

Privacy Policy

Barry Upchurch Realty, LLC operates the website at www.barryupchurchrealty.com ("Site"). We respect the privacy of each user of the Site (referred to as "you" or "a user"), whether you are just beginning your real estate search or have previously visited our Site. This Privacy Statement gives you specific information about how we protect your privacy, how we treat your Personal Information, and how we use aggregated information. **BY REGISTERING FOR OR USING OUR WEBSITE AND SERVICES, YOU SIGNIFY YOUR ACCEPTANCE OF THIS PRIVACY STATEMENT. IF YOU DO NOT AGREE TO THIS PRIVACY STATEMENT, YOU CANNOT USE THE SITE.** We reserve the right to modify this Statement at any time. (If we consider it appropriate, we may also provide additional notice of significant changes on the Site's home page.) Your use of Our Website and Services after the date of the last modification listed at the beginning of this Privacy Policy indicates to us that you agree to the changes.

The Site contains links to third party websites. When you click on those links, you will go to a third-party site where you will be subject to that site's Privacy Policy and we encourage you to read that policy statement. Please be aware that we are not responsible for the privacy practices of those other websites and we expressly disclaim liability for their actions, including actions related to the use and disclosure of Personal Information by those third parties.

Location of Servers and Transfer of Information to the United States

The Site is hosted by servers in the United States and as such, the Site is governed by United States Law. If you are located outside of the United States, your Personal Information will be transferred to the United States. By submitting your Personal Information, you consent to its transfer to the United States and to its storage, processing, and use there in accordance with this Privacy Statement and the United States law.

Scope of this Privacy Policy

This Privacy Statement applies to your use of this Site only. We do not own, operate or control the web sites of our sales associates. Accordingly, this Policy does not apply to a sales associate's web site or to sales associate's collection, use, storage and disclosure of your Personal Information.

1. What is Personal Information?

Personal Information is information collected online by us that identifies the person to whom such information pertains, including without limitation, name address, telephone number, and e-mail address.

2. Collection and Use of Your Personal Information

2(a). Personal Information. We collect your Personal Information through Our Website and Services in order to enhance the services we offer you. We collect Personal Information from you only when you voluntarily submit it in order to obtain certain services or information, including (A) registrations for special communications, such as saving a search for you and, but only if you request it, sending you new listings that fit the profile of your saved search; (B) requests to find a property, to list your property, and to find a sales associate; (C) requests to contact us; (D) requests to receive periodic industry updates; (E) requests to email a listing to a friend; and (F) inquiries about franchising opportunities. We may also use the Personal Information to inform you about other services and products that may be available through us and/or companies with which we have a marketing relationship, and to provide you a customer survey to assess your satisfaction with our services and products.

Requests to Find or List a Property and to Find a Sales Associate

If you submit a request through this Site to find or list a property or to find a sales associate, you will be asked to provide Personal Information and we refer this information to sales associates to respond to your request. For example, if you ask that we list your property or if you ask to see more listings in a given area, you will be directed to an associate in that area or with a relevant specialty.

Contacting Us

If you contact us, we collect Personal Information, which is retained or referred to a sales associate depending on the nature of your inquiry. If you are looking for a property or a sales associate, it is referred to a sales associate; if your inquiry or complaint requires a response from us, it is referred to the appropriate department for research and a response. The information we collect is not used in any other way.

Refer a Listing to a Friend

If you choose to send a listing to a friend, you will be asked to provide the friend's name and email address in order to personalize the email and to send the email. We do not store this information, and the information is used only to send the one-time referral email.

2(b). Non-Personal Information

Even if you do not send us any Personal Information, we collect information about how you use Our Website and Services (“Non-Personal Information”). This information cannot be used to identify you personally and is explained in more detail below.

What is Non-Personal Information?

Like many sites, we obtain Non-Personal Information such as IP (internet protocol) addresses, browser types, the name of your ISP (internet service provider), information about where a user comes from before arriving at our site, what pages a user visits, the order of those pages, and the amount of time spent on each. A vendor performs his service for us by sending a cookie to gather this information, compile it, and report to us.

Use of Non-Personal Information

We use Non-Personal Information to customize the advertising and content you see, improve our services, conduct research, and provide anonymous aggregated reporting for internal audits and third-parties.

Cookies

A cookie is a small data file, often including an anonymous unique identifier that is sent from a web site's computer and stored on your computer's hard drive. Use of cookies is common on the Internet. A web site can send its own cookie to your browser if your browser's preferences allow it, but (to protect your privacy) your browser permits a web site to access only the cookies it has already sent to you, not the cookies sent to you by other sites. You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is sent. (Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences.) You can reset your browser to refuse all cookies or indicate when a cookie is being sent. But if you refuse cookies, some parts of the Site will not function properly and may not

provide services or information you have requested. For example, without cookies, we will not be able to provide you with searches that you have asked us to save.

2(c). Use of Information With Respect to Third Parties

We reserve the right to share your Personal Information with our affiliated companies and marketing partners as permitted by law, in order to fulfill our commitment of providing you with full service real estate brokerage services. We do share your Personal Information under the following circumstances:

A. Third party vendors we engage to provide services on our behalf, such as hosting, web-site development, and support, have access to Personal Information, but they have agreed not to disclose the Personal Information or to use it for any purpose other than providing the requested services.

B. There may arise special circumstances where it is necessary for us to disclose and use Personal Information and Non-Personal Information, such as: to enforce this Privacy Policy or any other part of our Terms of Use; to protect our property or rights; to protect the safety of anyone; to investigate, prevent, or take action regarding illegal or improper activities; to carry out a merger or consolidation with another entity, a sale or transfer of some or all of our assets, or any similar transaction; or for other reasons we determine in good faith are necessary, appropriate, or required by law, such as when we respond to subpoenas, court orders, or other legal or administrative process.

Our Website and Services contain links to third-party web sites. If you hold your mouse over a link, it will indicate whether clicking the link will send you off our Site. When you click on those links, you will go to a third-party site where you will be subject to that site's privacy statement and we encourage you to read that policy statement. Please be aware that we are not responsible for the privacy practices of those other web sites and we expressly disclaim any liability for their actions, including actions relating to the use and disclosure of Personal Information by those third parties. We remind you to be aware of when you leave Our Website and Services and enter a third-party web site and again encourage you to read the privacy statement on any web site that collects your Personal Information.

3. Security

Our hosting service maintains its systems in accordance with reasonable industry standards to reasonably secure the information of its customers against unauthorized access, accidental or intentional manipulation and loss. However, no data transmission over the Internet can be guaranteed to be 100% secure and you use Our Website and Services at your own risk.

4. Correction/Updating Personal Information

If your Personal Information changes or if you no longer wish to use Our Website and Services, you may correct or update your Personal Information or unsubscribe from any industry updates you have requested by modifying or deleting your profile through Our Website and Services by writing to customer service at Barry Upchurch Realty, LLC, Attn: Online Privacy, 173 Long Road, Suite 108, Chesterfield, MO 63005 or sending an email to copyrightdisputes@upchurchrealty.net.

5. Children

This Site is not directed to children under the age of 13 (“Children”), and we do not knowingly collect any information, including Personal Information, from Children.

7. Comments and Questions

If you have any questions or concerns about this Privacy Statement, please contact us by using the “Contact Us” feature or by postal mail at Barry Upchurch Realty, LLC, Attn: Online Privacy, 173 Long Road, Suite 108, Chesterfield, MO 63005.