

TIO Law Office (TIO) Privacy Code

TIO's Commitment to Privacy

Protecting your privacy and the confidentiality of your personal information has always been an important aspect of TIO's operations. As a legal practitioner, the collection and use of customers' personal information is fundamental to day-to-day business operations.

We strive to provide you with the best customer service. To us, that includes treating your personal information fairly and with respect. Each TIO agent and/or representative must abide by our commitment to privacy in the handling of personal information. TIO is also concerned about the personal information of its agents and representatives.

Applicability of TIO's Privacy Code

TIO's Privacy Code informs you of our commitment to, and policy on, privacy. It tells you the ways we ensure that your privacy and the confidentiality of your personal information are protected.

In this Code, "we", "us" and "our" means TIO Law Office (TIO) agents and representative and any lawyer providing services to the public. "You" and "your" means the individual who is a customer or potential customer of TIO. In other words, our Privacy Code applies to protect the personal information, in our possession and control and all users of the TIO web sites which include www.tiolaw.ca, www.tionotary.ca.

However, this Code does not apply to personal information collected, used or disclosed by TIO for the purpose of complying with the terms of the mandatory professional liability program for the Law Society of Ontario or any other law society from time to time.

Our websites may contain links to other websites that are provided and maintained exclusively by third parties. Websites provided and maintained by third parties are not subject to this Privacy Code. Please review the privacy policies on those websites to determine their information handling practices.

What is Personal Information?

Personal information is any piece of information, either factual or subjective, about an identifiable individual.

The 10 Principles of Privacy

Our Privacy Code consists of the following ten key principles:

1. Accountability

At TIO, we take our commitment to securing your privacy very seriously. Each agent and representative of TIO is responsible for the personal information under their control. Our

agents/representatives are informed about the importance of privacy and receive information periodically to update them about our Privacy Code and related policies.

TIO's Chief Privacy Officer, Theodora Ubachukwu is responsible for analyzing all personal information handling practices at TIO and ensuring that our privacy policy is up-to-date and in force at all times. The contact information for privacy breaches/complaints/concerns is info@tiolaw.ca

2. Identifying Purposes: Why We Collect Information

Whenever we collect information or establish a file about you, we will explain the purpose and how we intend to use the personal information we collect. We will do this either at that time of collecting personal information or earlier. We will limit the information we collect to what we need for those purposes, and we will use it only for those purposes. We will obtain your consent if we wish to use your information for any other purpose.

We ask you for information and create and maintain a file about you to establish a relationship and serve you as your legal service provider. We obtain most of our information about you directly from you, or as required, from any regulatory body or third party as authorized by you. In some cases, information may be obtained from an authorized representative, such as a third-party representative, former lawyer, law firm managing partner or administrator, if any.

The information we ask for depends on which services you require from TIO. For example, we create and maintain a file with personal information about you in order to:

- evaluate your legal needs;
- determine which legal products or related services will meet those needs;
- evaluate applications being submitted, particularly with respect to legal work being undertaken; and
- administer our programs properly, including the handling and resolution of client legal or related issues.

3. Consent

We seek and confirm your consent to collect, use and disclose your personal information at the time of collection or in advance. We will endeavour to employ clear, understandable language when we obtain your consent.

Consent may be expressed in writing or implied, and in some cases, you may provide it verbally, electronically or through your authorized representative. Written consent includes completing and signing an initial consultation agreement, consent to the release of information to a third party, a retainer agreement or another TIO product. Implied consent may be found where you choose to use a TIO product or service, such as one of our websites, or proceed with the payment for legal services or initial consultation after explanation of the relevant terms.

All electronic communication (“e-mail”) with you that is not essential to participation in a TIO program includes a straightforward “opt-out” feature that allows you to request that we cease e-mail communication with you. Not responding to our offer to have your name removed from the e-mail list is another form of implied consent.

Before deciding what form of consent is appropriate, TIO will consider the requirements of applicable law, the type of personal information it needs, the reason for its collection, use or disclosure and the type of customer contact that is involved. For example:

- where there is a claim against a TIO agent, employee, representative or lawyer, there is usually a legal duty on us to defend our position. In order to fulfill that obligation, we must collect, use and disclose relevant personal information about third parties involved in the claim, even though the third parties have not given consent.

The choice to provide us with personal information is always yours. Upon request, we will explain your options of refusing or withdrawing consent to the collection, use and release of your information, and we will record and respect your written choices. However, your decision to withhold particular details may limit the services we are able to offer, whether at the time of initial telephone call, consultation, execution of a retainer agreement or at a later date, such as upon receipt of a claim. Most importantly, any refusing or withdrawing of consent is always subject to any overriding legal requirements or commitments.

4. Limiting Collection

Information is not collected by TIO without a specific, limited requirement. We collect information by fair and lawful means.

TIO may collect some non-personal information from time to time to enable us to execute our services to you or meet other legal obligations. However, any adverse information would be disclosed to you or authorized third party prior to a decision to collect or disclose being made.

When you visit our websites, information is not collected that could identify you personally unless you choose to provide it. You are welcome to browse these sites at any time anonymously and privately, without revealing any personal information about yourself.

When you telephone TIO, we may see your name on a “call display” feature. If you do not wish us to see your name, please contact your communication provider for instructions on blocking your identification from appearing or call us from a telephone number not associated with you.

TIO Law encourages you to review the privacy statements of Web sites you choose to link to from TIO Law so that you can understand how those Web sites collect, use and share your information. TIO Law is not responsible for the privacy statements or other content on Web sites outside of the TIO Law and its associated Web sites/blog pages.

5. Limiting Use, Disclosure and Retention

The client file we establish and maintain about you and the information we request from you is used/disclosed for the purposes defined. We will seek your consent before using or disclosing the information in the file for purposes beyond the scope of your original consent unless required/permitted by law.

Under no circumstances do we sell client lists or other personal information to third parties for marketing purposes. TIO's policy is to use personal information only to forward communications necessary or appropriate to the fulfillment of our obligations as a legal practitioner and provider of legal services. However, if you engaged a third party or one of our agents or representatives i.e. an outside Canada Client ID verification agent, that intermediary may use your information for purposes as permitted by applicable law. You are encouraged to consult the intermediary about its personal information practices.

Notwithstanding the foregoing, TIO Law may, from time to time, contact you on behalf of external business partners about a particular offering that may be of interest to you. In those cases, your unique personally identifiable information (e-mail, name, address, telephone number) is not transferred to the third party. In addition, TIO Law may share data with trusted partners to help us perform statistical analysis, send you email or postal mail, provide customer support, or arrange for deliveries. All such third parties are prohibited from using your personal information except to provide these services to TIO Law, and they are required to maintain the confidentiality of your information.

There are some unavoidable types of disclosure of your personal information which may occur occasionally as part of TIO fulfilling its routine obligations and/or conducting its business in the ordinary course. This includes disclosure to, for example, partners, consultants and suppliers to TIO (also known collectively as "service providers"), assuming that they are abiding by TIO's Privacy Code (or their own code that provides generally equivalent protection) and only to the extent necessary to allow them to provide business services or support to TIO, including technology, banking, financial, auditing, accounting, legal and insurance services.

We will retain your information only for the time it is required for the purposes we describe and as permitted by applicable law. Once your personal information is no longer required, it will be destroyed or made anonymous. However, due to TIO's ongoing exposure to potential claims, audit requirements and need for professional reporting compliance requirements, most information collected and aggregated is kept indefinitely or for a period as required by law or our professional regulators.

In addition, some personal information may be retained indefinitely because it is inseparable from records with historical or archival value.

6. Accuracy

All decisions involving personal information should be based on accurate and timely information. While we will do our best to base our decisions on accurate information, we

rely on individuals to disclose all material information and to inform us of any relevant changes.

We will make reasonable efforts to keep your information accurate and up-to-date, based upon satisfactory evidence provided by you and to the extent updated information is relevant to the purpose for which it was originally collected.

We regularly cross-check our name and address information for lawyers and other professionals with the Law Society of Ontario and other relevant provincial licensing bodies in the jurisdictions where we carry on business. We encourage our customers to review and confirm the accuracy of information provided. If you find any errors in this information, we urge you to contact us as soon as possible (by phone, fax, mail, e-mail, or Internet), and we will make the appropriate corrections immediately, upon receipt of appropriate evidence.

7. Safeguards: Protecting Your Information

We will protect your information with appropriate safeguards and security measures, such as TIO's computer usage and security policies. Internal and external audits of our procedures and security measures are conducted regularly to ensure that they are being properly administered and that they remain effective and appropriate.

TIO maintains personal information in a combination of paper and electronic media. With respect to our business generally, recent paper records concerning individuals' personal information are stored in files kept onsite at our Hamilton, Ontario, Canada Office. Older records containing individuals' personal information may be stored at an offsite storage facility.

Access to personal information will be authorized only for TIO's employees, representatives and service providers who require access in the performance of their duties, to any person granted access by the individual through the consent process and to those otherwise authorized by law.

When providing information to service providers acting on our behalf, we will require such organizations or individuals to abide by our Privacy Code or to have their own code which gives generally equivalent protection. We will give them only the information necessary to perform the services for which they are engaged, and will require that they not store, analyze or use that information for purposes other than to carry out those services.

TIO's computer systems, including portions of our websites, are password-secured and constructed in such a way that only authorized individuals can access secure systems and databases. To safeguard against unauthorized access to your personal information via the Internet, you are required to "sign on" to certain secure areas of TIO websites using an individual, confidential password. Passwords to the TIO family of websites are provided only upon verbal confirmation directly with the LSO member or by use of an electronic system which contains identity verification processes. Generic passwords are only employed where there is no confidential information being displayed on the screen by TIO.

If you send us an e-mail message that includes personal information (such as your name included in the “address”), we will use that information to respond to your inquiry. Please remember that e-mail is not necessarily secure against interception. If your communication is very sensitive or includes information such as your bank account or credit card number, you should not send it electronically unless the e-mail is encrypted or your browser indicates that the access to our website is secure.

8. Openness: Keeping You Informed

TIO has prepared this plain-language Privacy Code to keep you informed. It is made available to the public, in paper form from the address set out below.

If you have any additional questions or concerns about privacy, we invite you to contact us on info@tiolaw.ca we will address your concerns to the best of our ability.

9. Providing Individual Access

We will give you access to the information we retain about you within a reasonable time, with a written request, satisfactory identification and proof of entitlement. You also have the right to know:

- how we collected your personal information;
- how we are using it; and
- to whom it may have been disclosed, except where such disclosure was to a governmental body or service provider to TIO for routine purposes. This would include, for example, the Law Society of Ontario, auditors, reinsurers and accountants acting for TIO.

We may charge you a nominal fee and if so, we will give you notice in advance of processing your request.

If you find any errors in this information, we urge you to contact us on info@tiolaw.ca as soon as possible, and we will make the appropriate corrections immediately, based on the receipt of satisfactory evidence.

In some cases, we may not provide access to personal information within our possession or control. This may occur when:

- providing access would be likely to reveal personal information about a third party or could pose a threat to the security of the third party, and the information cannot be segregated;
- disclosure would reveal confidential commercial information of TIO;
- it would be too costly, in our determination, to retrieve it;
- the personal information is protected by solicitor-client privilege; or
- the information has been collected during the investigation of a legal matter or cannot be disclosed for other legal reasons, such as a non-disclosure agreement.

If we deny your individual request for access to your personal information, we will advise you in writing of the reason for the refusal and you may then challenge our decision.

10. Providing Recourse: Respecting and Responding to Your Privacy Concerns

TIO encourages you to contact us with any questions or concerns you might have about your privacy or our Privacy Code. We will investigate and respond to your concerns about any aspect of our handling of your information.

In most cases, an issue is resolved simply by telling us about it and discussing it. You can reach TIO by email at info@tiolaw.ca, by phone at 416-700-8672, by fax at 416-9817900, or by mail at:

TIO Law Office

180 James Street South, Unit 402,

Hamilton, Ontario L8P 4V1

Canada

If, after contacting TIO Customer Service, you feel that your concerns have not been addressed satisfactorily, please contact the TIO Chief Privacy Officer at theodora@tiolaw.ca. Please be sure to include your name, address, preferred method of communication, the nature of your complaint, and relevant details, including your past communications with us.

If the issue is still not resolved satisfactorily, we will provide information on other complaint procedures that may be available to you.

Conclusions

Any changes to our Privacy Code and information handling practices shall be acknowledged in this Privacy Code in a timely manner. We may add, modify or remove portions of this Code when we feel it is appropriate to do so. You may determine when this Code was last updated by referring to the modification date found at the bottom of the page.

Version No.1; July 2019

Last updated July 4, 2019