



# PRIVACY POLICY

**Last Updated: June 8, 2023**

Guava Lending Inc., (collectively, “Guava,” “we,” “us,” or “our”) take privacy and security seriously. This privacy policy (the “Privacy Policy”) describes how Guava processes the information we collect about you through our website located at [www.joinguava.com](http://www.joinguava.com) (the “Website”) and our mobile app (the “Guava App”, and together with the Website, the “Platform”) and when you otherwise interact with us. We may update this Privacy Policy from time to time without notice to you. By accepting this Privacy Policy, accessing or using the Platform, or otherwise manifesting your assent to this Privacy Policy, you agree to be bound by this Privacy Policy and the accompanying Terms of Use, which together make up the Agreement. If you do not agree to (or cannot comply with) all of the terms of this Privacy Policy or any other terms of the Agreement, you may not access or use the Platform.

Capitalized terms not defined in this Privacy Policy shall have the meaning set forth in our Terms of Use.

**If you are a consumer of Guava’s financial services (the “Services”), please see our Consumer Privacy Notice for more information about the personal information Guava collects, how Guava processes your personal information and additional options you may have.**

## THE INFORMATION WE COLLECT AND HOW WE USE IT

In the course of operating the Platform, Guava may collect or receive the following types of information, which may include personal information.

### Contact Information

We collect contact information on our Platform. Contact information typically includes your name, email address, and any information you provide in messages to us. We use such contact information for purposes such as registering you for an account, providing you with information about the Platform, responding to your inquiries, sending you email alerts (including marketing emails), or providing you the Platform. Please note, while it is not necessary to register in order to visit the Platform, some of the Services available through the Platform, may require you to be a registered user.

### Geolocation Information

### Activity Information

To register for an account you will be required to create a username and password, which is collected and used to provide you access to the Platform.

### Server Log Information

Our servers keep log files that record data each time a device accesses those servers. The log files contain data about the nature of such access, including the device’s IP address, user agent string (e.g., operating system and browser type/version), and the pages you’ve clicked on while on our Platform, and detailed regarding your activity on the Platform such as time spent on the Platform and other performance and usage data. We may use these log files for purposes such as assisting in monitoring and troubleshooting errors and incidents, analyzing traffic, or optimizing the user experience.

### Cookies and Other Tracking Technologies

We collect information using “cookie” and other similar technologies. Cookies are small packets of data that a website stores on your computer’s or mobile device’s hard drive (or other storage medium) so that your computer will “remember” information about your use. We use both 1st and 3rd-party session cookies and persistent cookies. Below is a general primer on session and persistent cookies; information collected by cookies depends on its particular purpose. For more information, please see the information regarding analytics providers and remarketers discussed further below.



- **Session Cookies:** We use session cookies to make it easier for you to navigate our Platform. A session ID cookie expires when you close the Platform.
- **Persistent Cookies:** A persistent cookie remains on your device for an extended period of time or until you delete them. To the extent we provide a log-in portal or related feature on our Platform, persistent cookies can be used to store your passwords so that you don't have to enter it more than once.

If you do not want us to place a cookie on your device, you may be able to turn that feature off on your device. Please consult your browser's documentation for information on how to do this and how to delete persistent cookies. However, if you decide not to accept cookies from us, certain aspects of the Platform may not function properly or as intended.

### **Third-Party Analytics Providers**

We use one or more third-party analytics services to evaluate your use of the Platform, as the case may be, by compiling reports on activity (based on their collection of IP addresses, Internet service provider, browser type, operating system and language, referring and exit pages and URLs, data and time, amount of time spent on particular pages, what sections of the Platform you visit, number of links clicked, search terms and other similar usage data) and analyzing performance metrics. These third parties use cookies and other technologies to help collect, analyze, and provide us reports or other data.

By accessing and using the Platform, you consent to the processing of data about you by these analytics providers in the manner and for the purposes set out in this Privacy Policy. For more information on these third parties, including how to opt out from certain data collection, please visit the sites below. Please be advised that if you opt out of any service, you may not be able to use the full functionality of the Platform.

For Google Analytics, please visit: <https://www.google.com/analytics>

### **Aggregate Data**

In an ongoing effort to better understand our users and the Platform, we might analyze your information in aggregate form to operate, maintain, manage, and improve the Platform. This aggregate information does not identify you personally. We may share this aggregate data with our affiliates, agents, and business partners. We may also disclose aggregated user statistics in order to describe the Platform to current and prospective business partners and to other third parties for other lawful purposes.

### **Onward Transfer to Third Parties**

- Like many businesses, we hire other companies to perform certain business-related services. We may disclose personal information to certain types of third party companies but only to the extent needed to enable them to provide such services. The types of companies that may receive personal information and their functions are: hosting services, technical assistance, database management/back-up services, use analytics, [banking services platforms] email marketing platforms, and customer service.
- We may, from time to time, share personal information to other companies who may provide you information about the products and services they or their partners offer. However, to the extent required by law, you will be given the opportunity to opt out of such sharing.

### **Business Transfers**

In the event of a merger, dissolution, reorganization or similar corporate event, or the sale of all or substantially all of our assets, we expect that the information that we have collected, including personal information, would be transferred to the surviving entity in a merger or the acquiring entity. All such transfers shall be subject to our commitments with respect to the privacy and confidentiality of such personal information as set forth in this Privacy Policy. This policy shall be binding upon Guava and its legal successors in interest.



## **Disclosure to Public Authorities**

We are required to disclose personal information in response to lawful requests by public authorities, including for the purpose of meeting national security or law enforcement requirements. We may also disclose personal information to other third parties when compelled to do so by government authorities or required by law or regulation including, but not limited to, in response to court orders and subpoenas.

## **HOW WE PROTECT YOUR INFORMATION**

Guava takes very seriously the security and privacy of the personal information that it collects pursuant to this Privacy Policy. Accordingly, we implement reasonable and appropriate security measures to protect your personal information from loss, misuse and unauthorized access, disclosure, alteration and destruction, taking into account the risks involved in processing and the nature of such data, and comply with applicable laws and regulations. Please understand, however, that no security system is impenetrable. We cannot guarantee the security of our databases or the databases of the third parties with which we may share your information (as permitted herein), nor can we guarantee that the information you supply will not be intercepted while being transmitted over the Internet. In particular, e-mail sent to us may not be secure, and you should therefore take special care in deciding what information you send to us via e-mail.

## **CHILDREN**

We do not knowingly collect personal information from children under the age of 13 through the Platform. If you are under 13, please do not give us any personal information. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce our Privacy Policy by instructing their children to never provide personal information without their permission. If you have reason to believe that a child under the age of 13 has provided personal information to us, please contact us at [Support@joinguava.com](mailto:Support@joinguava.com) and we will endeavor to delete that information from our databases.

## **IMPORTANT NOTICE TO ALL NON-US RESIDENTS**

Our servers are located in the US and elsewhere. Please be aware that your information may be transferred to, processed, maintained, and used on computers, servers, and systems located outside of your state, province, country, or other governmental jurisdiction where the privacy laws may not be as protective as those in your country of origin. If you are located outside the United States and choose to use the Platform, you do so at your own risk.

## **YOUR PRIVACY CONTROLS**

You may control our access to your device information in your device's settings. For example, you may withdraw permission for the Guava App to access or collect certain personal information.

You may opt out at any time from the use of your personal information for direct marketing purposes by emailing the instructions to [Support@joingauva.com](mailto:Support@joingauva.com) or by clicking on the "Unsubscribe" link located on the bottom of any Guava marketing email and following the instructions found on the page to which the link takes you. Please allow us a reasonable time to process your request. You cannot opt out of receiving transactional e-mails related to the Platform.

If you are a consumer of Guava's financial services, please refer to our Consumer Privacy Notice for more information about exercising these opt-out rights.

## **CALIFORNIA PRIVACY RIGHTS**

Pursuant to Section 1798.83 of the California Civil Code, residents of California have the right to obtain certain information about the types of personal information that companies with whom they have an established business relationship (and that are not otherwise exempt) have shared with third parties for direct marketing purposes during the preceding calendar year, including the names and addresses of those third parties, and examples of the types of services or products marketed by those third parties. If you wish to submit a request pursuant to Section 1798.83, please contact Guava via email at [Support@joingauva.com](mailto:Support@joingauva.com).



## **DO NOT TRACK**

Guava does not respond to “Do Not Track” settings or other related mechanisms at this time.

## **NEVADA PRIVACY RIGHTS**

If you are a resident of Nevada, you have the right to opt-out of the sale of certain personal information to third parties who intend to license or sell that personal information. You can exercise this right by contacting us at [Support@joingauva.com](mailto:Support@joingauva.com) with the subject line “Nevada Do Not Sell Request” and providing us with your name and the email address associated with your account. Please note that we do not currently sell your personal information as sales are defined in Nevada Revised Statutes Chapter 603A.

## **LINKS TO EXTERNAL WEBSITES**

The Platform may contain links to third-party websites (“External Sites”). Guava has no control over the privacy practices or the content of any such External Sites. As such, we are not responsible for the content or the privacy policies of such External Sites. You should check the applicable privacy policy and terms of use when visiting any such External Sites.

## **CHANGES TO THIS PRIVACY POLICY**

This Privacy Policy is effective as of the last updated date stated at the top of this Privacy Policy. We may change this Privacy Policy from time to time with or without notice to you. By accessing the Platform after we make any such changes to this Privacy Policy, you are deemed to have accepted such changes. Please be aware that, to the extent permitted by applicable law, our use of the information collected is governed by the Privacy Policy in effect at the time we collect the information. Please refer back to this Privacy Policy on a regular basis.

## **HOW TO CONTACT US**

If you have questions about this Privacy Policy, please e-mail us at [Support@joingauva.com](mailto:Support@joingauva.com) with “Privacy Policy” in the subject line.