

## Information Sheet on Data Protection

Data protection information concerning the processing of personal data in connection with the management of residential complexes for residents and applicants to such complexes

By providing the following information, we wish to give you an overview of how your personal data is processed by our Department of Student Housing and of your rights arising from legislation on data protection.

### Who is responsible for data processing and who can you contact for further information?

Within the meaning of data protection legislation, responsibility lies with the

Studentenwerk Osnabrück  
(Osnabrück Student Services)  
Institution under public law  
Ritterstraße 10  
D-49074 Osnabrück  
Email: [info@sw-os.de](mailto:info@sw-os.de)  
Phone: +49 541 331070

You will find more information about us on our website, particularly in the Legal Notice: <https://www.studentenwerk-osnabrueck.de/de/impressum.html>

You can contact our Data Protection Officer at  
Studentenwerk Osnabrück  
FAO Data Protection Officer  
Ritterstraße 10, D-49074 Osnabrück  
Email: [datenschutz@sw-os.de](mailto:datenschutz@sw-os.de)  
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### What data do we process and for which purposes? What sources do we use?

We use an online application process for allocating places in student residences. We use the data you enter in the online application exclusively for the purpose of allocating places in our student residences. Submission of an application does not establish a legal right to the conclusion of a tenancy agreement. If a tenancy agreement comes into being, your application details will be used for the purpose of concluding the tenancy agreement.

We collect and process the data that you submit to us in connection with your application for a place in a student residence or in the context of the current rental agreement or in the event of its termination. As a matter of principle, data processed by us is collected directly from you. We process your data in order to establish, execute and terminate the rental agreement.

Your name will also be used to label the relevant doorbell, letter box and door plate. Particularly in the case of shared apartments, there may be a joint doorbell and a joint letter box, depending on the structural circumstances.

If you are given a keycard or access code, the system inherently involves saving information about the allocation of the key and authorisation code; the time at which they are used is also

saved. We only use this data for the purpose of operating safety and maintenance and, where applicable, to clarify any suspicion of misuse.

The use of machines or technical devices in the dormitories may involve the production of operating data or log data relating to the machines and devices used; depending on the location or usage situation, such data may contain references to persons. We only use this data for the purpose of operating safety and maintenance and, where applicable, to clarify any suspicion of misuse.

If one or more video cameras are installed on the property or in the building of a housing complex, the areas with CCTV are labelled accordingly and information is provided about the processing of video recordings. Secret video surveillance is only possible in cases of exception where necessary for investigations associated with definite indications of a criminal act, in compliance with all data protection provisions.

## What is the legal basis for the processing of personal data?

The legal basis for processing your personal data is Article 6(1)(b) and (c) of the General Data Protection Regulation (GDPR) concerning our processing of data in connection with the tenancy agreement for a place in a housing complex and for meeting all legal obligations in connection with this. Where we engage service providers to establish or execute the tenancy, and where we deploy technical aids or devices in connection with the tenancy, this also occurs on the basis of the legal foundation of Article 6(1)(f) GDPR relating to our legitimate interest in the efficient performance of our services. The supplementary legal basis is Article 6(1)(e) GDPR.

Where processing is based on consent being given, Article 6(1)(a) GDPR constitutes the statutory legal basis – in the event of the withdrawal of consent, we reserve the right to continue processing your data – in whole or in part – on the basis of another statutory legal basis.

In the event that data is required to pursue rights, data may be processed on the basis of the requirements of Article 6 GDPR, especially for the purposes of pursuing legitimate interests in accordance with Article 6(1)(f) GDPR. Our interest then lies in the establishment and defence of claims.

In the context of a tenancy agreement, you must provide us with the personal data required to establish, execute and terminate the rental agreement and to perform the associated contractual obligations or the personal data that we are obliged by law to collect. Without such data, we would be unable to perform the tenancy agreement with you. All other data is voluntary. If the information given in an application for a place in a housing complex is incomplete, it could be the case that no tenancy comes into being.

## How long is data stored for?

Your application will be stored for 12 months from the time of application. Your application will then be deleted automatically, unless you have updated it before the expiration of that period.

If a tenancy agreement comes into being, we will store your data for the duration of the rental agreement and will delete it after the end of the statutory retention obligations of ten years after the end of the rental period.

## Who will receive your data?

After receiving your application for a place in a student residence, it will be processed by the Department of Student Housing. As a matter of principle, at the Studentenwerk Osnabrück only the persons required to ensure the proper conduct of the procedure will have access to your data.

If a tenancy agreement is concluded, all necessary contract data will be processed internally. In the process, at the Studentenwerk Osnabrück only the persons required to ensure the proper conduct of the rental agreement will have access to your data: the Department of Student Housing, property managers, Rental Accounting, and possibly Accounting in the event of collection proceedings.

We are forwarding data to authorities and public agencies when required by law (e.g. Federal Registration Act) or when needed to enforce legal claims arising from your rental contract with us. Additional data transfer will only be effected providing your explicit approval.

We use a specialised software provider for the purposes of applicant management and for the allocation and administration of places in student residences. This software provider works for us as a service provider, and may possibly also become aware of your personal data in connection with the servicing and maintenance of these systems; data protection provisions are respected in the process.

Other recipients of your data could also be other external service providers, such as cleaning companies, only to the extent necessary, in the context of the stipulated purposes and in compliance with data protection.

In the event of the failure to collect debts, the necessary data will be forwarded to a debt collection service provider.

We process data in the context of the application process exclusively within the European Union.

## What data protection rights do you have?

In accordance with Article 15 GDPR, you have the right to obtain information about the data concerning you that we have processed. You have the right to rectification in accordance with Article 16 GDPR; the right to erasure in accordance with Article 17 GDPR; the right to restriction of processing in accordance with Article 18 GDPR; the right to withdraw consent and to object arising from Article 21 GDPR; and the right to data portability stemming from Article 20 GDPR. Concerning these rights, restrictions in accordance with the Lower Saxony Data Protection Act (NDSG) may possibly apply.

Should you exercise your rights mentioned above, we will examine whether the legal conditions for this have been met, and you will receive notification from us accordingly. Where necessary, we will ask you to identify yourself; we are obliged to do so in case of doubt.

If you have any further questions on the issue of personal data or if you wish to make a complaint, you can contact us at any time, either your usual contact person or our Data Protection Officer. You will find the contact details of our Data Protection Officer at the top of this Privacy Statement. You also have the right to complain to a competent data protection supervisory authority, such as the Data Protection Commissioner for Lower Saxony, Prinzenstraße 5, D-30159 Hannover, Phone: +49 511 120 4500, email: [poststelle@lfd.niedersachsen.de](mailto:poststelle@lfd.niedersachsen.de)

## Withdrawal of consent

You may withdraw any consent given to us concerning the processing of your personal data at any time for future effect by sending us an appropriate message. This also applies in the case of the withdrawal of declarations of consent granted to us before GDPR came into force, i.e. before 25 May 2018. Please note that the withdrawal is only applicable for future effect. Any processing of data undertaken before the withdrawal of your consent is not affected by this.

As a general rule, you may make an informal notification of the withdrawal of consent; for documentation reasons, however, we request that you send us notification of the withdrawal of your consent by post or email with the heading "Withdrawal of consent", stating your name and address.

By way of precaution, we point out that we may continue to process your data in whole or in part even after the withdrawal of your consent if there is another statutory legal basis for this.

### **Individual right of objection:**

You have the right to object at any time to the processing of personal data concerning you undertaken on the basis of Article 6(1)(f) GDPR (data processing on the basis of the balancing of interests) for reasons relating to your particular situation.

As a general rule, you may provide us with an informal objection; for documentation reasons, however, we request that you send us your objection by post or email with the heading "Objection", stating your name and address.

If you make a justified objection, we will no longer process your personal data, unless we are able to demonstrate compelling justified grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

### **How can you obtain further information?**

In addition to this information sheet, we refer to all information that you have or that is known about us. If you want more information, please direct your enquiry to our usual contact partners or our Data Protection Officer. They will be happy to assist you. Please note that it may take a while to process your enquiry in the case of part-time positions and vacations/illnesses.

Last amended: 13 May 2022