

TopBuild Website Privacy Policy

www.topbuild.com

Privacy Policy

Effective Date: May 2, 2022

Last Updated: May 2, 2022

This Privacy Policy details how **TopBuild Corp.**, a Delaware corporation headquartered in Daytona Beach, Florida, USA (“TopBuild,” “we”, “us”), collects, uses and discloses your personal information in connection with our online business activities. This Privacy Policy applies to websites operated by us from which you are accessing this Privacy Policy; applications and social media pages that we control from which you are accessing this Privacy; and HTML-formatted email messages that we send to you that link to this Privacy Policy (collectively, the “Services”). Except as otherwise expressly provided herein, this Privacy Policy does not govern collection of information other than through the Services or by third parties.

We encourage you to read this Privacy Policy before using the Services or submitting your personal information to us. Your use of the Services constitutes your understanding and acceptance of this Privacy Policy, so please do not use the Services or otherwise share your personal information with us if you disagree with any part of this Privacy Policy.

Policy Modifications

TopBuild reserves the right to modify or replace this Privacy Policy. If TopBuild makes a material change to this Privacy Policy, it will be posted at this page. We encourage you to check this page regularly because your continued use of the Services following any modification to or replacement of the Privacy Policy constitutes your understanding and acceptance of any such modification or replacement. You can determine when this Privacy Policy was last modified by referring to the “Last Updated” legend at the top of this page.

Notice Regarding Use of Services by Children

The Services are not directed to children under the age of eighteen (18), and we request that children do not provide personal information through the Services.

Personal Information We Collect

Through your use of the Services, we collect personal information about you as listed in the chart below:

Category of Personal Information		Examples	Collected (Yes/No)
A.	Identifiers	Examples: real name, alias, postal address, unique personal identifier, online identifier Internet Protocol (IP) address, email address, account name, social security number, driver's license number, passport number, or other similar identifiers	Yes
B.	Personal information categories listed in the California Customer Records Statute	Examples: name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information	Yes
C.	Characteristics of protected classifications under California or federal law	Examples: race, color, religion (includes religious dress and grooming practices), sex/gender (includes pregnancy, childbirth, breastfeeding and/ or related medical conditions), gender identity, gender expression, sexual orientation, marital status, medical condition (genetic characteristics, cancer or a record or history of cancer), military or veteran status, national origin (includes language use and possession of a driver's license issued to persons unable to provide their presence in the United State is authorized under federal law), ancestry, disability (mental and physical including HIV/AIDS, cancer, and genetic characteristics), genetic information, request for family care leave, request for leave for an employee's own serious health condition, request for pregnancy disability leave, retaliation for reporting patient abuse in tax-supported institutions, age (over 40)	Yes
D.	Commercial information	Examples: Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies	Yes
E.	Biometric information	Examples: Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data	No
F.	Internet or other electronic	Examples: browsing history; search history; internet service provider (ISP); type of computer; type of web browser; URLs of any referring or exited webpages; operating system; information about your	Yes

	network activity information	interaction with the Site or advertisements on it; data about which pages you visit; the date and time of your visit; your domain server; and your browser type	
G.	Geolocation data	Examples: Location data automatically collected during use of the Site; location data provided when locating facilities; shipping and billing information; zip code	Yes
H.	Sensory data	Examples: Audio, electronic, visual, thermal, olfactory, or similar information	No
I.	Professional or employment-related information	Examples: Current or past job history, performance evaluations, professional licensure, resume information, application information	Yes
J.	Education Information	Examples: Educational records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records	No
K.	Inferences drawn from other personal information	Examples: Profiles reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes	No

Personal information does not include:

- Publicly available information from federal, state or local government records;
- Consumer information that is deidentified;
- Consumer information that is aggregated;
- Personal information reflecting a written or verbal communication or a transaction between the business and the consumer, if the consumer is a natural person who is acting as an employee, owner, director, officer, or contractor of a company, partnership, sole proprietorship, nonprofit, or government agency and whose communications or transactions with the business occur solely within the context of the business conducting due diligence regarding, or providing or receiving a product or service to or from that company, partnership, sole proprietorship, nonprofit, or government agency; and
- Personal information bearing on an activity involving the collection, maintenance, disclosure, sale communication or use of such information by an agency, furnisher, or user subject to regulation under the Fair Credit Reporting Act (FCRA).

How We Collect Personal Information

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from you. For example, when you voluntarily provide it to us through the Services, such as when you create an account or profile, order or register a product, order literature, enter contests or incentive programs, sign up for newsletters, participate in a survey, contact customer service, or otherwise interact with the Services.
- Indirectly from you. For example, from observing your actions through the Services and our websites.
- From other sources. For example, public data bases, joint marketing partners, social media platforms, from people with whom you are friends or otherwise connected on social media platforms, and other third parties.

How We Use Personal Information

We use your personal information to provide products and services to you, to operate, manage, and maintain our business, and to accomplish other business and commercial purposes, including the following:

- Operate and improve our business, websites, and the Services
- Provide you with services, products, content, customer services, and functionality
- Honor our terms of service and contracts
- Administer and expand our business activities
- Manage our relationship with you
- Improve our products and services and develop new products and services
- Process and complete payments and other transactions
- Maintain our databases and backups, including records of communications with you
- Detect fraud and prevent loss
- Ensure the privacy and security of our website and Services
- Support and improve our websites, including evaluations of functionality and features
- Promote our products and services
- Communicate with you and respond to your feedback, requests, questions, or inquiries
- Improve our customer service
- Improve our marketing efforts, including by providing more tailored advertising
- Analyze use of our websites and the Services and prepare aggregate traffic information
- Recognize your device and remember your preferences and interactions
- Determine and track user interests, trends, needs, and preferences
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred
- Accomplish any other purpose related to and/or ancillary to any of the purposes and uses described in this Privacy Policy for which your information was provided to us
- As otherwise described to you when collecting your personal information

We may also use your personal information to:

- Comply with federal, state, or local laws
- Comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, state, or local authorities
- Cooperate with law enforcement agencies concerning conduct or activity that we, a service provider, or a third party reasonably and in good faith believe may violate federal, state, or local law
- Exercise or defend legal claims
- To enforce our Terms of Use
- To respond to an emergency
- Collect, use, retain, sell, or disclose consumer information that is deidentified or aggregated

How We Use Technologies

We and our third party service providers may collect personal information and other data by using a variety of technologies, including:

- **Browser or device:** Certain information is collected by most browsers or automatically through your device, such as your Media Access Control (MAC) address, computer type (Windows or Macintosh), screen resolution, operating system name and version, device manufacturer and model, language, Internet browser type and version, and the name and version of the Services you are using. We use this information to ensure that the Services function properly.
- **IP address:** Your Internet Protocol (IP) address is a number that is automatically assigned to the computer that you are using by your Internet Service Provider (ISP). An IP address may be identified and logged automatically in our server log files whenever a user accesses the Services, along with the time of the visit and the page(s) that were visited. Collecting IP addresses is standard practice and is done automatically by many websites, applications and other services. We use IP addresses for purposes such as calculating usage levels of the Services, helping diagnose server problems, administering the Services and identifying your device's physical location.
- **Server logs:** We use web servers that keep log files that record data each time a device accesses those servers. These log files are maintained by our website hosting service and 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 referral URL (i.e., the external source by which you arrived at our website, or the pages you've clicked on while on our website). We may wish to use these log files for purposes such as monitoring and troubleshooting errors and incidents, analyzing web traffic, or optimizing the user experience.
- **Cookies:** We collect information using "cookie" technology. Cookies are small packets of data that a website stores on your device's hard drive (or other storage medium) so that your device will "remember" information about your visit.
 - **Session cookies:** We use session cookies to make it easier for you to navigate our website. A session ID cookie expires when you close your browser.
 - **Persistent cookies:** A persistent cookie remains on your hard drive (or other storage medium) for an extended period of time or until you delete them. To the extent we provide a log-in portal or related feature through the Services, persistent cookies can be used to store your password so that you don't have to enter it more than once.

Persistent cookies also enable us to track analytics and target the interests of our visitors to personalize the experience on our website. In some cases, we may associate information that you have provided to us (e.g., email address) with the cookies that we use.

- If you do not want information collected through cookies, there is an option in most browsers that allows you to automatically decline cookies or be given the choice of declining or accepting the transfer to your computer of a particular cookie (or cookies) from a particular site. If you do not accept cookies, you may experience some inconvenience in your use of the Services. For example, we may not be able to recognize your computer and you may need to log in every time you visit the applicable Services, and you may not receive advertising or other offers from us relevant to your interests and needs.
- **Google Analytics:** We use Google Analytics, a Google service that uses cookies and other, similar technologies to collect information about use of the Services anonymously and report website trends, without identifying individual users. We also use an enhancement to Google Analytics called “Demographics and Interest Reporting,” through which Google provides us with information about our users’ demographics (e.g., age, gender) and interests. This information, which Google may collect by tracking a user’s behavior across third party websites, helps us to learn more about our users. You can learn about Google’s practices in connection with this enhanced tracking and opt out of it by visiting www.google.com/settings/ads or by downloading the Google Analytics opt-out browser addon, available at <https://tools.google.com/dlpage/gaoptout>.
- **Physical location identifiers:** We may collect the physical location of your device by, for example, using satellite, cell phone tower, or WiFi signals. We may use your device’s physical location to provide you with personalized location-based services and content. We may also share your device’s physical location, combined with information about what advertisements you viewed and other information we collect, with our marketing partners to enable them to provide you with more personalized content and to study the effectiveness of advertising campaigns. In some instances, you may be permitted to allow or deny such uses and/or sharing of your device’s location, but if you choose to deny such uses and/or sharing, we and/or our marketing partners may not be able to provide you with the applicable personalized services and content.

How We Share Personal Information

We may process or share your personal information as follows:

- **Consent:** We may process your personal information if you have given us specific consent to use your personal information for a specific purpose.
- **Legitimate Interests:** We may process your personal information when it is reasonably necessary to achieve our legitimate business interests.
- **Performance of a Contract:** Where we have entered into a contract with you, we may process your personal information to fulfill the terms of our contract.
- **Legal Obligations:** We may disclose your personal information where we are legally required to do so to comply with applicable law, governmental requests, a judicial proceeding, court order, or legal process, such as in response to a court order or a subpoena (including in response to public authorities to meet national security or law enforcement requirements).

- Vital Interests: We may disclose your personal information where we believe it is necessary to investigate, prevent, or take action regarding potential violations of our policies, suspected fraud, situations involving potential threats to the safety of any person and illegal activities, or as evidence in litigation in which we are involved.

We share your personal information with the following categories of third parties (“Recipients”):

- Parent entities, subsidiaries, and affiliates worldwide (“Affiliated Entities”)
- Advisors (accountants, attorneys, etc.)
- Service providers
- Dealers and retailers that offer our products and services for sale
- Partners
- Internet service providers, cookie, and other technology providers
- Government agencies

In the preceding twelve months, we have disclosed to the Recipients the following categories of personal information for a business purpose:

- Affiliated Entities
- Advisors (accountants, attorneys, etc.)
- Service providers
- Dealers and retailers that offer our products and services for sale
- Partners
- Internet service providers, cookie, and other technology providers
- Government agencies

We do not sell your personal information and have not sold categories of personal information during the preceding 12 months.

How We Protect Personal Information

We process personal information consistent with the principles of correctness, lawfulness, and transparency. Your personal information will be processed manually or electronically using automated tools that ensure the security and confidentiality of the information.

We maintain appropriate security, technical, and organizational measures that ensure a level of security appropriate to the risk of unauthorized access to, and accidental or unlawful destruction, loss, alteration, and unauthorized disclosure of, personal information transmitted, stored, or otherwise processed. When we disclose personal information for a business purpose, we ensure the Recipient maintains equal or greater safeguards and we enter into a contract with the Recipient that describes the purpose of disclosure and requires the Recipient to keep the personal information confidential and not use it for any purpose other than performing the contract. Please note that personal information may be received by Recipients in jurisdictions other than your own which may have different privacy regulations than those applicable in the jurisdiction where you reside.

We will process only personal information necessary for the purposes described in this Privacy Policy. The people authorized to process personal information will immediately delete or make anonymous personal information unnecessary for such purposes.

If we have given you, or you have chosen, a password to access the Services, you are responsible for keeping the password confidential. You should not share your password with anyone.

How Long Your Personal Information Will Be Retained

We will retain and use your personal information for as long as is necessary to fulfill the purposes for which it was collected, to comply with our business requirements and legal obligations, to resolve disputes, to protect our assets, to provide our products and services, and to enforce our agreements.

We take reasonable steps to delete the personal information we collect about you, where we have a legal obligation to do so or if you ask us to delete your information, unless we determine that doing so would violate our legitimate legal, regulatory, dispute resolution, contractual, or similar obligations. To the extent permitted by law, we may retain and use anonymous and aggregated information for performance reporting, benchmarking, and analytic purposes and for product and service improvement.

We are required by law to maintain records of consumer requests submitted under the California Consumer Privacy Act and how we responded to such requests for at least 24 months. We only use this information for recordkeeping purposes.

How We Manage Payment Services and Other Third Parties

We may use third party payment services (each, a “Payment Service”) to collect payments made through the Services. If you wish to make a payment through the Services, you will be directed to a webpage that is hosted by the Payment Service (or the Payment Service’s service provider) and not by us (such page, the “Payment Service Page”). Any personal information that you provide through the Payment Service Page will be collected by the Payment Service and not by us, and will be subject to the Payment Service’s privacy policy, rather than this Policy. TopBuild has no control over, and shall not be responsible for, the Payment Service’s use of information collected through the Payment Service Page. PLEASE NOTE THAT THIS POLICY DOES NOT ADDRESS THE COLLECTION AND USE OF INFORMATION THROUGH THE PAYMENT SERVICE PAGE OR THE PRIVACY OR INFORMATION PRACTICES OF THE PAYMENT SERVICE.

In addition to Payment Services, the Services may contain links to other sites which are not operated by TopBuild. TopBuild IS NOT RESPONSIBLE FOR THE PRIVACY PRACTICES OR THE CONTENT OF SUCH OTHER WEBSITES. We provide such links only as a convenience, and the inclusion of links on the Services does not imply endorsement of the linked site by TopBuild. If you provide any personal information through any such third party website, your transaction will occur on such third party’s website (and not on the Services) and the personal information you provide will be collected by, and controlled by the privacy policy of, that third party. TopBuild recommends that you review the privacy policy of third party websites arrived at from links on the Services.

We are not responsible for the collection, usage and disclosure policies and practices (including the data security practices) of other organizations, such as Facebook, Apple, Google, Microsoft, RIM or any other app developer, app provider, social media platform provider, operating system provider, wireless service provider or device manufacturer, including any personal information you disclose to other organizations through or in connection with the Services.

Your Rights and Choices

Residents of California have the following rights under the California Consumer Privacy Act:

- To request that we disclose certain information to you about our collection and use of your personal information over the past 12 months:
 - The categories of personal information we collected about you
 - The categories of sources for the personal information we collected about you
 - Our business or commercial purpose for collecting or selling that personal information
 - The categories of third parties with whom we share that personal information
 - The specific pieces of personal information we collected about you
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
 - disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained
 - sales, identifying the personal information categories that each category of recipient purchased
- To opt out of the sale or sharing of your personal information
- To request correction of personal information
- To request deletion of any personal information we have collected about you
- Nondiscrimination should you exercise your rights under the CCPA

If you are not a resident of California, the data privacy laws applicable in your jurisdiction may provide similar rights.

To exercise your data privacy rights or to obtain more information, you may contact TopBuild:

- By email: info@topbuild.com
- By telephone: 386-304-2200
- By US mail at: TopBuild Corp., 475 N. Williamson Blvd., Daytona Beach, Florida, USA 32114

If you have difficulty accessing any material on this Privacy Policy because of a disability, please contact us in writing or by telephone and we will work with you to make the information available.

International Users

We operate the Services in and from the United States and information collected is processed, used and stored within the United States. If you are using our Services and submitting your personal information to us from outside the United States, you consent to the transfer of your personal information to the United States for use, sharing and retention as described in this Privacy Policy. The Services are not intended to subject us to the laws or jurisdiction of any country or territory other than that of the United States.