NATIONAL APARTMENT ASSOCIATION
We Lead the Way Home

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CCPA COMPLIANCE CHECKLIST

This CCPA Compliance Checklist provides suggested action items to help our members address the requirements of the California Consumer Privacy Act, Cal. Civ. Code 1798.100 *et seq.* ("**CCPA**").

1. BACKGROUND ON CCPA. CCPA is the first "omnibus" privacy law in the United States. CCPA applies to any business that collects personal information about consumers in California, and that has annual gross revenues in excess of twenty-five million dollars ($25,000,000). CCPA becomes operative on January 1, 2020, except for certain personal information about employees and B2B contacts which has delayed application of CCPA requirements for one year (until January 1, 2021).

In general, CCPA requires covered businesses to: (i) provide a sufficient **privacy statement;** (ii) provide the individual with an opportunity to **opt-out of the "sale"** of personal information; (iii) provide the individual with **access** and the opportunity to review personal information that the business maintains about them; (iv) **delete** personal information at the direction of the individual (subject to certain exceptions); (v) **avoid discriminating** against individuals who exercise their rights under the CCPA; and (vi) obtain an **opt-in consent for any financial incentive** to collect the individual's personal information.

2. CCPA ACTION ITEMS. Accordingly, for those of our members to which the CCPA may apply, we have provided the attached checklist of action items to consider as part of your CCPA compliance process.

CALIFORNIA CONSUMER PRIVACY ACT

COMPLIANCE ACTIVITIES CHECKLIST

Task	Completed (Y/N)?
1. Complete Personal Information Inventory	
a. Conduct inventory of consumer, employee/HR, and business contact personal information databases i. Review consumer touchpoints and interfaces, including websites and social media, and digital marketing landscape ii. Identify data that is not subject to CCPA (e.g. personal information collected pursuant to GLBA or HIPAA)	
b. Review third party data access and sharing and conduct data mapping exercises	
2. Privacy Policy and Other Notices Management	
a. Update privacy notices to reference new consumer rights, including for employees	
b. Implement a process for annual updates	
3. "Do Not Sell" ("DNS") Link Determination & Deployment	
a. Determine if the company is engaged in the "sale" of personal information of California residents	
b. If engaged in the "sale" of personal information of California residents, deploy "Do Not Sell My Personal Information" web pages and links	
c. Implement a process for Opt-Out and Opt-In (age-based) management (including a minimum 12-month non-solicitation)	
4. Vendor Management	
a. Vendor Contract Negotiation i. Update agreements to ensure compliance with CCPA consumer rights ii. Potential negotiations to address the "sale" of consumer PI or implement "service provider" terms	
5. Operational Processes	
a. Consumer PI asset inventory management and maintenance	
b. Consumer Right's Request process implementation i. Consumer Rights' Request verification process (and honoring DNS requests and avoiding requesting additional consent for 12 months) ii. 2 methods required (e.g., a toll free telephone number and a website form) iii. Operational processes to substantively response to rights requests	
c. Incident management process	
d. Information Security compliance control management, including encryption practices	