

## Florida Capital Bank Business and Personal Mobile Banking Privacy Notice

**Last Updated: April 2024**

FLC Bank Mobile Banking – powered by Fiserv – helps you manage your money, and view your transactions and accounts, making it easy to manage your finances on the go.

Mobile Banking provides the Services to users on behalf of their financial institution (“Florida Capital Bank, N.A. FLC Bank”) as a service provider. This Privacy Notice, in combination with relevant privacy notices that FLC Bank provides to you (e.g., pursuant to financial privacy laws), informs you of the policies and practices regarding the collection, use, and disclosure of any personal information that Mobile Banking collects from or about users in connection with our mobile application (the “**Services**”). The specific capabilities of the Services available to you vary depending on the type of account you have with FLC Bank. This Privacy Notice explains how we collect, share, use, and protect information when you use the Mobile Banking Service offered by Florida Capital Bank, N.A. (referred to in this Mobile Banking Privacy Notice as “FLC Bank”, “FLCB”, we, our, or us). In addition to this Privacy Notice, you may receive FLC Bank’s **U.S. Consumer Privacy Policy Notice**, as well as other privacy disclosures provided to you with account opening documents.

Depending on the services offered by FLC Bank, Mobile Banking may allow you to:

- get real-time balances for your accounts
- manage your money
- view your transactions and statements
- make transfers
- pay your bills and manage billers
- pay other people
- deposit a check
- manage cards
- locate branches and ATMs
- receive alerts
- Manage cards

## THE TYPES OF INFORMATION MOBILE BANKING COLLECTS

Mobile Banking may collect personal information from you in the following ways:

(a) Personal Information You provide to us.

- Mobile Banking may collect personal information from you, such as your first and last name, address, e-mail, User IDs, telephone number, and social security number when you open a new financial account or register for other financial services.
- Device images/videos may be accessed when you deposit a check or use a QR code to make peer-to-peer payments using Zelle or other payment functionality. Device contacts may be accessed when you make peer-to-peer payments using Zelle or other payment functionality. Device location may be accessed to detect and prevent card transaction fraud, and deposit fraud and also to provide branch and atm locations.
- Mobile Banking may collect the financial and transaction information necessary to provide you with the Services, including account numbers, payment card expiration date, payment card identification, verification numbers, and transaction and payment history.

- If you provide feedback or contact FLCBank via email about Mobile Banking, FLCBank will collect your name, email address, and any other content included in your email messages to us to send you a reply.
  - Mobile Banking also collects other types of personal information that you provide voluntarily, such as any information requested by Mobile Banking if you contact FLCBank via email regarding support for the Services.
- (b) **Personal Information Collected from Third Parties.** Mobile Banking may collect certain information from identity verification services and consumer reporting agencies, including credit bureaus, to provide some of our Services.
- (c) **Personal Information Collected Via Technology.** We and our service providers may automatically log information about you, your computer or mobile device, and your interaction over time with our Services, our communications and other online services, such as:
- Device data, such as your computer's or mobile device's operating system type and version, manufacturer and model, browser type, screen resolution, RAM and disk size, CPU usage, device type (e.g., phone, tablet), IP address, unique identifiers, language settings, mobile device carrier, radio/network information (e.g., WiFi, LTE, 3G), and general location information such as city, state or geographic area.
  - Online activity data, such as pages or screens you viewed, how long you spent on a page or screen, , navigation paths between pages or screens, information about your activity on a page or screen, access times, and duration of access.
  - Cookies, which are text files that websites store on a visitor's device to uniquely identify the visitor's browser or to store information or settings in the browser for the purpose of helping you navigate between pages efficiently, remembering your preferences, enabling functionality, and helping us understand user activity and patterns.
  - Location Information. If you have enabled location services on your phone and agree to the collection of your location when prompted by the Services, Mobile Banking will collect your location information when you use the Services; for example, to provide our fraud detection services. If you do not want Mobile Banking to collect this information, you may decline the collection of your location when prompted or adjust the location services settings on your device.

## **HOW MOBILE BANKING USES YOUR**

- (a) **General Use.** In general, Mobile Banking uses your personal information to respond to your requests as submitted through the Services, to provide you with the Services you request, and to help serve you better. Mobile Banking uses your personal information in the following ways: We use your personal information, in connection with Mobile Banking, in the following ways:
- facilitate the creation of, secure and maintain your account;
  - identify you as a legitimate user in Mobile Banking's system;
  - provide improved administration of the Services;
  - provide the Services you request;
  - improve the quality of experience when you interact with the Services;
  - send you administrative e-mail and/or push notifications, such as security or support and maintenance advisories

(b) Compliance and protection. We may use your personal information to:

- comply with applicable laws, lawful requests, and legal processes, such as responding to subpoenas or requests from government authorities;
- protect our, your or others' rights, privacy, safety, or property (including by making and defending legal claims);
- audit our internal processes for compliance with legal and contractual requirements and internal policies;
- enforce the terms and conditions that govern the Service; and
- prevent, identify, investigate, and deter fraudulent, harmful, unauthorized, unethical, or illegal activity, including cyberattacks and identity theft.

(c) Creation of Non-Identifiable Data. FLCBank may create de-identified information records from personal information by excluding certain information (such as your name) that makes the information personally identifiable to you. Mobile Banking may use this information in a form that does not personally identify you to analyze request patterns and usage patterns to enhance our products and services. FLCBank reserves the right to use and disclose non-identifiable information to third parties at our discretion.

## **DISCLOSURE OF YOUR PERSONAL INFORMATION**

Unless otherwise described in this Statement, we will use and share information that we collect through the Site in accordance with the Florida Capital Bank, N.A. [U.S. Consumer Privacy Notice](#). We will only provide third parties with the minimum amount of information necessary to complete the requested service.

We disclose your personal information collected through your use of the Services as described below.

- (a) At the Direction of FLCBank. Mobile Banking may share your information with Your Financial Institution or with third parties at the direction of FLCBank. Other than as described in this Privacy Notice in connection with the Services, this Privacy Notice does not apply to the processing of your information by Your Financial Institution or third parties with whom Mobile Banking shares information at FLCBank's direction.
- (b) Third Party Service Providers. We may share your personal information with third-party or affiliated service providers that perform services for or on behalf of FLCBank in providing Mobile Banking, for the purposes described in this Privacy Policy, including to provide you with the Services; to conduct quality assurance testing; to facilitate the creation of accounts; to optimize the performance of the Services; to provide technical support; and/or to provide other services to the Mobile Banking
- (c) Corporate Restructuring. Mobile Banking may share some or all of your personal information in connection with or during negotiation of any merger, financing, acquisition or dissolution transaction involving the sale, transfer, divestiture, or disclosure of all or a portion of FLCBank's business or assets. In the event of insolvency, bankruptcy, or receivership, personal information may also be transferred as a business asset. If FLCBank's company, business or assets is acquired by another company, that company will possess the personal information collected by Mobile Banking and the company will assume the rights and obligations regarding your personal information as described in this Privacy Notice.
- (d) Authorities and Others. Regardless of any choices, you make regarding your personal information, Mobile Banking may disclose your personal information to law enforcement, government authorities, and private parties, for the compliance and protection services described above.

## LINKS TO OTHER SITES

Mobile Banking may contain links to third-party websites. When you click on a link to any other website or location, you will leave Mobile Banking and go to another site and another entity may collect personal and/or anonymous information from you. Mobile Banking's provision of a link to any other website or location is for your convenience and does not signify our endorsement of such other website or location or its contents. We have no control over, do not review, and cannot be responsible for, these outside websites or their content. Please be aware that the terms of this Privacy Policy do not apply to these outside websites. We encourage you to read the privacy policy of every website you visit.

## YOUR CHOICES REGARDING YOUR INFORMATION

You have several choices regarding the use of information on the Services.

- (a) **How We Respond to Do Not Track Signals.** Some web browsers transmit "do not track" signals to the websites and other online services with which your web browser communicates. There is currently no standard that governs what, if anything, websites should do when they receive these signals. Mobile Banking currently does not take action in response to these signals. If and when a standard is established, FLCBank may revise its policy on responding to these signals.
- (b) **Access, Update or Correct Your Information.** You can access, update or correct your information by changing preferences in your account. To do so, you should contact FLCBank. For additional requests, please contact FLCBank.
- (c) **Opting Out SMS Communications.** If you provide your phone number through the Services, Mobile Banking may send you notifications by SMS, such as providing a fraud alert. You may opt out of SMS communications by unlinking your mobile phone number through the Services.
- (d) **Opting Out of Location Tracking.** If you initially consented to the collection of geo-location information through the Services, you can subsequently stop the collection of this information at any time by changing the preferences on your mobile device. Please note, however, that if you withdraw consent to Mobile Banking's collection of location information, you may no longer be able to use some features of the Service.

## SAFEGUARDS AND RETENTION

We implement reasonable administrative, technical and physical measures in an effort to safeguard the information in our custody and control against theft, loss and unauthorized access, use, modification and disclosure. Nevertheless, transmission via the internet is not completely secure and we cannot guarantee the security of your information.

Federal laws and regulations require that US financial institutions retain original, active and historical records. Your personal and financial data will be retained for a period of five to ten years, depending on applicable laws, regulations and legitimate business needs.

## A NOTE ABOUT CHILDREN

The Mobile Banking Services are not directed toward individuals under the age of 18, and Mobile Banking does not intentionally gather personal information about visitors who are under the age of 18. If a child under 18 submits personal information to Mobile Banking and FLCBank learns that the personal information is the information of a child under 18, FLCBank will attempt to delete the information as soon as possible.

**PRIVACY POLICY UPDATES**

This Privacy Policy is subject to occasional revision. FLCBank will notify you of any material changes in its collection, use, or disclosure of your personal information by posting a notice on the Services. Any material changes to this Privacy Policy will be effective thirty (30) calendar days following notice of the changes on the Services. These changes will be effective immediately for new users of the Services. If you object to any such changes, you must notify us prior to the effective date of such changes that you wish to deactivate your account. Continued use of the Services following notice of any such changes (or use of the Services after any such changes) shall indicate your acknowledgment of such changes.

**CONTACTING FLCBANK ABOUT MOBILE BANKING**

If you have any questions or complaints about this Privacy Notice or Mobil Bank's data collection or processing practices, or if you want to report any security violations to Mobile Banking, please contact FLCBank at: [CustomerInquiry@flcb.com](mailto:CustomerInquiry@flcb.com). ***(This email is for Consumers only and any use for soliciting services will be reported to applicable regulatory authorities for abuse).***

Or by mail at:

**Florida Capital Bank**  
ATTN: Customer Compliance  
10151 Deerwood Park Boulevard  
Building 100, Suite 200  
Jacksonville, FL 32256