

## **Diversified Healthcare Trust Privacy Notice**

Last Updated: January 1, 2020

### **General**

Diversified Healthcare Trust (“DHC”) is committed to your right to privacy and to keeping your personal information private. Because our website includes areas in which you may provide personal information, we have developed a Privacy Notice, described below, to inform you of DHC’s policy and practice regarding information we collect about you on this website.

We will collect and process your personal information as described in this Privacy Notice. By using this website or providing your contact information (e.g., email address), you consent to our practices concerning the collection and use of information. However, where applicable, we will obtain your consent for such prior to collecting and/or making any use of your personal information.

If you have additional questions about this Privacy Policy, please contact us.

This Privacy Notice governs the collection of information at the website located at the URL <http://www.dhcreit.com> as well as any information you submit to DHC via email, and describes what information our website collects about you, how it is collected and how it is used.

We strongly encourage you to read this Privacy Notice and make sure you fully understand and agree to it, prior to your browsing of the website and/or any of its features. If you do not fully understand or agree to this Privacy Notice, you must immediately cease any browsing or consuming any content associated with the website and further terminate your account (if already created).

Because our business will continue to evolve, from time to time our policies will be reviewed and may be revised. We reserve the right to change this Privacy Notice at any time and notify you by posting an updated version of the Privacy Notice on our website. It is your responsibility to periodically check this page so that you are aware of what information we collect, how we use it, and under what circumstances we might disclose it. The amended Privacy Policy will apply between us whether or not we have given you specific notice of any change. However, where applicable law requires your consent, we will not expand the scope of disclosure or use of your personal information, without first obtaining such consent.

### **Information Collected about You**

Within the context of this Privacy Notice, “Personal Information” means information that may enable the identification of a specific person, or is linked to such potentially identifying information.

DHC collects and maintain two main categories of Personal Information:

- (a) Personal Information which is Automatically Created and/or Generated. This may include certain Personal Information about you whenever you visit, browse interact with or use the website. Personal Information in this category includes:
  - DHC logs IP addresses and domain names and aggregates them for system administration and to monitor the use of our website. We use the aggregated information, for example, to measure the number of visits to our website, the average time spent on our website, the number of pages viewed and to monitor various other

website statistics. We also collect information that you provide by filling out one of our online forms.

- DHC also collects or logs other information about you when you visit our website. This information includes your Internet Protocol (“IP”) address and your domain name. An IP address is a number that is automatically assigned to your computer by the Internet Service Provider (“ISP”) computer through which you access the Internet, and a domain name is the name of the ISP computer itself through which you access the Internet.

(b) Personal Information Received From You Voluntarily. Personal Information in this category includes:

- The Personal Information you provide when sending an email to DHC or completing one of our online forms, such as the Email Alert form. This information might identify you and your business, and includes such items as your name, your employer’s name, email and U.S. mail address, and office and home telephone and fax numbers.

Please be aware that any submission to and/or communication with DHC is subject to our Terms and Conditions, and your submission indicates your acceptance of the Terms and Conditions. Our Terms and Conditions are also available on our website.

### **How Your Personal Information Is Used**

We will use your Personal Information in the scope and manners to which we receive your consent; to comply with applicable law; based on our legitimate interests in maintaining and improving our website and the content included thereto, such as understanding how our website is used, improving our customer service and relations, and protecting and securing our users, ourselves and our website.

Accordingly, we use your Personal Information for the following purposes:

- To facilitate, operate, and provide our website;
- To further develop, customize and improve the website and your user experience, based on personal or general experiences and difficulties;
- To contact and communicate with our users (via e-mail, or any other available channels) to respond to questions or inquiries delivered to us;
- To support and enhance our data security measures, including for the purposes of preventing and mitigating the risks of fraud, error or any illegal or prohibited activity;
- To facilitate discussions and decisions made by our management or Board of Trustees, our governance practices;
- To comply with any applicable laws and/or regulations (such as to comply with valid legal processes such as a search warrant, subpoena, or court order, or to protect our rights and

property or the property or personal safety of another user of the website or any member of the public).

#### Specific Provisions Regarding Email Alert Services.

All information that you provide to us is collected and stored automatically at the time that you provide your information. If you would like to delete your email address from our Email Alert list, please unsubscribe from the Email Alert list using our automated system.

If you have joined our Email Alert service, we may send you, via email, press releases or SEC filings or notifications of press releases or SEC filings that have been posted to our website. If you do not wish to receive these communications from us, please unsubscribe using our automated system on the website.

#### Sharing your Information

We may share your information (including Personal Information) with certain third parties, including law enforcement agencies and our third party affiliates – but only in accordance with this Privacy Notice:

- (a) Compliance with Laws, Legal Orders and Authorities. We may disclose or allow government and law enforcement officials access to certain Personal Information in response to a subpoena, search warrant, or court order (or similar requirement), or in compliance with applicable laws and regulations, including for national security purposes. Such disclosure or access may occur with or without notice to you, if we have a good faith belief that we are legally compelled to do so, or that disclosure is appropriate in connection with efforts to investigate, prevent, or take action regarding actual or suspected illegal activity, fraud, or other wrongdoing.
- (b) Service Providers and Business Partners. We may engage selected third party companies and individuals to perform services complementary to our own, including but not limited to hosting services, data analytics services, e-mail distribution and monitoring services, and our business, legal, and financial and compliance advisors (collectively, “**Third Party Affiliates**”). These Third Party Affiliates may have access to your Personal Information depending on each of their specific roles and purposes in facilitating the purposes of our Services, and may only use it for such purposes.

Currently, we engage the following Third Party Affiliates:

- i. Q4, Inc.: Web Hosting Services
  - ii. Google, Inc.: Analytics
  - iii. Ticker Technologies: Stock Quote / Chart Data
- (c) Protecting Rights and Safety. We may share your Personal Information with others, if we believe in good faith that this will help protect the rights, property, or personal safety of SNH, any of our users, or any members of the general public.

DHC may share your Personal Information in additional manners, pursuant to your explicit approval, if we are legally obligated to do so, or if we have successfully rendered such data non-personal and anonymous. However, we will not sell your Personal Information to any third party without your consent.

We may share or otherwise use information and data other than Personal Information in our sole discretion and without the need for further approval.

### **Retaining and Storage of Personal Information**

Diversified Healthcare Trust is a US entity; however, it has taken upon itself to adopt all requisite security measures regarding the storage of your Personal Information, and to only use it in accordance with this Privacy Notice.

DHC has taken reasonable steps to ensure that your Personal Information is treated by its Third Party Affiliates in a secure and lawful manner and in accordance with common industry practices.

In general, we retain your Personal Information until we receive a request of a data subject (whom we can confirm), to remove such Personal Information. However, we may retain your Personal Information despite such request, pursuant to and to fulfill our legitimate interest for legal and accounting purposes (i.e., as required by laws applicable to our record and bookkeeping, and in order to have proof and evidence concerning our relationship, should any legal issues arise).

Specifically, from time to time, DHC may also request a verification of your email address in order to update the Email Alerts distribution lists we maintain. DHC may delete email addresses from the Email Alert distribution list when Email addresses cannot be verified. An email address that can't be verified will be removed from the Email Alert list. If you believe that you have been mistakenly removed from the Email Alerts list, please contact us.

Please note that except as required by applicable law, we will not be obligated to retain your Personal Information for any particular period, and are free to securely delete it for any reason and at any time, with or without notice to you.

### **Cookies**

#### **(a) What are Cookies?**

Cookies are small data files downloaded and stored on your device while browsing a website, often used to keep record of actions taken on such website or track related browsing activity.

For additional information regarding Cookies and the way to control them, please check out the Help file of your browser or visit <http://www.aboutcookies.org>.

#### **(b) Cookie opt-out**

While we do not change our practices in response to a “Do Not Track” signal in the HTTP header from a browser, most browsers allow you to control cookies, including whether or not to accept them and to remove them. You may set most browsers to notify you if you receive a Cookie, or you may choose to block Cookies with your browser.

You may elect to opt-out from enabling Cookies in the browser’s settings tools, usually by choosing between several options offered by the browser (some browsers (for example, Google Chrome®) allow blocking Cookies from a specific website. However, in the event that your browser is set to block cookies from our website, its functionality might be impaired, and you might not be able to properly browse our website.

We implement the following Cookies in our website; all of which are necessary to its core operations:

<b>Name of Subprocessor</b>	<b>Description</b>	<b>Expiration</b>
Google Analytics	Analytics and performance	1 day – 2 years
Q4, Inc. Captcha Cookies	Securing forms	Session only
Q4, Inc. Disclaimer Cookies	Tracking disclosures to visitors to investors section of website	Session only

### **How Your Information Is Protected**

DHC will take steps we deem reasonably necessary to protect the information you provide to us. We review from time to time our security procedures and mechanisms to ensure that adequate protections are in place. Our website may contain links to other websites. We restrict access to your Personal Information to those persons who need to know that information to provide products or services to you and any persons you have authorized to have access to such information. While we strive to protect your Personal Information, we cannot guarantee the security of any information you transmit to us.

Depending on the subject matter, you may prefer not to communicate with DHC through email. DHC is not presently a data secure website. Hence, information sent on the Internet by email may not have sufficient security features to prevent it from being intercepted and read by an unauthorized person.

In addition, this Privacy Notice does not protect you when you send business information, ideas, concepts, inventions or other proprietary type of information to DHC by email.

DHC is not responsible for the privacy practices, security or content of these other websites. Before disclosing your Personal Information on any other website, we advise you to examine the terms and conditions and privacy policy of those websites.

### **Your Rights Regarding Your Personal Information**

Please note that you may have certain rights regarding the manner of collection, processing and usage of your Personal Information pursuant to applicable privacy laws such as the EU General Data Protection Regulations (“GDPR”), to the extent they apply to you. Under the GDPR (to the extent it applies to you) you may be eligible for the following rights:

- **The right to have your Personal Information deleted.**  
This right is subject to any requirement we may be subject to in connection with our compliance with a legal obligation / our exercise of a legal defense. You should be further aware that it might not be technologically possible to remove each and every record of the information you may have provided to DHC from our servers. The need to back up our systems to protect information from inadvertent loss means that a copy of your information may exist in a non-erasable form that will be difficult or impossible for us to locate.
- **The right to access the Personal Information collected and processed.**  
In order for us to accommodate such right, please contact us in accordance with the details found at the “Contact us” section below.

- **The right to rectify untrue or incorrect Personal Information.**

In order for us to accommodate such right, please contact us in accordance with the details found at the “Contact us” section below.

- **The right to object to us processing your Personal Information.**

You may be entitled to object to certain processing functions, made for example, in connection with profiling activities. In order for us to accommodate such right (to the extent applicable), please contact us in accordance with the details found at the “Contact us” section below.

- **The right to have your Personal Information exported at your request.**

We will make efforts to comply with within a reasonable time, and provide you with such compiled data in an electronic medium of our choice.

Please note that the above list contains a summary of the main rights you may have under the GDPR. Under no circumstances shall the above be deemed as an exhaustive list, nor should you rely on it in terms of fully understanding all of your rights under the GDPR.

### **Children**

We do not solicit or knowingly collect Personal Information from children under the age of 13. If we nevertheless receive Personal Information from an individual who indicates that he or she is, or whom we otherwise have reason to believe is, under the age of 13, we will delete such information from our systems.

### **Contacting Us**

If you have any questions about this Privacy Notice, or in the event that you wish to exercise certain rights for which you are eligible with respect to your Personal Information, please contact us using the information below. We welcome your questions and suggestions about our Privacy Notice.

Contact Information:

By mail:

Diversified Healthcare Trust  
Two Newton Place  
255 Washington Street  
Newton, MA 02458  
United States of America

By email: [ir@dhcreit.com](mailto:ir@dhcreit.com)

(Kindly state the nature of your inquiry at the subject line of the email.)