

Rental agency officer

Flat number

## PROSPECTIVE TENANT FORM

for rental flats that you are interested in renting

City	Net rent in EUR without ancillary costs							
District	Operating costs in EUR							
Street, building no.	Heating costs in EUR							
Living space	Other in EUR							
No. of rooms	Floor	Total rent in EUR						
Desired move-in date	Deposit in EUR							
Balcony	yes	no	Built-in kitchen	yes	no	Garage/parking space	yes	no

### PERSONAL DETAILS

#### Prospective tenant 1

#### Prospective tenant 2 (spouse/partner/co-tenant)

Surname		
First name		
Street, building no.		
Post code, city		
Landline/mobile		
Email		
Date of birth		
Place of birth		
Occupation		
Employer		
Identity document No.		
Number of persons moving in	of whom children between 0-6	
of whom children between 7-15	of whom children aged 16 and over	
Do you have pets?	yes	no
If yes: Type of pet	Breed	
The prospective tenant/s have provided identification	yes	no

**INCOME**

	Prospective tenant 1		Prospective tenant 2 (spouse/partner/co-tenant)	
Monthly disposable income or declaration that a specific contribution rate is exceeded *				
Have you been required to submit a statement of means within the last 2 years?	yes	no	yes	no
Are there or have there been private insolvency procedures brought against you?	yes	no	yes	no

\* Note: In the event of a positive outcome, you will be required to provide proof of income immediately before the agreement is signed. In exceptional cases, we also collect a credit report about you, namely, if we have no other satisfactory information about your credit standing, and the conclusion of the rental agreement depends only on a positive credit check.

**OTHER**

Optional information\*: How did you hear about us?

- Internet
- Print media
- Public office
- Transferral
- Consultation
- Tenant promoting tenant
- Recommendation
- Window advertisement
- Not specified

\* Note: non-disclosure will not affect our decision of to whom we rent a property.

**VOLUNTARY CONSENT \***

	Prospective tenant 1		Prospective tenant 2 (spouse / partner / co-tenant)	
I/we consent to receiving information from ADLER Real Estate AG by	Telephone	Email	Telephone	Email
	about other properties over the next 12 months.		about other properties over the next 12 months.	

\* Note: non-disclosure will not affect our decision of to whom we rent a property. However, you will receive no information about other available properties.

I/we have taken note of ADLER Real Estate AG's data protection information for prospective tenants.

**PROSPECTIVE TENANT 1**

Date ..... Signature .....

**PROSPECTIVE TENANT 2 (if applicable)**

Date ..... Signature .....

## SCHUFA NOTICE FOR RENTAL APPLICATIONS

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ADLER Real Estate AG transmits personal data collected on the application for this rental for the purpose of assessing the creditworthiness of prospective tenants, as well as data on non-contractual or fraudulent conduct, to SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden prior to the conclusion of a rental agreement within the scope of this contractual relationship.

The legal bases for such transmission are Article 6 paragraph 1 (b) and Article 6 paragraph 1 (f) of the General Data Protection Regulation (GDPR). Transmission based on Article 6 paragraph 1 (f) GDPR may only be made to the extent necessary to safeguard the legitimate interests of the landlord or third parties, and if the interests or fundamental rights and freedoms of the data subject requiring the protection of personal data do not outweigh them.

SCHUFA processes and uses data for the purpose of profiling (scoring), in order to provide its contracting parties in the European Economic Area and in Switzerland and, where applicable, other third countries (if there is an adequacy decision by the European Commission) with information on, amongst other things, the creditworthiness of natural persons. Further information on SCHUFA's activities can be found in the SCHUFA Information Sheet or online at [www.schufa.de/datenschutz](http://www.schufa.de/datenschutz)."

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Name and address of prospective tenant and, if applicable, of spouse / partner / co-tenant

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**Prospective tenant 1**

**Prospective tenant 2** (spouse/partner/co-tenant)

Surname

First name

Street, building no.

Post code, city

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With my signature, I confirm that I have read the SCHUFA notice and that the SCHUFA information sheet has been given to me.

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Date

Signature of prospective tenant 1

Signature of prospective tenant 2  
(spouse / partner / co-tenant)

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To fulfil accountability requirements for the information provided arising from Art. 5 para. 2 GDPR and to establish legitimate interest vis-a-vis SCHUFA, **the landlord shall retain this document for a period of 12 months for the event that an enquiry is made to SCHUFA**. In the event of a contract conclusion, this document will be added to the contractual paperwork and will then be subject to the respective statutory retention requirements.

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**WE REQUIRE YOU TO PROVIDE THE FOLLOWING DOCUMENTS FOR THE PREPARATION  
OF A RENTAL AGREEMENT**

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full and complete self-disclosure

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**valid** identity document for data checking

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registration certificate/residence permit for foreign citizens

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statement that rent is fully paid **for your current registered address** and/or a copy of the land registry extract  
if you own your property

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last 3 salary statements / contract of employment if you are starting work / Ministry of Economy and Labour (BWA)  
statement stamped by your tax advisor if you are a freelance professional

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SCHUFA clause

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## SCHUFA information

### 1. Name and contact details of the responsible body and of the company data protection officer

SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden, Germany, Tel.: +49 (0) 6 11-92 78 0; SCHUFA's data protection officer can be contacted at the above-mentioned address, attn. Privacy Department or by email to [datenschutz@schufa.de](mailto:datenschutz@schufa.de).

### 2. Data processing by SCHUFA

#### 2.1 Purposes of data processing and legitimate interests pursued by SCHUFA or a third party

SCHUFA processes personal data in order to provide authorised recipients with information for assessing the creditworthiness of natural and legal persons. Scores are calculated and transmitted for this purpose. It only makes the information available if a legitimate interest in it has been credibly demonstrated in individual cases, and processing is permitted after weighing up all interests. Legitimate interest applies in particular before entering into transactions with a financial default risk. The creditworthiness assessment serves to protect recipients against losses in credit transactions and, at the same time, opens the possibility to protect borrowers from excessive debt through advice. Data are also processed for the purpose of fraud prevention, integrity checks, money laundering prevention, identity and age checks, address determination, customer care or risk management as well as tariffing or conditioning. SCHUFA will inform you about any changes in the purposes of data processing pursuant to Art. 14 para. 4 GDPR.

#### 2.2 Legal bases for data processing

SCHUFA processes personal data on the basis of the provisions of the General Data Protection Regulation. Processing takes place on the basis of consent and on the basis of Art. 6 para. 1 (f) GDPR, insofar as the processing is necessary to safeguard the legitimate interests of the controller or a third party, and the interests or fundamental rights and freedoms of the data subject requiring the protection of personal data do not outweigh them. Consent may be revoked vis-a-vis the contracting party concerned at any time. This also applies to consent already granted prior to the entry into force of the GDPR. The revocation of consent does not affect the legality of the personal data processed until revocation.

#### 2.3 Origin of the data

SCHUFA receives its data from its contractual partners. These include institutes, financial companies and payment service providers based in the European Economic Area and in Switzerland and, if applicable, other third countries (if there is a corresponding adequacy decision by the European Commission) and which bear a financial default risk (e.g. banks, savings banks, credit unions, credit card, factoring and leasing companies) as well as other contractual partners that use SCHUFA products for the purposes stated in Section 2.1, in particular partners in the (shipping) trade, e-commerce, service, rental, energy, telecommunications, insurance, or collection sectors. In addition, SCHUFA processes information from generally accessible sources such as public directories and official announcements (debtor directories, insolvency announcements).

#### 2.4 Categories of personal data processed (personal data, payment behaviour and contractual compliance)

- Personal data, e.g. surname (previous names, if applicable, provided by separate application), first name, date and place of birth, address, previous addresses
- Information on the acceptance and contractual execution of a transaction (e.g. current accounts, instalment loans, credit cards, seizure protection accounts, basic accounts)
- Information on undisputed, due and repeatedly demanded or enforced claims and their settlement
- Information on abusive or other fraudulent behaviour, such as identity or credit rating fraud
- Information from public directories and official notices
- Scores

#### 2.5 Categories of recipients of personal data

Recipients include contractual partners based in the European Economic Area, Switzerland and, if applicable, other third countries (provided there is a corresponding adequacy decision by the European Commission) in accordance with Section 2.3. Other recipients may include external SCHUFA contractors according to Art. 28 GDPR, as well as external and internal SCHUFA departments. SCHUFA is also subject to the statutory intervention powers of state agencies.

#### 2.6 Duration of data storage

SCHUFA only stores information about persons for a specific period. The decisive criterion for determining this period is necessity. SCHUFA has established indicative time limits for checking the necessity of further storage and/or the deletion of personal data. According to this, personal data are generally stored for a period of precisely three years from execution. In deviation to this, the following data are deleted, e.g.:

- details about inquiries after twelve months precisely
- information on trouble-free contractual data on accounts documented without the claim substantiated through them (e.g. current accounts, credit cards, telecommunications accounts or energy accounts); information on contracts for which evidence checks are required by law (e.g. seizure protection accounts, basic accounts) as well as credit-based guarantees and trading accounts – immediately after announcement of their termination.
- Data from the debtor directories of the central enforcement court, after three years precisely, but prematurely if evidence is provided to SCHUFA that these have been cancelled by the central enforcement court
- Information about consumer/insolvency proceedings or residual debt exemption proceedings, exactly three years after termination of the insolvency proceedings or after the residual debt exemption has been granted. In deviation to this, data may also be deleted earlier in special cases.
- Information about the rejection of an insolvency petition due to lack of assets, repeal of the security measures or the refusal of residual debt discharge, after three years precisely
- Previous personal addresses are stored for three years precisely; thereafter, the necessity of continuing storage for a further three years is checked. Thereafter, they will be deleted exactly to the day unless longer-term storage is required for identification purposes.

### 3. Rights of data subjects

All data subjects have the right to be informed by SCHUFA under Art. 15 GDPR, the right to correction under Art. 16 GDPR, the right to erasure under Art. 17 GDPR and the right to restrict processing under Art. 18 GDPR. SCHUFA has set up a private customer service centre for the concerns of the data subjects, which can be contacted in writing at SCHUFA Holding AG, Private Customer Service Centre, PO Box 10 34 41, 50474 Cologne, by telephone on +49 (0) 6 11-92 78 0 and via an internet form at [www.schufa.de](http://www.schufa.de). In addition, it is possible to contact the supervisory authority responsible for SCHUFA, the Hessian Data Protection Supervisor. Consent may be revoked vis-a-vis the contracting party concerned at any time.

**According to Article 21 para. 1 GDPR, you may object to data processing for reasons arising from your particular situation. Objections do not require a specific form, and must be sent to SCHUFA Holding AG, Private Customer Service Centre, PO Box 10 34 41, 50474 Cologne.**

### 4. Profiling (scoring)

The SCHUFA information can be supplemented with so-called scores. Scoring generates a forecast of future events using collected historical information and experience. All scores are calculated by SCHUFA on the basis of the information stored by SCHUFA about a person, which is also stated in the information pursuant to Art. 15 GDPR. In addition, SCHUFA considers the provisions of § 31 BDSG (Federal Data Protection Act) for scoring. Entries stored for a person are assigned to statistical groups of people that had similar entries in the past.

The method used is called „logistic regression“, and is a well-founded, long-proven, mathematical-statistical method for predicting risk probability.

The following types of data are used by SCHUFA to calculate scores, whereby not every type of data is included in each individual score calculation: General data (e.g. date of birth, gender or number of addresses used in business transactions), previous payment defaults, previous year's credit activity, credit usage, length of credit history and address data (only if there is a small amount of personal credit-related information available). Certain information is neither stored nor taken into account in the calculation of scores, for example: nationality or special categories of personal data such as ethnic origin, or information on political or religious convictions according to Art. 9 GDPR. The assertion of rights under the GDPR, e.g. inspection of the information stored at SCHUFA under Art. 15 GDPR, also has no influence on the score calculation.

The transmitted score values support the contracting parties in the decision-making process, and are used by them for risk-management purposes.

The risk and creditworthiness assessments are carried out solely by the immediate business partner, as only the latter has access to the large amount of supplementary information – for example, from a loan application.

This applies even if it relies solely on the information and scores provided by SCHUFA. A SCHUFA score alone is not sufficient reason to refuse to conclude a contract.

Further information on credit scoring or identifying conspicuous facts can be found at [www.scoring-wissen.de](http://www.scoring-wissen.de).

## PRIVACY NOTICES FOR PROSPECTIVE TENANTS WITHIN THE MEANING OF ART. 13 GDPR

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We are pleased that you are interested in one of our flats. The protection of your personal data is very important to us. Below, we provide some details about how we process your personal data in connection with the flat rental process. Once a rental agreement has been concluded between you and us, we will send you further information on how we process your personal data in connection with managing your tenancy.

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**1.** The office responsible for data processing within the meaning of Art. 4 No. 7 GDPR is: ADLER Real Estate AG, Joachimsthaler Straße 34, 10719 Berlin, telephone +49 30 39801810, email [info@adler-as.com](mailto:info@adler-as.com).

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**2.** Our data protection officer: mindlabel, Alexander Baenz, Demmlerstraße 1, 19053 Schwerin, telephone +49 385 55596727, email [info@mindlabel.de](mailto:info@mindlabel.de).

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**3.** We collect and process your personal data for the purpose of managing prospective tenants. The purpose we pursue lies primarily in the implementation of pre-contractual measures during preparation of the rental, in accordance with Art. 6 para. 1 sentence 1 (b) GDPR. For this purpose, we process personal data such as surnames, first names, telephone numbers, email addresses, special needs of the tenant such as accessibility, income information, residence permit information if applicable, as well as data regarding any outstanding liabilities.

If you consent, Art. 6 Para. 1 S. 1 (a) GDPR is the legal basis for processing personal data. In this case, you may revoke your consent at any time. However, revocation of consent does not affect the legality of the personal data processed until revocation.

In addition, personal data may be processed on the basis of Art. 6 para. 1 sentence 1 (f) GDPR if the data processing goes beyond the actual fulfilment of pre-contractual measures. In such cases, our overriding legitimate interest in the context of a balancing of interests consists, for example, in the provision of brokerage services and our defence in the context of legal disputes. You may object to this data processing at any time in accordance with Art. 21 GDPR.

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**4.** After receipt, your personal data will be viewed by our employees handling prospective tenant management. The data of suitable prospective tenants are then forwarded internally to the decision-makers for the advertised flat. Thereafter, the further process is coordinated. In our company, only those employees have access to your data who require this to properly execute our rental procedures.

Other recipients of your data outside our company may include ADLER Wohnen Service GmbH affiliates, brokerage service providers, IT service providers, document destruction service providers, law firms and SCHUFA Holding AG.

We also use the services of a specialised software provider to manage the data of our prospective tenants. This acts as a service provider on our behalf, and may also gain access to your personal data in connection with the maintenance of the systems.

We have concluded processing contracts with the service providers that work for us as processors, which ensure that the processors handle your data in compliance with the GDPR.

We have obliged the service providers who are not qualified as processors to maintain confidentiality.

We do not transmit personal data to third countries.

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**5.** If no rental agreement is concluded with you, the data provided by you will be deleted after 6 months at the latest, unless otherwise stipulated by statutory retention periods. Storage beyond this is possible with your express consent. It should also be noted that limitation periods may extend up to 30 years according to § 197 of the German Civil Code (BGB). This is the case if there is a court decision. Otherwise, the standard limitation period acc. to § 195 BGB is 3 years.

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**6.** During contract initiation, personal data necessary for the establishment and implementation of a business relationship and for the fulfilment of the associated contractual obligations, or which we are legally obliged to collect, must be provided. Without these data, it is not possible for us to conclude or implement a contract with you.

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**7.** Before conclusion of a rental agreement within the framework of the contractual relationship and after limiting the number of individuals, we transmit personal data about the tenancy application as well as data about non-contractual or fraudulent behaviour to SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden for the purpose of checking the creditworthiness of prospective tenants. The legal bases for the transmission of these data are Art. 6 para. 1 sentence 1 (b) and Art. 6 para. 1 sentence 1 (f) GDPR. Our legitimate interest in the context of a balancing of interests acc. Art. 6 para. 1 sentence 1 (f) GDPR lies in the possibility of assessing the creditworthiness of the prospective tenant as well as in the proper execution of the selection process.

SCHUFA also processes and uses data for the purpose of profiling (scoring), in order to provide its contracting parties in the European Economic Area and in Switzerland and, where applicable, other third countries (if there is an adequacy decision by the European Commission) with information on, amongst other things, the creditworthiness of natural persons. Further information on SCHUFA's activities can be found at <https://www.schufa.de/de/ueber-uns/daten-scoring/>.

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**8.** We do not make use of automated decision-making processes within the meaning of Art. 22 GDPR in individual cases, including profiling.

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**9.** You have the right to information about the personal data we process about you according to Art. 15 GDPR. Please understand that we only process written requests for information, and may require you to provide proof of your identity.

Furthermore, you have the right to data correction in accordance with Art. 16 GDPR, to data erasure in accordance with Art. 17 GDPR or to the restriction of processing in accordance with Art. 18 GDPR, insofar as you are legally entitled to do so.

You also have the right to data portability in accordance with Art. 20 GDPR. In addition, you have the right to object in accordance with Art. 7 para. 3 GDPR.

Furthermore, according to Art. 77 GDPR, you have the right to complain about our processing of personal data to a data protection supervisory authority.

If we process your personal data on the basis of our legitimate interests in accordance with Art. 6 Para. 1 (f) GDPR, you have the right to object to this data processing in accordance with Art. 21 GDPR insofar as there are reasons for this that arise from your particular situation. If you would like to exercise your right to object, please use the contact details given above.