



OUR CALIFORNIA CONSUMER PRIVACY ACT (CCPA)

PRIVACY POLICY

Merchants Bank of Commerce (MBOC) values the personal information entrusted to us by you and information about you provided to us by our service providers. The collection and use of the information provided to us are guided by our corporate principles of Integrity, Ownership, Respect, Excellence, and Teamwork and is subject to our Information Security Program. We value, respect, and take ownership of your personal information we have collected.

The California Consumer Privacy Act (CCPA) requires businesses to have a privacy policy and to make it available to consumers. The policy describes the businesses practices, both online and offline, regarding the collection, use, disclosure, and sale of personal information and describes the rights of consumers regarding their own personal information. We are committed to complying with the California Consumer Privacy Act (CCPA) and providing consumers with our business practices regarding personal information.

It is the policy of MBOC to comply with the following provision of the CCPA:

Your Right to Know About Personal Information Collected, Disclosed, or Sold

A consumer has the right to request that we disclose the personal information we collect, use, disclose, and sell. You may make a verifiable consumer Right to Know request for your personal information or data twice within a 12-month period. To be considered a verifiable consumer Right to Know request it must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative; and
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

To verify you are the person about whom we collected personal information, we will use existing information we have collected about you, however we may need to request additional information from you to complete your Right to Know request that may include the following:

- Driver's license or state identification information;
- Security questions attached to your account;
- Documents authorizing you to act as an agent;

To protect your personal information, if we do not receive the additional information requested from you to verify your identity, we cannot fulfill your Right to Know request.

If you wish to submit a Right to Know request for personal information we collect, use, disclose, or sell, you should contact us using one of the following methods to submit a request:

- By telephone – Toll free number 1-800-421-2575



- In writing – Complete the online form found at www.MBOC.com/privacy-policy and mail it to us;
- Mail your request to:
 - Merchants Bank of Commerce
 - 1951 Churn Creek Road
 - Redding, CA 96002
- In person – At any of our branch locations

Upon receipt of the Right to Know request, we will confirm the receipt of your request within 10 days and respond to your request through US mail within 45 days from the day we receive your request. If additional time is necessary to fulfill your request, we will notify you before the end of the 45 days to request additional time and provide an estimated date we will have your request completed.

If we deny your Right to Know in whole or part because of a conflict with federal or state law, or an exception to the CCPA, we will inform you and explain the basis for the denial. If the request is denied in part, we will disclose the other information you requested.

Information We Will Not Disclose

We are prohibited by law from disclosing specific pieces of personal information if the disclosure creates a substantial, articulable, and unreasonable risk to the security of that personal information, your account, or the security of our business systems or networks.

We are also prohibited by law from disclosing specific pieces of personal information about you in our response to a Request to Know, Request for Deletion and authorized agent requests. Listed below are the pieces of your personal information we will not disclose in fulfilling your requests:

- Your social security number;
- Driver's license number or other government-issued identification number;
- Financial account number;
- An account password or security questions and answers; and
- Any health insurance or medical identification number (if we have it).

Collection of Personal Information – What We Collect

The personal information that we collect will depend on the product or service you have with us. Below is a list of categories of personal information (PI) and a description of each category that we have collected about consumers in the preceding 12 months:

- **Identifiers** - Includes data used to identify you such as your name, address, social security number, driver's license number, passport number, Internet protocol address (IP Addresses), e-mail addresses, application identifiers, online and website identifiers or other similar identifiers;
- **Other Identifiers** - Information and data that relates to, describes, or is capable of being associated with, a particular individual, including but not limited to: name, names you provide for identification or security codes, answers to security questions, signature, physical characteristics or description, address, telephone numbers, state identification card number, debit card number,



education, employer names, employment history, bank account numbers, credit card numbers, or any other financial information;

- **Account Information** - Information and data, other than identifiers, associated with a product or service requested by you, transaction information, and may include but is not limited to: co-owners, beneficiaries, power of attorney, required trust information, agent information or power of attorney, payee's and billing information required for bill pay, information required for MBOC applications you may use;
- **Commercial** - Includes records of your personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies;
- **Biometric** - Includes but is not limited to: Fingerprint, iris, retina, facial, voice, signature recognition, and keystrokes;
- **Internet/Electronic, Network Activity** - Including but not limited to: Your browsing history, search history, and information regarding a consumer's interaction with the Merchants Bank of Commerce Internet website, application, or advertisement;
- **Geolocation** - Includes your locations such as your physical address, mailing address, locations for mobile applications, and any other location information provided by you or is provided by a service provider or third party about you to us;
- **Audio, Visual or Similar** - Recordings of you that include, but are not limited to your voice, your image, and use of any similar technology used to identify you, other than the use of documents establishing you and/or your requests of us;
- **Professional or Employment related** - Includes information provided by you or a third party with your permission to determine employment suitability, may include, but are not limited to, education verification, prior employment and employers, credit and criminal history, including driving records, government database searches. May also include but not limited to: Performance records, benefits eligibility and selections, and salary and career progression;
- **Education** - Information provided by you and a service provider with your permission and as defined as information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (34 C.F.R. Part 99); and
- **Inferences** - Drawn from information collected about you reflecting your preferences, characteristics, and behavior, however not limited to these inferences. Collected directly from you, from your use of our products and services you use and by service providers about you.



How We Collect Personal Information

We collect personal information about you from several sources. Below is a list of sources we may use to collect information about you but is not limited to the following:

- From you directly;
- Credit reporting agencies;
- Our service providers;
- Third parties authorized by you;
- Government records; and
- Public records.

We may also collect information about you from third parties that do not collect PI directly from you and includes but is not limited to the following:

- Advertising networks;
- Internet service providers;
- Data analytics providers;
- Government entities;
- Operating systems and platforms;
- Social networks; and
- Consumer data resellers.

Why We Collect Personal Information

We may use the personal information we collect about you for many reasons in our effort to provide you with the following:

- To provide you with the customer service you expect;
- Assist you with the products and service you have with us;
- To inform you of products or services you may want;
- Our bank operational needs; and
- Regulatory and legal compliance.

The following are the business and/or commercial purposes for the information we collect, and a brief description of the purpose we will use the personal information we collect about you:

- **Verify your Identity** - To ensure we are interacting with you and accessing your accounts per your requests to us and on behalf of us to a service provider;
- **Customer Service and Transactions** - Performing services on behalf of us or 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, or providing similar services on behalf of



MBOC or service provider. Includes accepting and processing applications for employment consideration with us;

- **Marketing and Advertising** - Conduct research and analysis of our products and services, their use, and volume, and types of customers using the products and services. To provide marketing and/or advertisements to you for our products and services you may be interested in;
- **Internal Operations** - Undertaking of internal processing, technological development, debugging to identify and repair errors that impair existing intended functionality. Undertake activities to verify or maintain the quality or safety of a service or device that is owned or controlled by us and to improve, upgrade or enhance the service or device owned and controlled by us;
- **Fraud Prevention and Security** - Protecting against malicious, deceptive, and fraudulent or illegal activity and prosecuting those responsible for that activity;
- **Regulatory and Legal Compliance** - To comply with all applicable federal and state laws, rules, and regulations. Respond to and provide information required by federal and state legal actions, civil requests, subpoenas, warrants, and other legal requests for information;
- **Auditing and Analysis** - Related to an interaction with the you and your transactions, counting ad impressions to unique visitors, verifying positioning and quality of an ad impressions, and auditing compliance with this specification and other standards. Examination requirements from government agencies responsible for the review of MBOC. Service providers conducting audit services;
- **Professional and/or Employment** - To determine eligibility, qualifications, and continued suitability for employment with us.
- **CCPA Requests** - Information collected for requests made by you or your agent in compliance with CCPA will not be used for any other purpose.

Disclosure or Sale of Personal Information

Sale

We have not sold any personal information about you or any consumer in the preceding 12 months for a business and/or commercial purpose.

We do not sell the personal information of minors under 16 years of age.

Disclosure for Business Purpose

We have disclosed personal information about you to third parties for a business purposes in the preceding 12 months. We have provided personal information about you or your accounts to our service providers to service your accounts or transactions conducted with us and for operational



purposes. The disclosure of your personal information to our service providers is necessary to provide you with product and service support and to fulfill your requests of us.

Disclosure of your personal information to our service providers for business purposes is also covered by Gramm Leach Bliley Act (GLBA) and the California Financial Information Protection Act (CalFIPA) Information Sharing laws.

GLBA is a federal requirement for financial companies to have a privacy policy regarding your personal information and requires us to disclose to you the information we collect and may share for everyday business purposes. It also provides you with information on what sharing limits are available to you.

CalFIPA requires us to allow you to opt-out of the sharing of your personal and financial information with our affiliates (companies we own or control) and companies we do business with where permitted by law. To review our privacy policies, [click here](#).

Right to Opt-Out of the Sale of Personal Information

You have the right to opt-out of the sale of your personal information. The Opt-Out provision of the CCPA allows you to restrict the sale of your information if a business engages in the sale of your information.

Our policy is that we do not and will not sell the personal information of consumers to third parties and the opt-out is not applicable.

Right to Request Deletion of Personal Information

You have the right to request the deletion of any personal information about you, which we have collected or maintained.

You may make a verifiable consumer Request to Delete your personal information. To be considered a verifiable consumer Request to Delete it must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative; and
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

To verify you are the person about whom we collected personal information and is making the Request to Delete, we will use existing information we have collected about you, however we may need to request additional information from you to complete your Right to Delete request that may include but is not limited to the following:

- Driver's license or state identification information;
- Security questions attached to your account;
- Documents authorizing you to act as an agent;

To protect your personal information, if we do not receive the additional information requested from you to verify your identity, we cannot fulfill your Right to Delete request.



Financial institutions are required to keep your personal information to comply with other federal and state laws, rules, and regulations. We may not be able to fulfil your request to delete your personal information and may deny your request for deletion as a result.

If you wish to submit a Request to Delete the personal information we collected or maintain about you, you may submit a Request to Delete your personal information using the online form Request to Delete form and by contacting us using one of the following methods to make a deletion request:

- By telephone – Toll free number 1-800-421-2575
- In writing – Complete the online form found at www.MBOC.com/privacy-policy and mail it to us;
- Mail your request to:
 - Merchants Bank of Commerce
 - 1951 Churn Creek Road
 - Redding, CA 96002
- In person – At any of our branch locations.

Upon receipt of the request to delete your personal information, we will confirm the receipt of your request within 10 days and will respond to your request through US mail within 45 days from the day we receive your request. If additional time is necessary to fulfill your request, we will notify you before the end of the 45 days to inform you additional time is needed to complete your request and provide an estimated date we will have your request completed.

If we deny your Request to Delete in whole or part because of a conflict with federal or state law, or an exception to the CCPA, we will inform you and explain the basis for the denial. If the request is denied in part, we will disclose the other information you requested.

Right to Non-Discrimination for the Exercise of your Privacy Rights

You have a right not to receive discriminatory treatment by us for the exercise of any privacy rights conferred by the California Consumer Privacy Act (California Civil Code § 1798.100 *et seq.*).

Authorized Agent

You may designate an authorized agent to make a request under the CCPA on your behalf by contacting us directly and providing us with the following:

1. Written permission that authorizes the agent to submit requests on your behalf;
2. Provide sufficient information to verify your identity directly with us; and
3. Sufficient information to verify the identity of the authorized agent.

An agent making a request will be denied the request if they do not provide proof that they have been authorized by you to act on your behalf.

To verify you are the person about whom we collected personal information and your authorized agent, we will use existing information we have collected about you, however we may need to request additional information from you or your authorized agent to complete your request that may include the following:



- Driver's license or state identification information;
- Security questions attached to your account;
- Documents authorizing you to act as an agent;

To protect your personal information, if we do not receive the additional information requested from you or your authorized agent to verify the identity, we cannot fulfill your right to know

To request an authorized agent to act on your behalf to submit your privacy rights, provide us with your written request and the completed authorization form. You may submit your request by using one of the following contact methods:

- In writing – Complete the Authorized Agent online form found at www.MBOC.com/privacy-policy and mail it to us;
- Mail your request to:
 - Merchants Bank of Commerce
 - 1951 Churn Creek Road
 - Redding, CA 96002
- In person – At any of our branch locations.

Upon receipt of your request, we will confirm the receipt of your request within 10 days and respond to you through US mail within 45 days from the day we receive your request. If additional time is necessary to fulfill your request, we will notify you before the end of the 45 days to inform you additional time is needed to complete your request and provide an estimated date we will have your request completed.

Contact for More Information

If you have any questions or concerns regarding this policy, contact us at 1-800-421-2575.