



XO HOTELS

PRIVACY STATEMENT

Last Updated: 19 April 2018

This privacy statement (“Statement”) applies to XO Hotels, its subsidiaries and all of the hotels within the XO Hotels Portfolio of Brands (collectively, "XO Hotels," "we," or "us", see the list of hotels on xohotels.com). At XO Hotels we strive to deliver outstanding products, services, and experiences. We value your business and, more importantly, your loyalty. We recognize that privacy is an important issue. We have developed this Statement to explain our practices regarding the personal information we collect from you or about you on this site or via our apps, through written or verbal communications with us, when you visit one of our properties, or from other sources.

By using any of our products or services and/or by agreeing to this Statement, e.g. in the context of registering for any of our products or services, you agree to the collection and use of Personal Information as described in this Statement.

Please note that this Statement does not apply to our processing of personal information on behalf of and subject to the instructions of third parties such as airlines, car rental companies and other service providers, companies that organize or offer packaged travel arrangements, marketing partners, or corporate customers.

PERSONAL INFORMATION WE COLLECT

At every touch point or guest interaction, and in conducting every aspect of our business, we may collect personal information. This personal information may include: your contact information; information related to your reservation, stay or visit to a property; participation in a membership or loyalty program (including XOBUSY loyalty program); participation in a contest, sweepstakes, or marketing program (even if you do not stay at one of our hotels); information related to the purchase and receipt of products or services; personal characteristics, nationality, income, passport number and date and place of issue; travel history; payment information, such as your payment card number and other card information, as well as authentication information and other billing and account details associated with billing; guest preferences; marketing and communication preferences; information about vehicles you may bring onto our properties; reviews and opinions about our Portfolio of Brands or properties (if they are identified or associated with you); hotel, airline and rental car packages booked; groups with which you are associated for stays at hotels; information provided on membership and account applications; and other types of information that you choose to provide to us or that we may obtain about you.

We may ask for details on joint travellers, including their names and date of birth. We may also collect information related to conversations, including recording or monitoring customer service calls for quality assurance and training purposes, and other communications such as in-app messages and SMS.

In addition, we collect other personal information in certain cases, such as:

- *XO BUSY*: When you enroll in our XO BUSY loyalty program, you will receive an XO BUSY Discount code. We also collect information to administer the XO BUSY loyalty program and profiles, including transaction and correspondence details.

- *Surveys:* We may request demographic data or other personal information in customer surveys.
- *On-property Collection:* We collect additional personal information during registration/check-in at our properties, including such information as may be required by local laws. We may also use closed circuit television and other security measures at our properties that may capture or record images of guests and visitors in public areas, as well as information related to your location while on our properties (via keycards and other technologies). We may also use closed-circuit television and other technologies that record sound or video for the protection of our staff, guests and visitors to our properties where permitted by law. In addition, we may collect personal information in connection with on-property services, such as concierge services, activities and equipment rental.
- *Event Profiles:* If you plan an event with us, we collect meeting and event specifications, the date of the event, number of guests, details of the guest rooms, and, for corporate events, information on your organization (name, annual budget, and number of sponsored events per year). We also collect information about the guests that are a part of your group or event. If you visit us as part of a group, we may have personal information about you provided to us by the group and may market to you as a result of your stay with a group or attendance at an event in accordance with your preferences as permitted by law.
- *Social Media:* If you choose to participate in XO Hotels social media activities or offerings, we may collect certain information from your social media account consistent with your settings within the social media service, such as location, check-ins, activities, interests, photos, status updates and friend list. We may also allow you to enter into contests and to provide photos, such as of your stay with us, which you may share with your connections on social media for votes, shared offers or other promotions.
- *Forward-to-a-Friend:* From time to time, we may offer a feature that allows you to send an electronic postcard or otherwise share a message with a friend, whether via the Internet, a stand-alone kiosk or mobile device. If you choose to use this feature, we will ask you for the recipient's name and email address, along with the text of any message you choose to include. By using this feature, you represent that you are entitled to use and provide us with the recipient's name and email address for this purpose.
- *Employment Applications:* If you choose to apply online for employment with XO Hotels, we will keep your sent Curriculum Vitae and motivational letter in our files for 4 weeks maximum.

In addition to the information we collect from you directly, we may also infer information about you based on the information you provide to us or from other information we collect.

PERSONAL INFORMATION WE COLLECT FROM THIRD PARTIES

We may also collect information about you from third parties, including information from our booking, payment card, and other partners, from our social media services consistent with your settings on such services; and from other third-party sources that are lawfully entitled to share your data with us. We use and share this information (and may append this information to the other information we have on file for you) for the purposes described in this Statement.

USE OF PERSONAL INFORMATION COLLECTED ABOUT YOU

We use your personal information in a number of ways, including to provide and personalize the services you request and expect from XO Hotels, to offer you the expected level of hospitality in-room and throughout our properties, XO BUSY program, conduct direct marketing and sales promotions and as set forth below in more detail:

- *XO Hotels XO BUSY members:* If you are a XO BUSY member, we use your information to administer the XO BUSY loyalty program, to personalize your experience across our services and applications. We also use your information to communicate news, promotional, and transactional materials across different XO Hotels services and to personalize advertising and content delivered to you through online, email, mobile, and display advertising, as well as on our website and applications and through our customer service call center in accordance with any communications preferences you have expressed.
- *Service Administration:* We use your personal information to administer programs in which you participate, including providing you with access to your account information, such as rewards status and offers for which you are eligible; to fulfil services that are part of such program; to enable direct communication between properties within the XO Hotels Portfolio of Brands; and between the XO Hotels Portfolio of Brands and you; and to facilitate collections.
- *Meeting and Event Planning:* We may use your personal information to provide you with information about meeting and event planning.
- *Marketing and Communications:* Where permitted we may use your personal information to provide or offer you newsletters, promotions and featured specials, as well as other marketing messages in accordance with any communications preferences you have expressed. We use your information to provide in-stay messaging, account alerts, and reservation confirmations; to send you marketing messages; and to conduct surveys, sweepstakes, prize draws, and other contests. We may provide these communications via email, postal mail, online advertising, social media, telephone, text message (including SMS and MMS), push notifications, in-app messaging, and other means (including on-property messaging, such as your in-room television). With your consent, we also use user-generated content (such as photos) from social media services to deliver display advertising or on our website and apps.
- *Service Improvements:* We may use your personal information to improve XO Hotels' services and to ensure that our site, products, and services are of interest to you. We also use your personal information to provide you with the expected level of hospitality in-room and throughout our properties. This may include providing you with the ability to control your in-room technology through our website or apps on your personal devices.
- *eFolio Program:* We may enroll you in our eFolio program and use your email address to send you your hotel bill via email. It is your responsibility to ensure that we have the correct (and preferred) email address for you. If you make a reservation for another person using your email address, that person's eFolio will be sent to your email address.
- *Data Correctness, Analytics and Personalization:* We may aggregate your personal information with data from third-party sources for purposes of keeping information up to date and for analytics. We also rely on information from third parties in order to provide better, more personalized service. For example, if you connect your social media services or other accounts to our services, we may use this information to make your experiences with us more personal and social, or share and use it as described elsewhere in this Statement.

PERSONAL INFORMATION WE SHARE

In order to offer you the expected level of hospitality and to provide you with the best level of service, we may share your personal information among members of the XO Hotels Portfolio of Brands, our service providers, and other third parties as set forth in detail below:

- *XO Hotels Portfolio of Brands:* We may share personal information within the XO Hotels Portfolio of Brands. In addition, when we cease managing a hotel that we own or

end a franchise relationship, we may provide the hotel's owner with certain information about past or future guests of that hotel.

- *Electronic Billing Program:* If you receive an eFolio by email (as discussed above), a summary detailing the goods and services will be provided to you during your stay. If you participate in a corporate billing program and use a corporate payment card, the payment card provider may share the total amount with your employer. Additionally, if you participate in a special rate plan, we may share lists of XO Hotels numbers that used the plan with the entity that provided the special rate plan to you. The privacy policies of your employer, the relevant payment card provider and card issuer apply once we have transferred your information.
- *Group Events or Meetings:* If you visit XO Hotels as part of a group event or meeting, information collected for meeting and event planning may be shared with the organizers of those meetings and events, and, where appropriate, guests who organize or participate in the meeting or event.
- *Business Partners:* We may partner with other companies to provide you with products, services, or offers based upon your experiences at our properties and may share your information with our business partners accordingly.
- *Co-Sponsors of Promotions:* We co-sponsor promotions, sweepstakes, prize draws, competitions or contests with other companies, and we provide prizes for sweepstakes and contests sponsored by other companies. If you enter one of these sweepstakes or contests, we may share your information with the co-sponsor or third-party sponsor.
- *On-property Services:* We may share personal information with third-party providers of on-property services such as concierge services and data collectors.
- *Service Providers:* We rely on third parties to provide services and products on our behalf and may share your personal information with them as appropriate. Generally, our service providers are contractually obligated to protect your personal information and may not otherwise use or share your personal information, except as may be required by law. However, our fraud detection service providers may use, but not share, your personal information for fraud detection purposes. We may use service providers to communicate news and deliver promotional and transactional materials to you on our behalf, including personalized online and mobile advertising in accordance with your preferences and applicable law. Please see our cookie policy for more information. XO Hotels will only work with parties that offer a method to opt-out of such advertising.
- *Business Transactions:* As we develop our business, we might sell, buy, restructure or reorganize businesses or assets, or cease being the manager or franchisor of a hotel that is currently part of our portfolio. In such circumstances, XO Hotels may transfer, sell or assign information collected, including, without limitation, Other Information (described below) and personal information, to one or more affiliated or unaffiliated third parties in connection with these business transactions. To the extent that local laws require it, we will provide notice of our intent to transfer personal data to a third party for this purpose, and explain how you can object to such transfer.
- *Other:* In addition, XO Hotels may disclose personal information in order to: (i) comply with applicable laws, (ii) respond to governmental inquiries or requests from public authorities, (iii) comply with valid legal process, (iv) protect the rights, privacy, safety or property of XO Hotels, site visitors, guests, employees or the public, (v) permit us to pursue available remedies or limit the damages that we may sustain, (vi) enforce our websites' terms and conditions, and (vii) respond to an emergency.

OTHER INFORMATION

When you visit and interact with XO Hotels websites and apps, we collect other information that does not directly identify you about your use of the site, such as a catalog of the site pages you visit, and the number of visits to our sites ("Other Information"). We use Other Information, as well as data received from third parties, to deliver you email, online (on our sites and other sites) and mobile advertisements.

We can use cookies and other technologies (such as "pixel tags," "web beacons," "clear GIFs", links in emails, JavaScript, device IDs assigned by Google or Apple, or similar technologies) to collect this

information. If you want to remove or block Cookies from your device at any time, you can update your browser settings (consult your browser's "help" menu to learn how to remove or block Cookies). XO Hotels is not responsible for your browser settings. You can find good and simple instructions on how to manage Cookies on the different types of web browsers at www.allaboutcookies.org. *Note for EEA and UK-Residents:* If you are based in Europe, you also can adjust your Cookie preferences through adjusting the Cookie Settings through the Cookie Consent Manager, which can be found here: Cookie Preferences.

We may use information we have collected and aggregated, or anonymized personal information received from third parties, to understand more about our users (for example, we may use aggregated information to calculate the percentage of our users who have a particular telephone area code). This includes demographic data, such as date of birth, gender and marital status, inferred commercial interests, such as favorite products or hobbies, and other information we may collect from you or from third parties.

Because Other Information does not personally identify you, such information may be disclosed for any purpose where permitted by law. In some instances, we may combine Other Information with personal information. If we do combine any Other Information with personal information, the combined information will be treated by us as personal information in accordance with this Statement.

SENSITIVE INFORMATION

The term "sensitive information" refers to information related to your racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life, or sexual orientation, genetic information, criminal background, and any biometric data used for the purpose of unique identification. We do not generally collect sensitive information unless it is volunteered by you. We may use health data provided by you to serve you better and meet your particular needs (for example, the provision of disability access).

PERSONAL INFORMATION FROM CHILDREN

We do not knowingly collect personal information from individuals under 18 years of age. As a parent or legal guardian, please do not to allow your children to submit personal information without your permission.

LINKS TO THIRD-PARTY WEBSITES AND SERVICES

Our site and our mobile applications may contain links to third parties' websites. Please note that we are not responsible for the collection, use, maintenance, sharing, or disclosure of data and information by such third parties. If you provide information on and use third-party sites, the privacy policy and terms of service on those sites are applicable. We encourage you to read the privacy policies of websites that you visit before submitting personal information.

XO Hotels may also partner with a limited number of Internet providers to offer Internet access to our guests. Your use of on-property Internet service is subject to the third-party Internet provider's terms of use and privacy policy. You can access those terms and policies using the links on the service sign-in page, or by visiting the Internet provider's website.

PROTECTING PERSONAL INFORMATION

XO Hotels will take reasonable measures to: (i) protect personal information from unauthorized access, disclosure, alteration or destruction, and (ii) keep personal information accurate and up-to-date as appropriate. We also seek to require our affiliates and service providers with whom we share personal information to exercise reasonable efforts to maintain the confidentiality of personal information about you. For online transactions, we use reasonable technological measures to protect the personal information that you transmit to us via our site. Unfortunately, however, no security system or system of transmitting data over the Internet can be guaranteed to be entirely secure.

For your own privacy protection, please do not send payment card numbers or any other confidential personal information to us via email.

We will not contact you by mobile/text messaging to ask for your confidential personal information or payment card details. We will only ask for payment card details by telephone when you are booking a reservation or promotional package. We will not contact you to ask for your XO Hotels XO BUSY account log-in information. If you receive this type of request, you should not respond to it. We also ask that you please notify us at info@xohotels.com.

INTERNATIONAL TRANSFERS OF PERSONAL INFORMATION

As a global company, we endeavor to provide you with the same level of service that you have come to expect at XO Hotels. To provide this service, you acknowledge that we may share your personal information among members of the XO Hotels Portfolio of Brands, our service providers, and other third parties, which may be located in countries outside of your own. Although the data protection laws of these various countries may differ from those in your own country, we will take appropriate steps to ensure that your personal information is handled as described in this Statement and in accordance with the law.

CHANGING AND ACCESSING YOUR PERSONAL INFORMATION

To the extent required by applicable law, you may be able to request that we inform you about the personal information we maintain about you and, where appropriate, request that we update, correct and/or delete personal information about you that we maintain in our active database. We will make all required updates and changes within the time specified by applicable law and, where permitted by law, may charge an appropriate fee to cover the costs of responding to the request. Such requests must be submitted in writing to info@xohotels.com. To protect your confidentiality, we can only respond to such requests to the email address that you have registered or otherwise provided to us. Please remember that if you make such a request, we may not be able to provide you with the same quality and variety of services to which you are accustomed.

In addition, in some circumstances based on applicable law, you may request that we cease sharing personal information about you with our business partners or that XO Hotels cease using personal information about you by contacting us using the email or mailing address above. We will seek to honor those requests consistently with applicable law.

RETAINING PERSONAL INFORMATION

We retain personal information about you for the period necessary to fulfill the purposes outlined in this Statement, unless a longer retention period is required or permitted by applicable law.

We will destroy your personal information as early as practicable and in a way that the information may not be restored or reconstructed.

If printed on paper, the personal information will be destroyed in a secure manner, such as by cross-shredding or incinerating the paper documents or otherwise and, if saved in electronic form, the personal information will be destroyed by technical means to ensure the information may not be restored or reconstructed at a later time.

CHOICES – MARKETING COMMUNICATIONS

If you have given us your contact information (mail address, fax number, email address or phone number), we may want to inform you in accordance with any preferences you have expressed, and with your consent where required, about our products and services or invite you to events via email, online advertising, social media, telephone, text message (including SMS and MMS), push notifications, in-app alerts, postal mail, our customer service call center, and other means (including on-property messaging, such as your in-room television).

If you prefer not to receive email marketing materials from us, you may opt-out at any time by using the unsubscribe function in the email you receive from us or emailing us via info@xohotels.com. Opt-out requests can take up to ten business days to be effective.

To be added to XO Hotels's internal do not call list, send a message to info@xohotels.com. You may control whether our mobile apps send you push notifications by changing your notification settings on your mobile device. If we engage in sending you in-app messages, we will allow control for those in our apps' settings. For more information about cookies and interest-based advertising and to learn about how to manage these technologies, please see our cookie statement.

STATEMENT MODIFICATIONS

We may modify this Statement from time to time. When we make material changes to this Statement we will post a link to the revised Statement on the homepage of our site, and if you have registered for any of your products or services, we may also inform you through a communications channel that you have provided. You can tell when this Statement was last updated by looking at the link and at the date at the top of the Statement. Any changes to our Statement will become effective upon posting of the revised Statement on the site. Use of the site, any of our products and services, and/or providing consent to the updated Statement following such changes constitutes your acceptance of the revised Statement then in effect.

CONTACT US

If you have any questions about this Statement or how XO Hotels processes your personal information, please contact us by email at info@xohotels.com

XO HOTELS PRIVACY STATEMENT REVISIONS

As stated above, we may modify this Statement from time to time. To help you track the most significant changes, we will include a history of changes, below, so that you are aware of modifications to our Statement.

Last Update: 19 April 2018

XO Hotels Amsterdam

Molenwerf 1

1014 AG Amsterdam

info@xohotels.com

tel. +31 20 2629263