

## Declaration of Consent for the use of additional functions of the "termios Pro" Thermostat

Dear Tenant,

Hydraulic balancing is an important instrument for energy conservation in buildings and is therefore legally required for subsidies of renovation measures (Buildings Energy Act, § 60c).

The provision of hydraulic balancing is an ongoing, adaptive control process. The data required for this must be continuously collected and processed while hydraulic balance is to be maintained. Historical data is also included in the control process, which necessitates data retention.

Processed data:

- Measured air temperature and changes in temperature over time (temperature gradients)
- Assignment of radiators to the residential unit and to the heating circuit This assignment is used to calculate with which other heating units hydraulic balance is to be established
- Set target temperature and time of setting
- Energy flow introduced into the thermostat through the supply line
- Room sizes: Recorded directly during installation by the technician or indirectly via radar scanning of the room as a basis for room-by-room heating load calculation and temperature control
- Size and type of radiator / radiator output

The smart thermostat serves to control and regulate the heating system in a building more efficiently, thereby increasing energy efficiency. Unlike conventional thermostats, a smart thermostat allows for remote control and monitoring via, for example, a heating cloud, mobile applications, or other networked devices. Adaptation to individual habits contributes to comfort and savings. Overall, a smart thermostat improves the environmental friendliness and economic operation of the heating system.

In addition to establishing the hydraulic balance of the heating system throughout the entire building as a basic function, the tenant can **optionally** activate the following **additional functions** of the "termios Pro" thermostat by consent:

- Adaptive Comfort Temperature

In the first months after installation, the system learns the specific comfort temperature for each room and occupant and can target this specifically.

- Presence-Adapted Reduction

When residents are away on vacation or absent during the day, "termios Pro" lowers the temperature of the room or apartment and heats up again before return.

- Automatic Night Reduction

"termios Pro" offers residents an automatic, adaptive, and room-individual night reduction, which can save energy.

- Window Open = Heating Down

"termios Pro" detects open windows and regulates the radiator accordingly.

- Heat Migration

"termios Pro" considers the entire rental unit. If one room/apartment is not heated while adjacent rooms/apartments are heavily heated, "termios Pro" intervenes and prevents unwanted heat migration.

To provide these additional functions, additional data must be collected and processed. Before beginning use, the tenant will therefore be informed about the collected data and respective purpose and asked for their consent.

For the aforementioned functions, the following personal data of tenants is collected via the "termios Pro" thermostat:

- Temperature and temperature changes in rooms
- Type of room and room usage
- Humidity and noise level changes in rooms
- Target temperatures and changes in target temperatures
- Presence via radar
- Email address, tenant names with residence location and residential unit

Through the use of the "termios Pro" thermostat, targeted energy savings potential of an additional approximately 15% is realized and unnecessary energy consumption is reduced without compromising tenant comfort.

You provide your consent voluntarily and may refuse without giving reasons. Without your consent, the additional listed functions cannot be used, with the exception of the hydraulic balance as a basic function of the "termios Pro" thermostat.

You may revoke your consent at any time.

## Privacy Policy for the Use of the "termios Pro" Thermostat

Dear Tenants,

We hereby inform you about the processing of your personal data collected through the "termios Pro" thermostat and your related rights. To ensure that you are fully informed about the processing of your personal data, please take note of the following information:

### 1. Contact Details of the Controller

Efficient Residential Heating GmbH  
Zielstattstr. 19  
81379 Munich  
E-Mail: office@termios.de

### 2. Contact Details of the Data Protection Officer

TÜV SÜD Akademie GmbH  
Westenstraße 160  
80339 Munich  
E-Mail: datenschutz@termios.de

### 3. Purpose of Processing

#### a) **Achieving Further Energy Savings in Heating Operations**

In particular, the Climate Protection Act (KSG) and the Building Energy Act (GEG) set the legal framework within which heating energy consumption must be reduced by property operators through numerous regulations, including the provisions on hydraulic balancing in § 60c GEG. "termios Pro" supports these measures by targeted realization of savings potentials, with thermostats reducing unnecessary energy consumption without compromising the living comfort of tenants.

#### b) **Providing Thermostat Installation Services**

We will collect and use your personal data to perform the corresponding installation services for the "termios Pro" thermostats (including appointment scheduling, clarifying inquiries, etc.) and to remedy any defects.

#### c) **Providing Support Services**

The purpose is to answer inquiries/support requests from residents; specifically, in the case of a defective thermostat, to coordinate replacement with the tenant. To offer you the best possible service, we would like to inform you that photos of the installed devices are taken during installation for quality assurance. These photos are used exclusively for internal purposes and are securely deleted after installation is complete.

## **d) Optimization of Thermostat Algorithms**

For termios, it is important to obtain data about the respective buildings in order to further train and improve the calculation logic. To this end, termios additionally uses building-related and personal data, which are listed under section 4 d).

## **4. Processed Personal Data**

### **a) For Energy Savings in Heating Operations:**

- Actual room temperature and temperature changes
- Changes in humidity and noise levels
- Temporal progression of target temperature settings per room, including the type of setting (e.g., rotary dial on the thermostat, via tenant app, algorithmically triggered adjustments)
- Type of room or room usage
- Presence in rooms detected via radar, changes in humidity, and thermostat operation

### **b) For Installation Services:**

- Building addresses
- Tenant names
- Contact information (mobile number and email address)

### **c) For Support Services:**

- Tenant contact information (phone/mobile numbers, email)
- Tenant residential unit details (address, etc.)
- Quality assurance photos of installed thermostats

### **d) For Algorithm Optimization:**

- Building construction year
- Room sizes and types
- Door locations
- Room usage frequency
- Radiator installation situation
- Average room temperatures
- Average heating rates
- Average cooling rates relative to outside temperature

## 5. Legal Basis for Processing

The use of termios Pro is based on your consent (Art. 6 Para. 1 lit. a GDPR). You may withdraw your consent at any time with effect for the future. Please note that without your consent, no personalized recommendations for your heating behavior can be created.

## 6. Evaluation of Your Heating Behavior

As part of the smart thermostat system, we utilize an automated evaluation of your heating behavior to analyze usage patterns. Based on these evaluations, a thermostat-specific control can be implemented to optimize the efficiency of the heating system in your apartment and identify potential savings. In this process, we collect data such as:

- The time periods during which you use your heating system.
- The preferred temperatures you set.
- Automatically generated suggestions for improving energy efficiency and reducing heating costs.

## 7. Pseudonymization of Data

After the completion of your heating cost settlement, or when the data is no longer required for the immediate operation but is still needed, for instance, to improve the system or for statistical purposes, your personal data will be pseudonymized. This means that your direct identification details (e.g., name, address) will be removed or replaced with an anonymous code. In the event of a tenant change, the tenant's profile, including their contact details, will be deleted.

## 8. Recipients or Categories of Recipients

We only transmit your personal data to additional recipients or grant access to your personal data if this is necessary for the respective purposes of processing or if we have entrusted other recipients with fulfilling specific tasks or services, which may require or cannot exclude access to this personal data.

Potential recipients of personal data include:

- Internal departments involved in the execution of the respective business processes
- Affiliated companies within our corporate group
- External service providers directly supporting the respective business processes independently

## 9. Storage Duration

Your personal data will only be stored for as long as necessary for the purposes mentioned above:

- Consumption and usage data: This data will be stored as long as it is needed for billing or heating control purposes and retained in accordance with legal retention periods for up to 10 years.
- Evaluation data: We will store the corresponding data as long as you have consented to the evaluation. After a withdrawal of consent or when the purpose has been fulfilled, this data will be deleted or pseudonymized.

Once the data is no longer required for its original purpose but can still be used for statistical or analytical purposes, it will be pseudonymized. This means that personal data such as your name or address will be replaced by a code that prevents any identification of your person.

## 10. Source of Data

As a rule, we have received your personal data from you as a tenant, from your landlord, or through the functions of the thermostat.

## 11. Data Transfers to Third Countries

We generally process your data within the European Union (EU) or the European Economic Area (EEA).

Should there be exceptional cases where your personal data is transferred to countries/service providers outside the EU or EEA, we conclude the necessary data protection contracts, in particular EU Standard Contractual Clauses, or take the measures required under Art. 44 et seq. GDPR.

## 12. Data Subject Rights

In general and in relation to your personal data, you may exercise the rights named below.

- Right to access according to Article 15 GDPR:  
You have the right to obtain from the controller confirmation as to whether personal data concerning you is being processed and to receive information about this personal data.
- Right to rectification according to Article 16 GDPR:  
You have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning you.

- Right to erasure according to Article 17 GDPR:  
You have the right to obtain from the controller the erasure of personal data concerning you without undue delay.
- Right to restriction of processing according to Article 18 GDPR:  
You have the right to obtain from the controller restriction of processing of personal data concerning you.
- Right to data portability according to Article 20 GDPR:  
You have the right to receive your personal data from the controller in a structured, commonly used, and machine-readable format.
- Right to withdraw consent according to Article 7(3) GDPR:  
You have the right to withdraw your consent given pursuant to Article 6(1)(a) GDPR for the processing of your personal data at any time. The lawfulness of processing based on consent before its withdrawal is not affected.
- Right to object according to Article 21(1) GDPR:  
You have the right to object at any time to processing of your personal data which is based on Article 6(1)(e) or (f) GDPR.
- Right to lodge a complaint with a supervisory authority according to Article 77 GDPR:  
If you as a data subject consider that the processing of personal data relating to you infringes the GDPR, you have the right to lodge a complaint with a supervisory authority, particularly in the Member State of your habitual residence, place of work, or place of the alleged infringement. A list of supervisory authorities in Germany (for the non-public sector) with addresses can be found at: [https://www.bfdi.bund.de/DE/Infothek/Anschriften\\_Links/anschriften\\_links-node.html](https://www.bfdi.bund.de/DE/Infothek/Anschriften_Links/anschriften_links-node.html).

### **13. Updates to the Privacy Policy**

We reserve the right to adapt this privacy policy to technical developments when needed or to update it in connection with new product offerings. Updates will also be made due to legal requirements.

Kind regards,

Efficient Residential Heating GmbH