

# KBS CAPITAL ADVISORS LLC AND KBS CAPITAL MARKETS GROUP LLC GRAMM-LEACH-BLILEY ACT PRIVACY NOTICE

KBS Capital Advisors LLC is providing this notice and acting on behalf of KBS Real Estate Investment Trust, Inc., KBS Real Estate Investment Trust II, Inc., KBS Real Estate Investment Trust III, Inc., KBS Strategic Opportunity REIT, Inc., KBS Strategic Opportunity REIT II, Inc., KBS Legacy Partners Apartment REIT, Inc., KBS Growth & Income REIT, Inc. and KBS Capital Markets Group LLC.

## **Categories of Non-Public Information We Collect**

The type of information we collect from you (“non-public information” or “NPI”) depends on the product or service you have with us. NPI may include:

- Information you provide to us, such as application information, contact information, investment information, income information, Social Security number, date of birth, citizenship, and financial account balances, as well as information you provide to us via online forms.
- Information about your transactions with us and our affiliates, such as transaction and investment history and account balances, as well as information about your interactions with our websites.

## **How We Collect Non-Public Information**

We collect your personal information, for example, when you

- Fill out, execute and submit a subscription agreement in connection with the purchase of any securities of a KBS-sponsored REIT
- Open an account or seek advice about your investments
- Give us your income information or give us your contact information.

We also collect your personal information from others, such as: broker-dealers, financial advisors, IRA and other custodians and other similar entities; our affiliates; and other companies.

## **Categories of Non-Public Information That We Disclose**

We may disclose any of the categories of NPI that we collect to non-affiliated companies as permitted by law and for our everyday business purposes, such as to process transactions, maintain accounts, respond to court orders and legal investigations, or report to credit bureaus, as well as to non-affiliated third parties who perform services for us or functions on our behalf. This includes third parties that perform marketing services on our behalf.

We may also disclose any of the categories of NPI that we collect to affiliates so that they may market KBS products and services and to non-affiliated third parties for those third parties’ own marketing purposes.

## **How We Use and Disclose Non-Public Information That We Collect**

The KBS network of affiliated companies and unaffiliated third-party service providers work together to maintain an efficient and effective network of products and services. We collect, use and share NPI about you in order to make you aware of our products and services, to provide you with products and services that you request, and to comply with legal and regulatory requirements.

By sharing your NPI with our companies and service providers, we are better able to serve your investment needs and also suggest services, products, or educational materials that may be of interest to you. We may use the NPI that we collect in the following ways:

- **Internal Use.** We may use your NPI internally for the purposes of furthering our business, which may include analyzing your information, matching your information with the information of others, processing transactions and services, maintaining accounts, resolving disputes, preventing fraud, and verifying your identity.
- **Aggregate Use and Disclosure.** We may use and disclose your NPI on an aggregate basis. This means that we combine non-personally identifiable information about you with non-personally identifiable information from our other users and customers. For example, we may seek to determine the most common ZIP code among the users of our websites and customers and disclose this information to other parties.

- **Other Disclosures.** We may also use and disclose NPI to:
  - Correct technical problems or malfunctions in how we provide our products and services to you and to process your information.
  - Protect our rights and property and the rights and property of others.
  - Take precautions against liability.
  - Respond to claims that your information violates the rights or interests of third parties. - Comply with law or respond to judicial process.
  - Regulatory or law enforcement agencies or for investigations on matters related to public safety, to the extent permitted by applicable laws or regulations.

### **Parties to Whom We Disclose NPI**

In addition to the types of third parties referenced under “Categories of Non-Public Information That We Disclose,” we may disclose NPI about you to the following types of third parties:

- Financial service providers, such as for customer-initiated service requests, establishing and managing your investor accounts, and completing your investor transactions.
- Others, such as broker-dealers, financial advisors, joint owners, IRA and other custodians, or other parties acting on your behalf.
- Non-affiliated non-financial companies, such as service providers who assist us with marketing our own investment products and services, and those serving as our transfer agents, handling check printing, providing data storage or processing, and other third party service providers that enable us to provide you with products and services that you have requested.
- Affiliated companies so that they may market KBS products and services.
- Non-affiliated companies so that they may market their own products and services.

### **Your Right to Opt-Out of Disclosure of Non-Public Information to certain Non-affiliated Third Parties**

If you prefer that we not disclose NPI about you to non-affiliated companies in connection with the marketing of those non-affiliated companies’ products and services, you may opt out of these disclosures. You may direct us not to make such disclosures (except where such disclosures are permitted by law). If you wish to opt out of disclosures of NPI to non-affiliated third parties for marketing purposes, you may send the enclosed form to:

KBS REITs – Privacy Notice  
C/O DST Systems  
PO Box 219015  
Kansas City, MO 64121-9015

### **How We Protect Your Information**

We maintain administrative, electronic, and technical safeguards that comply with federal regulations and that are designed to protect the confidentiality and security of your NPI. We also restrict access to NPI to those employees who have a legitimate business need for the information.

### **Notification of Changes to Our Privacy Policy**

If we decide to change our privacy policy, we will provide a new notice that reflects our new policy. Additionally, we will provide a new opt out notice and an opportunity to opt out of disclosures of NPI to non-affiliated third parties.

### **Former Customers**

NPI of former customers will be treated as described in this policy.

**NOTICE REGARDING PRIVACY OF FINANCIAL INFORMATION**  
**OPT-OUT FORM**

Instructions: Complete and return this form **ONLY** if you want to opt-out of the disclosure described in the privacy notice.

Customer Name: \_\_\_\_\_

KBS Account Number(s)  
for Existing Investors: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name of Signer: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Date: \_\_\_\_\_

**IF THIS FORM IS COMPLETED, PLEASE RETURN IT TO THE FOLLOWING ADDRESS:**

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C/O DST Systems  
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Kansas City, MO 64121-9015