



## **Terms of Business Buy to Let Mortgages and Privacy Policy**

### **Introduction**

Our aim, as mortgage advisers is to provide a quality client focused service. We appreciate and understand that a Buy to Let mortgage is a major undertaking requiring professional and sound advice.

Our role is to help you understand how the mortgage works and recommend an appropriate solution to you. Throughout our association with you we are committed to giving the highest standard of service and customer care before, during, and after your Buy to Let mortgage completes.

**We offer mortgages from the whole market including second charge loans, but not deals only available direct through a lender.**

We will at all times act on your behalf and not on behalf of any specific lender.

We offer advice in order that we can make an informed decision with you about the choice of your new mortgage with regard to your Buy to Let mortgage.

We will also provide you with information relevant to your mortgage needs, covering such items as an explanation of the main repayment methods and the implications of taking a mortgage.

During our initial meeting, we will be completing a mortgage questionnaire to enable appropriate advice to be given on your mortgage and related general insurance products.

Once we have made our recommendations to you, we will confirm our advice in writing. You should keep this, as it will be an important record of our discussions. Details of the loan will also be confirmed in your lender's formal offer.

### **Use of Your Information**

The information that you provide or which we obtain in dealings with you and in arranging your mortgage will be held on our database. We will treat all of your personal information as private and confidential (even when you are no longer a customer) except where the law or any regulatory obligation requires us to do so or where disclosure is made to Malvern View Mortgages Ltd or at your request or with your consent in relation to arranging your mortgage, for example when instructing a financial adviser or insurance specialist, and to confirm your identity, carry out credit reference checks and prevent fraud.

From 31st October 2004, mortgage business (including the activities that we carry out but excluding Commercial Buy to Let mortgages) became regulated by the Financial Conduct Authority (FCA). The FCA may require access to our customer records in order to review our activities, as part of performing its regulatory functions. This may include reference to Buy to Let transactions.



## Commercial Buy to Let

This document sets out how we will deal with you in the provision of services for your Commercial Buy to Let mortgage. Malvern View Mortgages Ltd is an Appointed Representative of Julian Harris Mortgages Limited, which is authorised and regulated by the Financial Conduct Authority (FCA) for mortgage sales.

A Commercial Buy to Let mortgage is where the borrower is acting by way of business and is not regulated by the FCA and therefore the provision of our service does not hold this additional level of consumer protection, unlike for residential mortgages.

We will however always act in your best interests when providing you with advice and source lenders from the market that are suitable to the requirements you disclose to us. When the preferred lender has been recommended, we will provide you with information about the product to ensure you understand your responsibilities and commitments to the lender, before proceeding.

If you are in any doubt as to the consequences of this a Commercial Buy to let not being regulated then we recommend you seek independent legal advice,

You should seek separate legal and tax advice regarding your responsibilities of owning this type of property. Please note our service does not consider the suitability of you purchasing a Buy to Let property for business purposes.

## Disclosure and Complaints Procedure

The Company may, prior to acting on Your behalf, require production of adequate evidence of Your identity/residence. You hereby agree to provide such evidence on request or for us to obtain this via electronic means.

We may receive fees from lenders with whom we place mortgages. Where this occurs we will tell you the amount. We always source a mortgage to fit our clients requirements and not by any fees that the lender may pay us or any other person for introducing you to them.

**For advising and arranging your Buy to Let Mortgage our company policy is to charge you a fee of £249. This fee is paid upon completion of your mortgage application.**

Our aim is to provide you with a first class professional and confidential service. Should a complaint arise, in the first instance you should contact our Compliance Officer at our office address and they will deal with the complaint in accordance with its procedures. Your letter will be acknowledged within 5 days, and you will then be asked for the full details concerning your complaint. Having received this, you will be given an update to the progress of your complaint in accordance with the complaints process.

We look forward to being of service to you and thank you for the opportunity to review your current situation.



## **Malvern View Mortgages Ltd Privacy Notice**

### **Your Personal and Sensitive Personal Data – what is it?**

Personal Data relates to a living individual who can be identified from that data; Sensitive Personal Data covers specific information such as health details, origins and opinions. Identification can be by the information alone or in conjunction with any other information in the Data Controller's possession or likely to come into such possession. The processing of Personal Data is governed by the General Data Protection Regulation 2016/679 (the "GDPR").

### **Who are we?**

Malvern View Mortgages Ltd is the Data Controller ("we", "us"). This means they decide how your Personal Data is processed and for what purposes.

### **How do we process your Personal Data?**

We comply with our obligations under the GDPR by keeping Personal and Sensitive Data up to date; Sensitive Personal Data covers specific information such as health details, origins and opinions by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting Personal Data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect your data.

We use your Personal and Sensitive Data for the following purposes:

- To provide our advice and implementation service in respect of financial products, such as mortgages, life assurance, pensions and investments;
- To keep in contact with our clients about products and services which we believe may be of value to them;

### **What is the legal basis for processing your Personal Data?**

#### *Article 6 Processing*

- ☐ Consent of the Data Subject; where we are marketing to the public.
- ☐ Processing is necessary for the performance of a contract with the Data Subject or to take steps to enter into a contract; where we have been engaged to provide financial services.

#### *Article 9 Processing*

- ☐ Explicit consent of the Data Subject; where we wish to tell people about events, news, services
- ☐ Processing is necessary for the establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity;



## **Sharing your Personal Data**

Your Personal and Sensitive Data will be treated as strictly confidential and will be shared only with Julian Harris Networks and providers of financial service products, third-party data storage providers and legal or regulatory authorities if obliged to do so.

We keep your Personal and Sensitive Data for no longer than reasonably necessary and we only retain your data for servicing the financial services provided where agreed and in case of any legal claims and for regulatory purposes.

## **Your rights and your Personal Data**

Unless subject to an exemption under the GDPR, you have the following rights with respect to your Personal Data:

- The right to request a copy of your Personal and Sensitive Data which we hold about you;
- The right to request that we correct any Personal or Sensitive Data if it is found to be inaccurate or out of date;
- The right to request your Personal and Sensitive Data is erased where it is no longer necessary for us to retain such data;
- The right to withdraw your consent to the processing at any time;
- The right to request that the Data Controller provide the Data Subject with his/her Personal Data and where possible, to transmit that data directly to another Data Controller;
- The right, where there is a dispute in relation to the accuracy or processing of your Personal Data, to request a restriction is placed on further processing;
- The right to object to the processing of Personal Data;
- The right to lodge a complaint with the Information Commissioners Office.

## **Further processing**

If we wish to use your Personal and Sensitive Data for a new purpose, not covered by this Data Protection Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

## **Cybercrime Warning**

Please be aware that there is a significant risk posed by cyber fraud, specifically affecting emails enclosing bank account details. If you receive an email from Malvern View Mortgages Ltd requesting or providing bank details, please contact your Adviser immediately for clarification. All payment requests should be verbally validated.