

Irving Fund Privacy Policy

Effective Date: May 11, 2026 | Last Updated: May 11, 2026

Irving Fund LLC (“Irving Fund,” “we,” “us,” or “our”) respects your privacy and is committed to protecting the personal and business information you share with us. This Privacy Policy explains how we collect, use, disclose, and safeguard information when you visit irvingfund.com, submit an application, communicate with us, or otherwise engage with our products and services (collectively, the “Services”). Irving Fund LLC is a Florida limited liability company authorized to do business in New York as a foreign entity. This Policy applies to all applicants and users of our Services, regardless of the state in which the applicant business is located.

By accessing our website, submitting an application, or otherwise interacting with us, you acknowledge that you have read and understood this Privacy Policy. If you do not agree with our practices, please do not use the Services.

1. About Us and Our Services

Irving Fund operates as both a **direct commercial lender** and a **commercial finance broker**. We originate, fund, and service certain business financing products directly, and we also place applications with third-party lending partners, funders, and capital providers when a partner product is a better fit for the applicant. Our Services are intended for business and commercial purposes only and are not offered to consumers for personal, family, or household use.

2. Information We Collect

We collect information that you provide directly, information we generate through your use of our Services, and information we receive from third parties. The categories include:

a. Identification and Contact Information

- Full legal name, date of birth, home and business addresses
- Email addresses, telephone numbers (mobile and landline)
- Social Security Number (SSN), Employer Identification Number (EIN), and government-issued ID information
- Driver's license number and other identity verification data

b. Business and Financial Information

- Business legal name, DBA, entity type, formation state, ownership structure, and beneficial ownership information
- Industry, time in business, annual revenue, monthly deposits, and other operational data
- Business and personal bank statements (typically 3–6 months), voided checks, and bank account/routing numbers
- Tax returns, profit-and-loss statements, balance sheets, and other financial documentation
- Existing debt obligations, merchant cash advance balances, and outstanding loans

c. Credit Information

With your authorization, we obtain consumer and commercial credit reports through **soft and hard credit inquiries** from credit bureaus such as Experian, Equifax, TransUnion, Dun & Bradstreet, and similar agencies. We also collect credit scores, payment history, public records, trade lines, UCC filings, and any other information contained in your credit file.

d. Technical and Usage Information

- IP address, browser type, device identifiers, operating system, and referring URLs
- Pages viewed, time on site, click activity, and other site interaction data
- Cookies, web beacons, pixels, session recordings, and similar tracking technologies
- Geolocation data inferred from IP address

e. Communications

- Email correspondence, SMS/text messages, chat transcripts, and form submissions
- **Call recordings.** We record inbound and outbound telephone calls for quality assurance, training, compliance, and dispute resolution. By speaking with us, you consent to such recording.

f. Information from Third Parties

- Lead generators, marketing affiliates, brokers, and ISOs (Independent Sales Organizations)
- Bank data aggregators such as Plaid, Finicity, MX, or similar services (when you connect a bank account)
- Credit bureaus and fraud-prevention databases (e.g., LexisNexis, ID Analytics)
- Public records, business registries, and Secretary of State databases
- Lending partners and funders to whom we submit your application

3. How We Use Your Information

We use the information described above to:

- Evaluate, underwrite, approve, decline, fund, and service business financing applications
- Verify your identity and the identity of your business, and comply with Know Your Customer (KYC), Anti-Money Laundering (AML), Bank Secrecy Act, and OFAC requirements
- Submit your application and supporting documentation to lending partners and funders
- Pull, review, and monitor consumer and commercial credit reports
- Detect, prevent, and investigate fraud, unauthorized activity, and other unlawful conduct
- Communicate with you about your application, account, servicing matters, and customer support
- Send marketing, promotional, and renewal communications (subject to your consent and opt-out rights)
- Improve our website, products, services, underwriting models, and customer experience
- Comply with applicable federal, state, and local laws, regulations, subpoenas, and legal process

- Enforce our agreements and protect our rights, property, and the safety of our personnel and customers

4. How We Share Your Information

We share information with the following categories of recipients for the purposes described:

a. Lending Partners and Funders

When we broker your application or syndicate funding, we share your full application, financial documents, credit information, and supporting materials with our network of third-party lenders, funders, and capital providers so they may underwrite and offer you financing. These recipients use the information under their own privacy practices.

b. Credit Bureaus

We share information with consumer and commercial credit reporting agencies, including to pull credit reports and to report payment performance on funded loans and accounts.

c. Service Providers and Vendors

- Bank verification and data aggregation providers (e.g., Plaid)
- Customer Relationship Management (CRM), document management, and e-signature platforms
- Email, SMS, telephony, call-recording, and communication providers
- Cloud hosting, data storage, analytics, and cybersecurity vendors
- Identity verification, KYC/AML, and fraud-detection services
- Payment processors, ACH originators, and banking partners
- Legal, accounting, audit, and professional services firms

d. Marketing Affiliates and Partners

We share information with marketing affiliates, lead-generation partners, advertising platforms, and analytics providers for advertising, retargeting, and audience-building purposes. This sharing may constitute a “sale” or “sharing” of personal information under certain state privacy laws. See Section 8 for your opt-out rights.

e. Legal, Regulatory, and Safety Disclosures

We disclose information to law enforcement, regulators, courts, and other parties when required by law, subpoena, court order, or other legal process, or when we believe disclosure is necessary to protect our rights, prevent fraud, or protect the safety of any person.

f. Corporate Transactions

If we are involved in a merger, acquisition, financing, reorganization, sale of assets, or bankruptcy, your information may be transferred to the successor entity as part of that transaction.

5. Gramm-Leach-Bliley Act (GLBA) Notice

As a financial services provider, we are subject to the federal **Gramm-Leach-Bliley Act (GLBA)** and its implementing Privacy Rule and Safeguards Rule (16 C.F.R. Parts 313 and 314). Although our Services are intended for business and commercial purposes (not consumers as defined under GLBA), we treat nonpublic personal information about individuals associated with applicant businesses (such as owners,

principals, and guarantors) with the standards described in this Policy. We maintain administrative, technical, and physical safeguards designed to protect the security, confidentiality, and integrity of nonpublic personal information.

Categories of NPI we collect: identification data, financial account information, credit and transaction history, and information from credit reporting agencies. **Categories of NPI we disclose:** as described in Section 4. **Categories of affiliates and nonaffiliated third parties:** lending partners, funders, brokers, service providers, credit bureaus, regulators, and marketing partners as permitted by law.

6. Telephone, SMS, and Marketing Communications (TCPA)

By providing your telephone number and submitting an application or opt-in form, you expressly consent to receive telephone calls, autodialed calls, prerecorded or artificial-voice messages, and SMS/text messages from us and our lending partners at the number(s) you provided, including for marketing purposes, even if your number is on a Do-Not-Call list. **Consent is not a condition of any purchase or financing.** Message and data rates may apply. Message frequency varies.

How to opt out of SMS: reply **STOP** to any text message. Reply **HELP** for assistance. **How to opt out of marketing calls/emails:** email us at the address below or use the unsubscribe link in any marketing email. Opting out of marketing communications will not affect transactional and servicing communications related to an active application or account.

Mobile information sharing. Mobile opt-in data and consent for SMS messaging will not be shared with any third parties or affiliates for marketing or promotional purposes.

7. Cookies and Tracking Technologies

We and our service providers use cookies, pixels, web beacons, session-replay tools, and similar technologies to operate our website, remember preferences, analyze traffic, measure marketing performance, and serve targeted advertising. Categories include strictly necessary, functional, analytics, and advertising/targeting cookies.

You can control cookies through your browser settings, through any cookie-preferences banner we provide, and through industry opt-out tools at www.aboutads.info/choices and www.networkadvertising.org/choices. We honor Global Privacy Control (GPC) signals as an opt-out of sale/sharing where required by law.

8. California Privacy Rights (CCPA/CPRA)

If you are a California resident, the California Consumer Privacy Act, as amended by the California Privacy Rights Act (collectively, "CCPA"), gives you the following rights, subject to certain exceptions, including the GLBA exemption for personal information collected, processed, sold, or disclosed pursuant to the GLBA:

- **Right to Know:** request the categories and specific pieces of personal information we have collected about you, the sources of that information, the business purposes for collecting it, and the categories of third parties with whom we share it.
- **Right to Delete:** request deletion of personal information we have collected, subject to legal exceptions (e.g., to complete a transaction, comply with legal obligations, or detect fraud).
- **Right to Correct:** request correction of inaccurate personal information.

- **Right to Opt Out of Sale/Sharing:** opt out of the “sale” or “sharing” of personal information for cross-context behavioral advertising.
- **Right to Limit Use of Sensitive Personal Information:** direct us to limit the use of sensitive personal information to specified purposes.
- **Right to Non-Discrimination:** not be discriminated against for exercising your privacy rights.

Categories collected, disclosed, and sold/shared in the last 12 months: identifiers; customer records (Cal. Civ. Code § 1798.80(e)); commercial information; internet/network activity; geolocation; professional/employment-related information; financial information; and inferences. Sensitive personal information includes SSN, driver’s license, financial account information, and account credentials. We disclose these categories to the recipients listed in Section 4. We **do not knowingly sell or share** the personal information of consumers under 16 years of age.

To exercise your rights, email us at the address listed below with the subject line “California Privacy Request” or submit a request through any webform we make available. We will verify your request using information already in our records. You may designate an authorized agent to act on your behalf by providing written authorization. We will respond within the timeframes required by law (generally 45 days, with one 45-day extension when reasonably necessary).

9. Data Retention

We retain personal and business information for as long as necessary to fulfill the purposes described in this Policy, to comply with our legal, regulatory, tax, accounting, and recordkeeping obligations, to resolve disputes, and to enforce our agreements. Retention periods are generally aligned with applicable state and federal recordkeeping requirements for financial institutions, which may extend for several years after the closure of an account or the conclusion of an application.

10. Data Security

We maintain reasonable administrative, technical, and physical safeguards designed to protect the information we collect, including encryption in transit, access controls, employee training, and vendor diligence. No method of transmission or storage, however, is 100% secure, and we cannot guarantee absolute security. You are responsible for keeping your account credentials confidential.

11. Children’s Privacy

Our Services are not directed to individuals under the age of 18, and we do not knowingly collect personal information from children. If you believe a child has provided us with personal information, please contact us so we can delete it.

12. Third-Party Websites and Services

Our website may contain links to third-party websites, applications, or services. We are not responsible for the privacy practices of those third parties, and this Policy does not apply to their sites. Please review their privacy policies before providing any information.

13. Changes to This Privacy Policy

We may update this Privacy Policy from time to time. When we do, we will revise the “Last Updated” date at the top of this Policy and, where required by law, provide additional notice. Your continued use of the Services after any update constitutes acceptance of the revised Policy.

14. Contact Us

For questions about this Privacy Policy, to exercise any of your rights, or to opt out of marketing communications, contact us at:

Irving Fund LLC

880 3rd Avenue, Floor 11, New York, NY 10022

Email: **Support@irvingfund.com**

Website: **irvingfund.com**