

## Online Privacy Policy

*Last Revised 5/2022*

*Effective Date 5/30/2022*

At Texas Capital Bank your online privacy is important to us. This Online Privacy Policy explains the collection, use, sharing, and protection of data and information that we gather from you when you use our website ("Site") and the websites of partner institutions that directly link to this Policy. Our Online Privacy Policy covers the functions and services available through our Site and mobile applications. By continuing to use our Site, you consent to the practices identified in this Policy. Texas Capital Bank customers should review our Customer Privacy Notice (add link) which discloses the Bank's handling of your Personal Information and the Disclosures before using this Site.

The term "Texas Capital Bank" or "we", "us" or "our" in this Online Privacy Policy refers to divisions, subsidiaries, or affiliates of Texas Capital Bank that link to or reference this Online Privacy Policy including Private Wealth Advisors, Bask Bank, BankDirect, and TCBI Securities, Inc. d/b/a Texas Capital Securities.

### INFORMATION WE COLLECT

#### ***Personal Information***

When you visit our Site, we may collect Personal Information about you that you provide to us, including but not limited to:

- First, middle, and last name
- Home or other physical address
- Email address
- Username associated with your account
- Telephone number
- Location information
- Date of birth
- Company name
- Job title
- Details about devices used to access our websites or mobile applications such as IP address, browser information, device information, operating system information, and your mobile carrier. This is discussed further below.
- We may also collect information about the use of websites, mobile applications, social media presence, and internet-enabled services and platforms by automated means, such as cookies, web beacons, HTML5 Local Storage, and other technologies. This is discussed further below.

#### ***Cookies and Similar Technology***

We collect other information when you visit our Site or use our mobile applications, or interact with our advertisements, even if you are not using our services or do not provide this information directly to us. We may collect a variety of information types in a variety of ways, including:

- Cookies: Cookies are small pieces of data that are stored by your internet browser directly on the device you are using. Cookies help track technical and navigational information such as time you spend on the Site, your browser type, and the specific pages that you visit.
- Flash objects: (also "Local Shared Objects"): Flash objects determine browser type to ensure that you can view all of the content on our Site, and they help us recognize you and your device when you revisit our Site.
- Web beacons: Web beacons are objects that are embedded in a webpage and usually invisible to the user. They track who is visiting our Site.
- Tracking pixel: A tracking pixel, also known as a marketing pixel, is a 1x1 pixel graphic used to track user behavior, Site conversions, web traffic, and other metrics similar to a cookie.

- IP Address (Internet protocol address): An IP Address is automatically assigned to your device by your Internet Service Provider and is automatically recorded and logged when you visit our Site.
- HTML5 localStorage: HTML5 localStorage in the browser is different from cookies but can be used for the same purpose (to pair a tracking ID to a particular web server with your web browser so that the web server can identify your web browser over time).
- Other use: Tracking technologies that we may use from time to time and as technology changes.

### **Other Online Information**

We may collect information that does not and cannot reveal an individual's specific identity, such as information that has been de-identified or aggregated. We may also collect information about you from additional online and offline sources including from commercially available third-party sources, such as credit reporting agencies. We may combine this information with the personal and other information we collect about you under this Online Privacy Policy.

### **HOW WE COLLECT YOUR INFORMATION**

We Collect Personal Information About You When:

- **You Provide Personal Information to Us --**  
We collect Personal Information online from you or about you when you provide this information to us directly. For example, we may obtain Personal Information when you log in, request information from us, use our products or services, register on our Site, submit an application, contact customer support, or otherwise interact with us.
- **We Obtain Personal Information from Others --**  
We obtain Personal Information from third parties such as credit bureaus and others to tailor your online experience. We may also receive information about you from other online and offline sources, such as public databases, social media platforms and other third parties.
- **We Gather Information Online --**  
We may collect information about your activity on our Site automatically using tracking technologies, such as cookies, and web beacons to gather information for internal uses, such as Web analytics and to personalize your visit, or marketing purposes (see TRACKING below).

### **HOW WE USE YOUR INFORMATION**

Collecting Personal Information and Other Online Information allows us to optimize the services we offer you. We use this information in a number of ways, including but not limited to:

- Processing applications and transactions
- Verifying your identity, including when you access your online account
- Responding to inquiries and communications from you
- Improving our business operations and developing new products and services
- Assessing and informing you about the services and products that might interest you
- Providing you important information about our Site
- Sending you technical notices, updates, security alerts, support, and administrative messages
- Protecting the rights, property, or personal safety of Texas Capital Bank, its users, and/or the public
- Complying with legal requirements, relevant industry standards, contractual obligations, and our policies
- Managing your preferences
- Preventing fraud and enhancing the security of your account
- Performing analytics concerning your use of our Site, including the pages and advertisements you view
- Other purposes we may specifically disclose at the time we collect information

We may also use data that we collect on an aggregate or anonymous basis (such that it does not identify any individual customers) for various business purposes, where permissible under applicable laws and regulations.

### **HOW WE SHARE YOUR INFORMATION**

We share information we collect from or about you in accordance with our [Customer Privacy Notice](#). This Notice describes the information collected and your choices regarding the sharing of this information.

We disclose Personal Information, Cookies and Similar Technology, and Other Online Information as required by law and to third-party affiliates and servicers in connection with the processing, administration, and servicing of your account. These affiliates are only authorized to use and disclose your information as needed to perform services on our behalf or to satisfy legal requirements. At times, we may also disclose your information to (1) meet legal requirements, (2) cooperate with law enforcement authorities, (3) to respond to governmental inquiries or requests, (4) to protect the rights, privacy, safety or property of Texas Capital Bank, (5) to permit us to pursue available remedies or limit damages that we may sustain, (6) to enforce our rights resulting from inappropriate use of our Sites, or (7) as we deem appropriate to prevent physical harm or financial loss.

In the event that assets of Texas Capital Bank are acquired by, sold to, or merged with a third party, we reserve the right to transfer your information in connection with this transaction.

We may also share anonymous or aggregated information with third parties to help deliver products, services, and content that are better tailored to the users of our online services and for other purposes.

#### **HOW WE PROTECT YOUR INFORMATION**

We take the protection of your Personal Information seriously. We actively work to limit access to your Personal Information to authorized employees, agents, contractors, or vendors. We use reasonable physical, electronic, and procedural safeguards as required by law to protect Personal Information from unauthorized access, disclosure, manipulation, or destruction. This includes device safeguards, secured files and buildings, as well as oversight of our third-party service providers to ensure information remains confidential and secure.

Unfortunately, no data transmission can be guaranteed to be 100% secure. As a result, while we strive to protect your information, we cannot guarantee its security.

#### **CHILDREN'S PRIVACY**

We recognize the importance of protecting privacy where children are involved. Our Site is not directed at individuals under the age of thirteen (13), and we do not knowingly solicit, collect, or use Personal Information from children under 13 without parental consent. Children under 13 are prohibited by this Online Privacy Policy from providing Personal Information through our Site without parental consent. If you have reason to believe that a child has provided Personal Information to us, please contact us, and we will take appropriate action.

#### **KEEPING INFORMATION ACCURATE**

The accuracy of the information you provide to us is very important. Please log in to your account and update any account information you believe to be incomplete, inaccurate, or not current. If you cannot change or correct the information online, or you would rather make these changes offline, please contact us.

#### **RETENTION PERIOD**

We will retain your Personal Information for the period necessary to fulfill the purposes outlined in this Policy unless a longer retention period is required to meet our contractual and legal obligations, or we have a legitimate business need to do so.

#### **SOCIAL MEDIA**

We utilize social media platforms such as Facebook®, Twitter®, LinkedIn®, and others to foster online sharing and collaboration among our customers. Note that any content you make available through those platforms (such as name, pictures, opinions, or any Personal Information) are subject to the terms of use and privacy policies of those platforms. When interacting with official Texas Capital Bank social media pages, Texas Capital Bank Disclosures, Social Media User Terms and Community Guidelines may apply. To better understand your rights and obligations, please review the policies of the specific website or platform you are using.

We may allow social share buttons on our Site that enable users to easily share information on social media platforms. If you click on these social share buttons, the non-affiliated third parties that own these widgets may have access to information about your browsing on pages of our Site where these widgets are placed.

#### **LINKS TO OTHER WEBSITES**

Our Site may have links to third-party websites not controlled by Texas Capital Bank. We encourage you to be aware when you leave our Site and to read the privacy policies, terms of use, and security practices of any other websites that may collect your Personal Information. Please note that Texas Capital Bank does not guarantee and is not responsible for the privacy or information security of these websites, including the accuracy, completeness, or reliability of their information. This Online Privacy Policy applies solely to your Personal Information collected on our Site.

In addition, Texas Capital Bank is not responsible for the information collection, use and disclosure practices (including the data security practices) of other organizations, such as Facebook, Apple, Google, Microsoft or any other application developer or provider, social media platform provider, operating system provider, wireless service provider or device manufacturer.

Because we link to social media and third-party sites, other parties may collect your Personal Information about your online activities over time and across different web sites when you visit this Site.

#### **TRACKING**

##### ***Behavioral Advertising***

Often referred to as online behavioral advertising, we collect data about your web-browsing activities (using Cookies, web beacons, tracking pixels, and similar technology) when you visit (1) our Site, (2) the website of entities for which we serve advertisements (our "Advertisers"), or (3) the websites and online services where we display advertisements. This information may include the content you view, the date and time that you view this content, the products you purchase, or your location information associated with your IP address. We use the information we collect to improve our Site and serve you more relevant advertisements (referred to as "Remarketing"). Microsoft's Universal Event Tracking feature is one service we use for behavioral advertising. See your opt-out rights below.

##### ***Analytics***

Additionally, we will track your use of our Site across multiple devices, monitoring your activity to personalize and improve your experience. All platform tracking pixels, including those with our advertising networks, will be capturing anonymized user data including, without limitation: conversion activity, impression/click data, general media buy data, and unique identifiers, such as cookie IDs and Ad IDs (ad server only). Google Services is one service we use for Analytics. See your opt-out rights below.

##### ***Geolocation Data***

Your mobile device may permit applications to access real-time location-based information. Our mobile applications may collect such information, with your permission, in order to enhance the features and functionality of our Site, to improve our service offerings, or for fraud mitigation and account security. In addition, some of the information we already collect, such as IP addresses, may be used to estimate an approximate location of the device you are using to access our Site. See your opt-out rights below.

##### ***Other Tracking***

Texas Capital Bank performs additional tracking for Site functionality and to improve performance. Tracking is strictly necessary to ensure our Site works properly including to enhance security, facilitate navigation, display material more efficiently, recognize the device that you are using to access our services, and understand how our services are being used.

##### ***Your Opt-Out Rights***

You can exercise your opt-out rights through the below resources:

- To opt out of Microsoft's use of cookies, you can review Microsoft Privacy Statement: <https://privacy.microsoft.com/en-us/privacystatement>
- To opt out of Google's use of cookies, you can visit Google's Ads Settings: <https://www.google.com/settings/ads/plugin>
- To opt out of a third-party vendor's use of cookies, visit the Network Advertising Initiative opt-out page (<http://www.networkadvertising.org/choices/>) or visit the Digital Advertising Alliance (DAA) opt-out page (<http://optout.aboutads.info/?c=2&lang=EN>)

Please note that not all tracking will stop, even if you delete cookies. Specifically, tracking to ensure Site functionality will not stop. If you set your browser to disable cookies or other tracking mechanisms, then your experience using our online services may not be the same.

#### **DO NOT TRACK SIGNALS**

Technology and Industry standards are currently evolving, and we may not separately respond to or take any action with respect to a "do not track" configuration set in your internet browser.

#### **CHANGES TO THE ONLINE PRIVACY POLICY**

Our Online Privacy Policy may be revised from time to time, so please review it regularly. If we make updates to this Policy, we will inform you of these changes by revising the "Effective Date" listed at the top of the page. By continuing to use our Site following the "Effective Date," you consent to the terms of the modified Online Privacy Policy. Any changes will be effective only after the "Effective Date" and will not affect any dispute arising prior to this date.

#### **ADDITIONAL RIGHTS**

Applicable laws may give you additional rights that are not described in this Online Privacy Policy.

#### ***Your California Privacy Rights***

If you are a California resident, California law may provide you with additional rights regarding our use of your Personal Information. To learn more about your California privacy rights, visit the CALIFORNIA CONSUMER PRIVACY ACT NOTICE attached.

#### **CONTACT US**

For any questions or comments regarding this Policy or our privacy practices generally, please contact us through the following channels:

- 1) Call the toll-free number 1-877-839-2265
- 2) Email Support at [clientsupport@texascapitalbank.com](mailto:clientsupport@texascapitalbank.com)
- 3) Log in to your bank's website and send a message through the secure online portal

In the event you notice suspicious activity on your account or believe your personal ID, password or PIN has been compromised, please email us immediately at <https://www.texascapitalbank.com/contact-us> or call us at 800.554.8969.

## CALIFORNIA CONSUMER PRIVACY ACT NOTICE

This California Consumer Privacy Act Notice for California residents supplements the information contained in the Online Privacy Policy and applies solely for visitors, users, and others who reside in the state of California ("consumers" or "you"). We adopt this notice to comply with the California Consumer Privacy Act of 2018 ("CCPA"). Any terms defined in the CCPA have the meaning when used in this Notice. Please note that certain exemptions apply to your rights and Texas Capital Bank's obligations pursuant to the CCPA. These rights may not apply in certain situations depending on your relationship with Texas Capital Bank and Texas Capital Bank's other legal obligations, and as otherwise provided for in the CCPA.

### INFORMATION WE COLLECT, USE AND DISCLOSE

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device ("Personal Information"). In particular, we may have collected the following categories of Personal Information from our consumers that are California residents within the last twelve (12) months:

- **Identifiers:** real name, alias, postal address, telephone number, other unique personal identifiers, cookies, device identifiers, platform pixels, tags, email address, IP addresses, other online identifiers, Social Security number, TAX ID, passport information, Green Card number, driving license number, state identification card number, other government issued identification, other photo identification, account name and other similar personal identifiers to identify you
- **Account Information:** signature, bank account numbers and balances, frequent flyer information, debit/credit card numbers, cardholder or accountholder name and details, insurance policy number, medical and health insurance information, transaction details, or any other financial information, including credit scores
- **Characteristics of Protected Classes:** date of birth / age, race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information), requests for leave (family care leave; employee's own serious health condition; pregnancy leave)
- **Commercial Information:** records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies
- **Biometric Information:** genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns / rhythms, and sleep, health, or exercise data
- **Internet or Other Electronic Network Activity Information:** device and browser type, Internet Service Provider, browsing history, search history, information on a consumer's interaction with a website, application, or advertisement
- **Geolocation Data:** physical location or movements, device location, Internet Protocol (IP) location
- **Sensory Data:** audio, electronic, visual, thermal, olfactory, or similar information such as images including physical characteristics, and call and video recordings
- **Professional or Employment-Related Information:** current or past job history, performance evaluations, title, salary, employment files, references, prior employer
- **Education Information:** details of your education and qualifications including education records such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, student disciplinary records, or directory information
- **Inferences:** Based on Information Above: Inferences drawn from any of the information identified above to create a profile about you reflecting preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, aptitudes, and or similar trends

Personal Information does not include:

- Publicly available information from government records.



- De-identified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:
  - Health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
  - Personal Information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or the California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994 (DPPA).

#### WHERE WE COLLECT YOUR PERSONAL INFORMATION

The sources from which we collect Personal Information depend on, among other things, our relationship or interaction with a specific California resident. The information below lists the categories of sources from which we collect Personal Information in different contexts.

- From you directly, or other individuals acting on your behalf, through physical (e.g., paper application), audible (e.g., phone), or electronic (e.g., website, social media) sources
- Indirectly from you or your agents. For example, through information we collect from our clients in the course of providing services to them
- Directly and indirectly from activity on our Site. For example, from submissions through our Site portal or website usage details collected automatically
- Public records or widely available sources, including information from the media, and other records and information that are made available by federal, state, or local government entities.
- Outside companies or organizations that provide data to support activities such as fraud prevention, underwriting, marketing, and law enforcement. Examples may include internet service providers, social networks, operating systems and platforms, data brokers, advertising networks, and data analytics providers
- Outside companies or organizations from whom we collect Personal Information to support human resource and workforce management activities. Examples may include operating systems and platforms, and social networks.
- Outside companies or organizations from whom we collect Personal Information as part of providing products and services, completing transactions, supporting our everyday operations, or business management and development. Examples include companies or organizations to whom we provide products or services; other parties, partners, and financial institutions; credit bureaus when we offer or extend credit to you; and parties involved with mergers, acquisitions, and other transactions involving transfers of all or part of a business, or a set of assets.
- Information from our Affiliates

#### HOW WE USE YOUR PERSONAL INFORMATION

In the past 12 months, we have used Personal Information relating to California residents to operate, manage, and maintain our business, to provide our products and services, and to accomplish our business purposes and objectives, including the following:

- **To Respond:** to provide the services to you and our clients as requested. For example, if you share your name and contact information to request a financial product or ask a question about our products or services, we will use that Personal Information to respond to your inquiry. If you provide your Personal Information to purchase a product or service, we will use that information to process your request.
- **Performing Services:** communicating with you via any means (including via email, telephone, text message, social media, post or in person) for 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, providing analytic services, or providing similar services.
- **Evaluation:** providing you with, or evaluating your eligibility for, products and services that you request from us.
- **Operation of our Site:** operation and management of our Site; providing content to you; displaying advertising and other information to you; and communicating and interacting with you via our Site

- **IT operations:** management of our communications systems; operation of IT security; and IT security audits
- **Health and safety:** health and safety assessments and record keeping; and compliance with related legal obligations
- **Financial management:** sales; finance; corporate audit; and vendor management
- **Research:** conducting market or customer satisfaction research; and engaging with you for the purposes of obtaining your views on our products and services
- **Security:** physical security of our premises (including records of visits to our premises and CCTV recordings); and electronic security (including login records and access details, where you access our electronic systems)
- **Investigations:** detecting, investigating and preventing breaches of policy, and criminal offences, in accordance with applicable law
- **Legal compliance:** compliance with our legal and regulatory obligations under applicable law including any internal policy based on or reflecting legal or regulatory guidance, codes, or opinions
- **Legal proceedings:** establishing, exercising, and defending legal rights
- **Improving our products and services:** identifying issues with existing products and services; planning improvements to existing products and services; and creating new products and services
- **Risk Management:** Audit, compliance, controls, and other risk management
- **Fraud prevention:** Detecting, preventing, and investigating fraud

We will not collect additional categories of Personal Information or use the Personal Information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

#### **DISCLOSING PERSONAL INFORMATION**

The categories of third parties to whom we disclose Personal Information about a specific individual depend on, among other things, our relationship or interaction with a specific California resident. During the past 12 months, we have disclosed for our business purposes described in this Online Privacy Policy the following categories of third parties:

- You and, where appropriate, your family, your associates, and your representatives
- Our Affiliates
- Vendors and Service Providers who provide services
- Partners and Third Parties who you authorize us, directly or indirectly, to disclose your Personal Information in connection with products or services we provide to you
- Other Third Parties who enable customers to conduct transactions online and via mobile devices, support mortgage and fulfillment services, vehicle loan processes and aggregators (at the direction of the customer)
- Government or Regulatory Authorities

#### **SALE OF PERSONAL INFORMATION**

California residents have the right to opt out of the sale of their information by businesses that sell Personal Information. The CCPA defines a “sale” as the disclosure of Personal Information for monetary or other valuable consideration. Texas Capital Bank does not offer an opt out from the sale of Personal Information because we do not sell and have not in the past 12 months sold Personal Information, including Personal Information of minors under the age of 16.

#### **YOUR RIGHTS, INCLUDING ACCESS, DELETION, AND OPT-OUT**

You have the right to request that we disclose to you what information we collect, use, disclose, and sell. You also have the right to request that a business delete any Personal Information about you which the business has collected about you. To submit either of the above requests, you may contact us by calling 1-877-839-2265, submitting via email at [clientsupport@texascapitalbank.com](mailto:clientsupport@texascapitalbank.com), or by completing our online form at link (<https://submit-irm.trustarc.com/services/validation/47c9a9f5-19b0-4b8d-8470-9d15be883144>).



Please note that, for your protection, any request sent to us relating to your Personal Information will be subject to the following verification procedure: (1) You may be verified by your submission made through your password-protected online portal or by verifying identification points with client support. (2) We reserve the right to deny your request if we cannot verify your identity. (3) Where we deny your request in whole or in part, we will endeavor to inform you of the denial, provide an explanation of our actions, and provide the reasons for the denial. We will acknowledge receipt of your request and endeavor to respond within 45 days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing.

We shall not discriminate against you for exercising any of your rights mentioned above.

You may designate an authorized agent to make a request to exercise your rights on your behalf. Your authorized agent must be able to provide to us proof that you have authorized the agent to act on your behalf. For your protection, we reserve the right to deny any request from an agent who does not submit proof that they have been authorized to act on your behalf.

#### **CHANGES TO OUR CALIFORNIA CONSUMER PRIVACY ACT NOTICE**

We reserve the right to amend this privacy statement at our discretion and at any time. When we make changes to this privacy notice, we will post an updated version here with a new Effective Date at the top of this page. Any changes will be effective only after the Effective Date and will not affect any dispute arising prior to that date.

#### **CONTACT INFORMATION**

If you have any questions or comments about this Notice or our privacy practices generally, we encourage you to contact our customer service department by calling 1-877-839-2265.