



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Boardwalk Rental Communities (Organization)
Decision number (file number)	P2021-ND-067 (File #19149)
Date notice received by OIPC	November 18, 2020
Date Organization last provided information	November 18, 2020
Date of decision	March 9, 2021
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify those individuals whose personal information was collected in Alberta pursuant to section 37.1 of <i>the Personal Information Protection Act</i> (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA “organization”	The Organization is an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	<p>The Organization reported the incident involved:</p> <ul style="list-style-type: none">- <i>Applications for upcoming move-ins for 4 suites ...which included the applicants full names, dates of birth, address and employment information</i>- <i>Contractor Fobs</i>- <i>Site iPad</i>- <i>Corporate Credit Card (since cancelled)</i> <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA. The personal information was collected in Alberta.</p>
DESCRIPTION OF INCIDENT	
<input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	

<p>Description of incident</p>	<ul style="list-style-type: none"> On November 7, 2020, an unknown individual entered the Organization’s premises and tampered with the drawer lock. The individual stole multiple documents and electronic devices. The theft was discovered later the same day when an Associate noticed damages to the drawer which had been locked.
<p>Affected individuals</p>	<p>The incident affected six (6) individuals / residents of Alberta.</p>
<p>Steps taken to reduce risk of harm to individuals</p>	<ul style="list-style-type: none"> Contacted law enforcement, who are investigating. Informed affected individuals and offered assistance if they have any questions or concerns. Planning the use of a software solution to ensure that all documents are signed electronically, so as to reduce the amount of sensitive information that is stored on site. Reviewing security protocols to increase the security patrols and planning the installation of improved security alarms that will allow a swift response to incidents.
<p>Steps taken to notify individuals of the incident</p>	<p>Affected individuals were notified by telephone on November 9, 2020 and by email on November 17, 2020.</p>
<p>REAL RISK OF SIGNIFICANT HARM ANALYSIS</p>	
<p>Harm Some damage or detriment or injury that could be caused to affected individuals as a result of the incident. The harm must also be “significant.” It must be important, meaningful, and with non-trivial consequences or effects.</p>	<p>The Organization reported “the identity information could be used to cause the identity theft and fraud [sic]”.</p> <p>I agree with the Organization’s assessment. A reasonable person would consider the contact, identity, and employment information at issue could be used to cause the significant harms of identity theft and fraud.</p>
<p>Real Risk The likelihood that the significant harm will result must be more than mere speculation or conjecture. There must be a cause and effect relationship between the incident and the possible harm.</p>	<p>The Organization reported “The likelihood of harm resulting from this incident is increased as it was the result of malicious [sic] intent (break-in and theft). None of the documents have been recovered.”</p> <p>I agree with the Organization’s assessment. The likelihood of harm resulting from this incident is increased because the incident resulted from malicious intent (break in and theft) and the information at issue has not been recovered.</p>

DECISION UNDER SECTION 37.1(1) OF PIPA

Based on the information provided by the Organization and given the circumstances of the incident, I have decided that there is a real risk of significant harm to the affected individuals.

A reasonable person would consider the contact, identity, and employment information at issue could be used to cause the significant harms of identity theft and fraud. The likelihood of harm resulting from this incident is increased because the incident resulted from malicious intent (break in and theft) and the information at issue has not been recovered.

I require the Organization to notify the affected individuals in Alberta in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified affected individuals by telephone on November 9, 2020 and by email on November 17, 2020, in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner