

Privacy Policy Guide

entrata

California Privacy Rights Act

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Summary

California's landmark Privacy Act, the CCPA, went into effect in 2020 as the first-of its kind privacy legislation in the United States. An internet privacy activist began collecting signatures for a voter initiative for the November 2018 mid-term election that would expose many ISP and tech companies to litigation regardless of the state attorney general's action. The initiative's sponsors struck a deal with legislators, agreeing to withdraw the initiative if a previously abandoned California Privacy Act (AB 375), which requires businesses that market to California residents to display a privacy policy on their website, was signed into law.

The more recent CPRA builds on the requirements of the CCPA's privacy policies to expand the definition of "sensitive personal information". The CPRA will go into effect Jan 1 2023 with a look-back period to Jan 2022. The CPRA takes on a business/service provider approach rather than a controller/processor approach used in other states, effectively setting out provisions for interactions between service providers and their customers. The CPRA establishes the California Privacy Protection Agency as part of their enforcement policies, with the Attorney General also enforcing action.

Required Action

Businesses must update their privacy policies in order to be in compliance with this new act. The California Privacy Rights Act is available online for your personal review on the California Legislative Information website.

The CPRA and California Businesses

Because the CPRA requires businesses marketing to California residents to display privacy policies on their websites, Entrata encourages clients with properties in the state to review and update their own privacy policies in order to comply with the CPRA. Within ProspectPortal, a custom privacy policy may be uploaded to meet this requirement.

Entrata's compliance team understands the importance of staying current with these new and evolving data privacy regulations and the importance of keeping our clients up to date as well. If you, as a business that markets to California residents, haven't customized the privacy policy on your ProspectPortal websites, the current default displays the Entrata privacy policy. Please note that the Entrata privacy policy does not reflect the collection of data by you as a business/controller in the state of California. You should consult with your own legal counsel to assure your privacy policy is drafted correctly to meet the newly enacted CPRA requirements.

Additionally, the CPRA grants consumers certain rights to opt out, request to delete, etc. which may result in data privacy requests being submitted. You can familiarize yourself with the Creating and Managing Data Privacy Requests article within Entrata's Help & Support system.

Here's how to view the user guides on how to create and/or manage data privacy requests and add privacy policies:

1. Visit your Entrata site.
2. Click on the square on the top right corner with a question mark inside.
3. Click on the General Help link in the drop-down menu; it will be the very first link.
4. Search for the keywords "data privacy" in the search bar at the top left of the page.

Pay attention to these relevant Help & Support articles related to data privacy:

- Creating and Managing Data Privacy Requests
- Displaying Privacy Options on Your ProspectPortal Website

We're Here for You

With the GDPR in the EU and the CPRA in California as the leading regulations of data privacy, the topic of data privacy and consumer protection is becoming an increasingly hot topic in today's online world. Entrata remains vigilant in keeping up-to-date with the latest news and regulations.

Our compliance team is here to help. Complying with ever-changing data privacy regulations is our focus, and we're committed to providing the most helpful information to our clients. If you have any questions or concerns regarding California's new data privacy regulations or this educational guide, please contact your Entrata representative. For more information on how Entrata handles our customers' data, review our privacy policy found at **legal.entrata.com/privacy-policy**.