, you may still use our Website, but your ability to use some features or areas of our Website may be limited. If you would like to learn more about cookies or how to configure your browser, please visit [www.allaboutcookies.org](http://www.allaboutcookies.org).

### *Log Files*

As is true of most websites, we gather certain information automatically and store it in log files. This information may include internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and/or clickstream data. We may combine this automatically collected log information with other information we collect about you. We do this to improve services we offer you and to improve marketing, analytics, and Website functionality.

### *Behavioral Advertising/Re-Targeting*

We partner with third parties to display advertising on our Website and manage our advertising on other sites. Our third-party partners may use technologies such as cookies to gather information about your activities on this Website and other sites in order to provide you advertising based upon your browsing activities and interests. If you wish to not have this information used for the purpose of serving you interest-based ads, you may opt-out by emailing [mail@trustcapitalfunding.com](mailto:mail@trustcapitalfunding.com). Please note this does not opt you out of being served advertisements. You will continue to receive generic advertisements.

### **Security of Information**

Trust Capital Funding LLC takes the security of your information very seriously. Your information is securely sent to Trust Capital Funding with 128 bit-encryption over the Transport Layer Security (TLS) protocol. This creates an encrypted connection between your browser and our servers. Thus, when you enter Sensitive Personal Information (such as a bank account number) on our order forms, we encrypt the transmission of that information. If you have any questions about the security of your personal information, you can contact us at [info@trustcapitalfunding.com](mailto:info@trustcapitalfunding.com)

If you allow Trust Capital Funding LLC to see your banking information online rather than in paper form, it is on a read-only basis. We do not have access to change, edit, or modify bank account information in any way. Trust Capital Funding employees cannot view your banking username and passwords.

### **Additional Information**

#### *Links to 3rd Party Sites*

Our Website includes links to other websites whose privacy practices may differ from those of Trust Capital Funding LLC and its affiliated entities. If you submit personal information to any of those sites, your information is governed by their privacy policies. We encourage you to carefully read the privacy policy of any website you visit.

### *Blog/Forum*

Our Website offers publicly accessible blogs or community forums. You should be aware that any information you provide in these areas may be read, collected, and used by others who access them. To request removal of your Personal Information from our blog or community forum, contact us by email at [mail@trustcapitalfunding.com](mailto:mail@trustcapitalfunding.com) or by postal mail at the contact information listed below. In some cases, we may not be able to remove your Personal Information, in which case we will let you know if we are unable to do so and why.

### *Testimonials*

We display personal testimonials of satisfied customers on our Website in addition to other endorsements. With your consent, we may post your testimonial along with your name. If you wish to update or delete your testimonial, you can contact us by email at [info@trustcapitalfunding.com](mailto:info@trustcapitalfunding.com) or by postal mail at the contact information listed below.

### *Social Media Widgets*

Our Website includes social media features, such as the Facebook “Like” button. These features may collect your IP address, which pages you are visiting on our Website, and may set a cookie to enable the feature to function properly. Social media features and widgets are either hosted by a third party or hosted directly on our Website. Your interactions with these features are governed by the privacy policy of the company providing it.

### *Changes to This Policy*

We may update this Privacy Policy to reflect changes to our information practices. If we make any material changes, we will notify you by email or by means of a notice on this Website prior to the change becoming effective. We encourage you to periodically review this page for the latest information on our privacy practices.

### **Contact Information**

**General Queries:** If you have any questions about this Privacy Policy, the practices of this Website, or your dealings with this Website, please contact us by email at [info@trustcapitalfunding.com](mailto:info@trustcapitalfunding.com), or with a letter by postal mail to:

*Trust Capital Funding LLC  
ATTN: Marketing  
10 Kearney Rd Ste 102  
Needham, MA 02494  
USA*

**To opt-out of marketing communications:** please use one of the communication methods below, and include your full name and business mailing, email addresses and account number. Once we locate your contact information based on the information you provide us, it will be removed from our databases and mailings lists.

1. Send an email to [mail@trustcapitalfunding.com](mailto:mail@trustcapitalfunding.com)
2. Send a letter to:

*Trust Capital Funding LLC  
ATTN: Marketing Opt-Out  
10 Kearney Rd Ste 102  
Needham, MA 02494  
USA*

## **Trust Capital Funding LLC Privacy Policy Part 2: California Supplement:**

### **CCPA Policy**

#### **Information We Collect**

We collect the following categories of information from you, which may include the following:

- **Identifiers** such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number/tax ID number, driver's license number, passport number or other similar identifiers.

We use this information to identify you, process your application and access your personal credit bureau report, if you are a guarantor or business owner.



- **Personal Information** such as your name, signature, social security number, address, telephone number, passport number, driver's license or state identification card number, employment history, bank account number or other financial information.

We use this information to identify you, process your application and access your personal credit bureau report, if you are a guarantor or business owner.

- **Protected classification characteristics under California or Federal Law** such as age (date of birth).

We use this information to confirm your identity and that you are old enough to enter into a loan contract.

- **Commercial information**, including records of personal property and personal credit information.

We may consider this information when processing your application.

- **Internet or other electronic network activity information**, including, but not limited to, browsing history (Trust Capital Funding LLC pages visited), device ID, device type and information regarding a consumer's interaction with Trust Capital Funding LLC's Internet Web site, application, or advertisement.

We use this information to analyze the use of our website and for fraud screening.

- **Geolocation Data**

We collect this information for fraud prevention purposes.

- **Audio, or similar information**

Interactions with Trust Capital Funding LLC sales staff, underwriters and customer service agents are recorded for monitoring and training purposes.

- **Professional or employment-related information**

We may use this when underwriting our loans.

- **Inferences drawn from any of the information categorized above**

This information may be used for credit and fraud analysis and to target future offers.

Personal information does not include:

- Publicly available information from government records.
- De-identified or aggregated information.
- Information excluded from the CCPA's scope, such as:
  - Health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA).
  - Personal information covered by certain privacy laws, such as the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA), the 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 applicants, clients, or their agents. For example, information provided as part of the loan application or related processes.
- Indirectly from our clients or their agents. For example, through information we collect from our clients in the course of providing services to them.

- Directly and indirectly from activity on our website (info@trustcapitalfunding.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 referral partners and brokers who provide us with loan applications or credit reporting agencies that provide us with information regarding a guarantor's or business owner's credit history.

**Use of Information:**

We use the information we collect to:

- Compile, save, use and analyze your Personal Information in both a personally identifiable form and as part of aggregated data.
- Operate, maintain, improve, and provide you with services.
- Conduct our business, including our own lending, and refer your business to third party small business lenders.
- Verify your identity and conduct appropriate diligence.
- Review for potentially fraudulent activity.
- Register you as a user and identify you when you sign in to your account.
- Process your business' application and determine whether or not your business qualifies for one of our loan products.
- Process your business loan product account, including deducting automatic payments from your business bank account.

- Communicate with you to send order confirmations, respond to customer service requests, send marketing communications, and send account update notifications related to your business.
- Post and review your comments on our blog.
- Conduct research and analyses to better understand our customers.
- Produce data analytics and reports containing de-identified summaries of Personal Information and other information that is not Personal Information (such information, “General Information”) that we share with business partners. General Information may include Personal Information that has been aggregated and will not identify you.

### **Sharing Personal Information**

Trust Capital Funding LLC may share your information with its affiliated entities for business purposes, such as financial reporting. Should you apply to Trust Capital or its affiliated entities for a financial product or service, Trust Capital Funding LLC may share your application status, borrowing history, and loan performance. Trust Capital Funding LLC will share your Personal Information with third parties only in the ways that are described in this Privacy Policy and as required by law. We do not sell your Personal Information to third parties.

We will provide your Personal Information, which may include application information, to our trusted business partners, third party lenders of Trust Capital Funding LLC products, service providers, and subsidiaries and affiliates to provide financing and/or to provide services to help us with our business activities, such as offering customer service, processing credit checks or secure data storage, and other similar services. These companies are authorized to use your Personal Information only as necessary to provide these types of services to us. In addition, we may share your basic information (name, company name, phone number, email address and requested loan amount) with one of our business partners to market their services to you, provided, however, if you do not want us to share your Personal Information in these circumstances with these business partners you can opt out at the email or mailing address provided in Trust Capital Funding LLC’s Privacy Policy Part 1, which precedes this policy. In addition, we may also share General Information for the same reasons as we provide Personal

Information and for business partners and others to conduct analyses and research and track marketing performance or as otherwise provided in the Tracking Technologies part herein.

Some of our pages utilize framing or white-labeling techniques to serve content from our partners while preserving the look and feel of our Website. For example, our Careers page utilizes white-labeling techniques. Please be aware that in these instances you are providing your Personal Information to these third parties and not to Trust Capital Funding LLC.

We may also disclose your Personal Information:

- As required by law, such as to comply with a subpoena, or similar legal process, including in a bankruptcy proceeding;
- When we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a request from a governmental entity;
- If Trust Capital Funding LLC is involved in a merger, acquisition, or sale of all or substantially all of its assets or equity, in which case, you will be notified via email and/or a prominent notice on our Website of any change in ownership or uses of your Personal Information, as well as any choices you may have regarding your Personal Information; and
- To any other third party with your prior consent to do so.

In the preceding 12 months, we may have disclosed personal information for a business purpose from each of the categories listed previously where we collect information.

### **Sale of Personal Information**

We do not sell personal information.

### **Your Rights and Choices**

The CCPA provides consumers, including owners/guarantors of small business loans (California residents), with specific rights regarding their personal information. Trust

Capital Funding LLC is providing these rights to California consumer residents who have provided their personal information as part of a Trust Capital Funding LLC application or loan. This section describes the 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 (“Request”), we will disclose to you:

- The categories of 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, a list 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.

#### *Exceptions*

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

- 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.

- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug 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 by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code Section 1546 seq.).
- Engage in public or peer-reviewed scientific, historical or statistical research in the public interest that adheres to other applicable ethics and privacy laws, when the deletion of the information 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 expectations based on your relationship with us.
- Comply with a legal obligation, such as retaining personal information collected to verify/identify under federal anti-money laundering laws ("AML").
- 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 request to us by one of these methods:

- Call:617-795-2100

or

- E-mail: [info@trustcapitalfunding.com](mailto:info@trustcapitalfunding.com)

Only you or a person registered with the California Secretary of State or other state agency that you authorize to act on your behalf, may make a Request related to your personal information.

You may only make a Request for access or data portability twice within a 12-month period. The 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 can't respond to your request or provide you with personal information if we are unable to verify your identity or authority to make the request and confirm the personal information relates to you. Making a Request does not require you to create an account with us. We will only use personal information provided in a Request to verify your identity or authority to make the request.

#### *Response Timing and Format*

We endeavor to respond to a Request in writing 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. 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 cover the 12-month period preceding the receipt of the Request. The response we provide will also explain the reasons we can't comply with a request, if applicable. For data portability requests, we will select a format to provide the 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 response to your Request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why and provide you with a cost estimate before completing your request.

### **Non-Discrimination**

We will not discriminate against you for exercising any of these rights. Unless permitted by the CCPA, we will not, because you have exercised rights under the CCPA:

- Deny you goods or services.
- Charge you different prices 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 CCPA 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 notify you by email or through a notice on our website homepage.