

California Privacy Statement – California Residents



This PRIVACY STATEMENT FOR CALIFORNIA RESIDENTS ("Statement") supplements the information contained in the U.S. Online Privacy Policy of Openbank by Santander, a division of Santander Bank, N.A. ("Openbank"), and its subsidiaries (collectively, "we," "us," or "our") and applies solely to visitors, users, and others who reside in the State of California ("consumers" or "you"). Any terms defined in the California Consumer Privacy Act of 2018 ("CCPA"), as amended by the California Privacy Rights Act ("CPRA") have the same meaning when used in this Statement. We provide this Statement to comply with the CCPA and other California Privacy laws; accordingly, this Statement addresses the specific requirements of the CCPA and should be read together with the other Openbank privacy policies that apply based on your relationship(s).

This Privacy Statement does not include information that we collect, process, sell, or disclose pursuant to the federal Gramm-Leach-Bliley Act or the California Financial Information Privacy Act. If we provide a financial product or service to you, we will use and share any information that we collect from or about you in accordance with our Privacy Notice <https://openbank.us/online-privacy-policy> which describes our practices with regards to your information, as well as how you can limit certain sharing of your personal information.

PERSONAL INFORMATION

We collect information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household ("personal information").

Personal information does not include:

- Publicly available information from government records.
- De-identified or aggregated consumer information.

YOUR RIGHTS UNDER CCPA

1. Right to Know About Your Personal Information

You have the right to request that we disclose to you what personal information we collect, use, and disclose to third parties as follows:

- 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 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.

In order to submit a request to know, you must call our toll-free number at 833-833-8305 or submit your request in writing to:

Santander Bank, N.A.
Fulfillment Center
Mail Code: HZRI1-EPV-02-18
P.O. Box 831001
Boston, MA 02283-1001

For your convenience, you may use the CCPA Request Format the end of this Privacy Statement. Once we receive such request, we will proceed to verify your identity by matching the information provided by you with the information included in our records. To do so, you will have to provide the following:

- First, middle, and last name
- Current address
- Email address
- Phone number

Additionally, if you ask us to provide you with specific pieces of personal information, we may request that you complete and return a signed declaration under penalty of perjury that you are the consumer whose personal information is the subject of the request. A declaration form is included in the Request Form at the end of this Privacy Statement for your convenience. The completed declaration should be mailed to:

Santander Bank, N.A.
Fulfillment Center
Mail Code: HZRI1-EPV-02-18
P.O. Box 831001
Boston, MA 02283-1001

COLLECTING PERSONAL INFORMATION

We may have collected the following categories of personal information from consumers within the last 12 months:

- Personal Identifiers, such as name, address, email address, phone number, Internet Protocol (IP) address, driver's license number, social security number, passport number, other government issued numbers, account name, online identifier, account number, etc.
- California Customer Records personal information categories, such as gender, age, citizenship, signature, and account number. Some personal information included in this category may overlap with other categories.
- Characteristics of Protected Classes, such as characteristics of protected classes or groups under state or federal law, such as sex, disability, citizenship, primary language, immigration status and marital status.
- Commercial information, such as records of personal property, products or services purchased, obtained, or considered, or other purchasing histories.
- Professional or employment-related information, such as current or past job history and salary.
- Internet or other similar network activity, such as browsing history, search history, information on your interaction with our website, application, or advertisement.
- Geolocation data.
- Sensory information, such as audio recordings.
- Education information, such as school attending.
- Inferences drawn from other personal information to create a profile about a consumer's preferences or characteristics.
- Sensitive Personal Information:
 - Social Security number, driver's license, state identification card, or passport number.
 - Account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account.
 - Precise geolocation.
 - Racial or ethnic origin, religious or philosophical beliefs, citizenship, or immigration status.
 - The contents of mail, email, and text messages unless we are the intended recipient of the communication.
 - Biometric information processed to uniquely identify an individual.
 - Health information, sexual orientation.

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

- Directly and indirectly from our customer or consumers with respect to both online and offline interactions they may have with us or our service providers, and other entities with whom they transact. For example, from documents that our customers provide to us related to the products and services for which they engage us or information we collect by providing products and services to them.

- Directly and indirectly from activity on our website (<https://openbank.us>) and mobile application. For example, from submissions through our website or website usage details collected automatically.
- From third parties that interact with us in connection with the services we perform. For example, identification verification services, data analytic providers, marketing partners, advertising networks, affiliates, and credit bureaus public databases, social media platforms, government entities.
- Government agencies as required by laws and regulations.

We collect the personal information described above for one or more of the following business and commercial purposes:

- Auditing related to a current interaction with you and concurrent transactions, including but not limited to counting ad impressions to unique visitors, verifying positioning and quality of ad impressions and auditing compliance with this provision and other standards, including compliance with applicable law.
- Detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, and prosecuting those responsible for that activity.
- Debugging to identify and repair errors that impair existing intended functionality.
- Performing services to you, directly or through a service provider, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing advertising or marketing services, providing analytic services, or providing similar services. This includes using the information to provide you products or services that you request from us. This also includes using your personal information to fulfill or meet the reason for which you provide us the information. For example, if you provide us with personal information in order for us to provide vehicle financing, we will use that information to provide you such financing.
- Undertaking activities to verify or maintain the quality or safety of a service or device that is owned, manufactured, manufactured for or controlled by us, and to improve, upgrade, or enhance the service or device that is owned, manufactured, manufactured for, or controlled by us.
- Marketing/Prospecting: communicating with you via any means (including via email, telephone, text message, social media, post or in person) subject to ensuring that such communications are provided to you in compliance with applicable law; and maintaining and updating your contact information where appropriate.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you with prior notice.

How Long We Retain Personal Information

The length of time that we intend to retain each category of Personal Information will depend

on a number of criteria, including (i) the length of time we are required to retain Personal Information in order to comply with applicable legal and regulatory requirements; (ii) the length of time we may need to retain Personal Information in order to accomplish the business or commercial purpose(s) for which such Personal Information is collected, used or disclosed (as indicated in this Notice); and (iii) whether you choose to exercise your right, subject to certain exceptions, to request deletion of your Personal Information.

SHARING PERSONAL INFORMATION

We may disclose your personal information to third parties for a business purpose.

In the preceding 12 months, we may have disclosed the following categories of personal information for our business purposes:

- Identifiers, such as name, address, email address, phone number, IP address, driver's license number, social security number, and account number.
- California Customer Records personal information categories, such as gender, age, citizenship, signature, and account number. Some personal information included in this category may overlap with other categories.
- Protected classification characteristics under California or federal law, such as gender, age (40 years or older), and citizenship.
- Professional or employment-related information, such as current or past job history, and salary.
- Internet or other similar network activity, such as browsing history, search history, information on your interaction with our website, application, or advertisement.
- Geolocation data.
- Inferences drawn from other personal information to create a profile about a consumer's preferences or characteristics.

We may disclose your personal information for a business purpose to the following categories of third parties:

- Our affiliates.
- Service providers and Contractors subject to appropriate confidentiality and use restrictions who provide services such as email vendors, survey vendors, payment processors, order fulfillment, completing transactions, and supporting our everyday operations.
- Marketing partners, such as advertising networks and internet service providers for data analytic services.
- Government agencies including to support regulatory and legal requirements.
- Third parties to whom you or your agent authorizes us to disclose your personal information in connection with products or services we provide to you, such as credit bureaus and loan servicers.

We do not currently sell personal information and have not done so in the preceding 12 months. We do not sell personal information about individuals under 16 years of age.

2. Right to Request the Deletion of Your Personal Information

You have the right to request that we delete your personal information, subject to certain exceptions. In order to submit a request, you must call our toll-free number at 833-833-8305 or submit your request in writing to:

Santander Bank, N.A.
Fulfillment Center
Mail Code: HZRI1-EPV-02-18
P.O. Box 831001
Boston, MA 02283-1001

For your convenience, you may use the CCPA Request Form at the end of this Privacy Statement. Once we receive your request, we will proceed to verify your identity by matching the information provided by you with the information included in our records. To do so, you will have to provide the following:

- First, middle, and last name
- Current address
- Email
- Phone number

Once we receive and verify your request, we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service providers to:

- Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you or otherwise perform our contractual obligations with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 seq.).

- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with your expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

3. Right to Opt-Out of the Sale or Sharing of Personal Information

We have not sold your personal information to third parties in the preceding 12 months and will not sell your personal information in the future without providing you a notice informing you of your right to opt out of such sale. We have not shared your personal information for cross-context behavioral advertising to non-affiliated third parties in the preceding 12 months.

4. Right to Non-Discrimination

We will not discriminate against you for exercising any of your rights under CCPA. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

5. Right to Request the Correction of Your Personal Information

You have the right to request that we correct your personal information, subject to certain exceptions. In order to submit a request, you must call our toll-free number at 877-768-2265 or submit your request in writing to: Santander Bank, N.A.

Santander Bank, N.A.
Fulfillment Center
Mail Code: HZRI1-EPV-02-18
P.O. Box 831001
Boston, MA 02283-1001

For your convenience, you may use the CCPA Request Form at the end of this Privacy Statement. Once we receive your request, we will proceed to verify your identity by matching the information provided by you with the information included in our records. To do so, you will have to provide the following:

- First, middle, and last name
- Current address
- Email
- Phone number

You may provide any documentation relating to the accuracy of the information. Any documentation you provided in connection with your request to correct shall only be used and/or maintained by the business for the purpose of correcting the consumer's personal information and to comply with the record-keeping obligations under CCPA. We reserve the right to request any documentation necessary to assess the accuracy of the information identified for correction.

6. Right to Request to Limit the use of Personal Information:

We do not use sensitive personal information in ways that the CCPA permits to you limit.

SUBMITTING REQUESTS THROUGH YOUR AUTHORIZED AGENT

You may designate an authorized agent to make requests to know and delete on your behalf. In order to do so, you will need to provide a completed Individual Request Form and the Authorized Agent Form that we have included in this Privacy Statement for your convenience.

Please note that if you provide a valid Power of Attorney pursuant to the California Probate Code Sections 4121 to 4130, it is not necessary to provide the Authorized Agent Form.

CHANGES TO OUR PRIVACY STATEMENT

We reserve the right to amend this Privacy Statement at our discretion and at any time. When we make changes to this Privacy Statement, we will notify you by email or through a notice on our website home page.

CONTACT INFORMATION

If you have any questions or comments about this Statement, the ways in which we collect and use your personal information, your choices and rights regarding such use, or wish to exercise your rights under CCPA, please do not hesitate to contact us at:

Phone: 877-768-2265

Mail: Santander Bank, N.A.
Fulfillment Center
Mail Code: RI1-EPV-0218
P.O. Box 831001
Boston, MA 02283-1001

DATE OF LAST UPDATE:

October, 2024

California Consumer Privacy Act (CCPA)

Request Form



The CCPA applies solely to California residents. If you are not a current California resident, we will not process your request.

Any disclosure we provide will cover personal information that Openbank by Santander, a division of Santander Bank, N.A., has collected from you in the 12-month period immediately preceding the date we receive your request. We will attempt to provide a response to your request within 45 days. If we need additional time to respond to your request, we will notify you of such an extension and the time period needed to respond. In order to verify your request, we need to collect some identifying information to match it with the information within our systems. The accuracy of the information you provide has a direct impact on our ability to verify your identity and fulfill your request.

Please complete all applicable sections below and note that a request to know specific pieces of personal information may require the completion of the Declaration Form below, where you must affirm under penalty of perjury that you are the individual whose personal information is the subject of the request.

If you are filling out a request as an authorized agent, please complete the Authorized Agent Form below.

Once completed, please print and send this Request Form to:

Santander Bank, N.A.
Fulfillment Center
Mail Code: RI1-EPV-0218
P.O. Box 831001
Boston, MA 02283-1001

California Consumer Privacy Act (CCPA) Request Form



INDIVIDUAL REQUEST

Please select the nature of your request (select all that apply).

- ☐ Right to Know (categories of your personal information)
- ☐ Right to Access (specific pieces of personal information)*
- ☐ Right to Delete
- ☐ Right to Correct**

Do you consent that we delete the contested personal information as an alternative to correcting the information**?

- ☐ Yes
- ☐ No

**If you select this request you will need to complete the Declaration attached to this document, along with completing this section.*

***If you consent this could potentially impact your ability to receive promotional offers and marketing from Openbank by Santander, a division of Santander Bank, N.A.*

Are you a current customer or have you ever been a customer?

- ☐ Yes
- ☐ No

Have you ever applied for a product or service with us?

- ☐ Yes
- ☐ No

Please provide the following information:

First Name: _____

Middle Name (if applicable): _____

Last Name: _____

Current Residential Address: _____

California Consumer Privacy Act (CCPA) Request Form



CALIFORNIA CONSUMER PRIVACY ACT DECLARATION

I, _____ ,
(insert name of person making the declaration)

declare under penalty of perjury that I am the consumer or agent for the consumer whose personal information is subject to the request for specific pieces of personal information under the California Consumer Privacy Act and that all the information I have provided to Openbank by Santander, a division of Santander Bank, N.A., accompanying the request is true and correct.

In _____ , on _____ ,
(insert place of execution) (insert date of execution)

Print: _____

Signature: _____

California Consumer Privacy Act (CCPA)

Request Form



AUTHORIZED AGENT FORM

Please complete the following form in order to authorize a third party to exercise the California Consumer Privacy Act ("CCPA") rights listed below on your behalf.

Please note that if you provide a valid Power of Attorney pursuant to the California Probate Code Sections 4121 to 4130, it is not necessary to complete this Form.

I, _____, resident at
(insert individual's name)

_____, hereby appoint
(insert individual's address)

_____, resident at
(insert authorized agent's name)

(insert authorized agent's address)

as my authorized agent ("Authorized Agent") to perform any and all acts on my behalf in any lawful way with respect to the following subjects (please mark the specific rights you would like your Authorized Agent to be able to exercise on your behalf and, if you would like your agent to exercise all the rights under CCPA on your behalf, please mark the last category):

- ☐ Right to Know (categories of your personal information)
- ☐ Right to Access (specific pieces of personal information)*
- ☐ Right to Delete
- ☐ Right to Correct**

Do you consent that we delete the contested personal information as an alternative to correcting the information**?

- ☐ Yes
- ☐ No

**If you select this request you will need to complete the Declaration attached to this document, along with completing this section.*

***If you consent this could potentially impact your ability to receive promotional offers and marketing from Openbank by Santander, a division of Santander Bank, N.A.*

This authorization is effective immediately upon signature, until it is revoked. Revocation of this authorization is not effective as to a third party until the third party has actual knowledge of the revocation.

I agree that any third party who receives a copy of this document may act under it. I agree to indemnify the third party for any claims that arise against the third party because of reliance on this authorization.

By my signature, I acknowledge that I have
read and understand the above information:

(Signature of Individual)

Signed this _____ day of _____, 20____

**BY EXECUTING OR ACTING UNDER THIS AUTHORIZATION, THE AUTHORIZED AGENT HEREBY
ACCEPTS THE APPOINTMENT AND ASSUMES THE FIDUCIARY AND OTHER LEGAL
RESPONSIBILITIES OF AN AGENT.**

By my signature, I acknowledge that I have
read and understand the above information:

(Signature of Authorized Agent)

Signed this _____ day of _____, 20____