

Agree Realty Corporation

Environmental, Social & Governance (“ESG”) Policy Statement

Policy Scope

This policy applies to all of Agree Realty Corporation’s (the “Company” or “Agree”) operations.

Purpose

This ESG Policy formalizes Agree’s commitment to responsible business practices in the following areas:

- Environmental and Climate-Risk Matters
- Social Responsibility
- Corporate Governance

Strategy

Our ESG program is aligned with the Company’s values and further promotes our goals. By advancing our ESG initiatives we aim to strengthen relationships with tenants, communities, and stockholders, retain key talent, and reduce our cost of capital.

Oversight and Implementation

The Board of Directors, through the Nominating & Corporate Governance Committee (the “NCGC”), has direct oversight of Agree’s ESG program. The ESG Steering Committee is comprised of senior leadership including our Chief Financial Officer, General Counsel, Chief of Staff and Executive Vice President, People & Culture, Chief Accounting Officer, Vice President, Asset Management, and Director, Corporate Finance. Our ESG goals are informed by stakeholder engagement efforts that we conducted with the support of a third-party consultant and are approved and supported by the ESG Steering Committee, the Leadership Team, and the Board of Directors. The ESG Steering Committee meets monthly and provides periodic reports to the NCGC, the Board of Directors, and the Leadership Team.

Environmental and Climate-Risk

The portfolio is primarily comprised of properties that are leased to tenants under long-term triple net leases where the tenant is generally responsible for maintaining the property and implementing environmentally responsible practices. To help promote environmentally responsible practices at our properties, we engage with tenants on green leasing language and shared sustainability initiatives.

To mitigate environmental risk, Agree conducts an environmental site assessment, or Phase I, on every asset acquired to determine the environmental condition of the property and whether there is any indication of environmental risks or hazards. We also work with our insurance partner to conduct a review of the climate-related risk of our portfolio using heat maps and other tools to identify higher-risk assets.

We are committed to implementing green building practices such as water-conserving plumbing fixtures, programmable thermostats, and energy-saving lighting control systems which are utilized at our corporate headquarters.

We believe that access to clean water and sanitation are both fundamental human rights, respectively.

Social

Agree values and supports an inclusive and diverse community for colleagues, stakeholders, vendors, and the broader communities in which we conduct business. We make it our mission to ensure that we operate in an environment free of discrimination, which includes freedom from harassment. We are committed to respecting, upholding, and promoting human rights, as defined by the United Nations Universal Declaration of Human Rights.

We continually evaluate how to apply best practices in diverse talent recruitment and retention. We aim to provide each team member with a safe and healthy work environment. The Company forbids the use of violence, threatening behavior, physical intimidation and any other form of physical or mental abuse. We aim at improving our broader communities through enriching our working environment and stakeholder interactions with inclusion.

To support these goals, we created a Culture Committee comprised of cross-functional team members that reports to the Leadership Team to create community through camaraderie by planning events, activities, and opportunities to celebrate the Team's success. In addition, we formed ADC University, which includes virtual and in-person training coordinated by the People & Culture Team.

Governance

Agree is committed to promoting honest and ethical conduct by maintaining risk oversight and proactively adopting ethical policies to drive value throughout the organization.

The Board of Directors has delegated various responsibilities and authority to four standing committees of the Board. Each committee regularly reports on its activities to the full Board. Each committee, other than the Executive Committee, operates under a written charter approved by the Board, which is reviewed annually.

Monitoring and Enforcement

Agree seeks to proactively prevent and mitigate instances of non-compliance with its ESG Policy.

Agree is opposed to and prohibits the use of child and forced labor in any form, as well as human trafficking. The Company adheres to and upholds all federal, state, and local employment laws and regulations designed to protect against child labor and follows the laws and regulations applicable to our areas of operation.

The Board has adopted a Code of Business Conduct and Ethics and Corporate Governance Guidelines that apply to all Directors, officers, and team members of the Company. Officers and team members are required to certify their compliance on an annual basis.

Agree has instituted other policies to promote responsible and ethical behavior amongst team members and Directors, including an Insider Trading Policy, Whistleblower Policy and Social Media Policy.

Adopted: December 16, 2022