



**PERSONAL INFORMATION PROTECTION ACT**  
**Breach Notification Decision**

<b>Organization providing notice under section 34.1 of PIPA</b>	Adventus Opportunity Fund (Organization)
<b>Decision number (file number)</b>	P2021-ND-109 (File #017208)
<b>Date notice received by OIPC</b>	May 1, 2020
<b>Date Organization last provided information</b>	March 8, 2021
<b>Date of decision</b>	March 31, 2021
<b>Summary of decision</b>	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).
<b>JURISDICTION</b>	
<b>Section 1(1)(i) of PIPA “organization”</b>	The Organization is an “organization” as defined in section 1(1)(i) of PIPA.
<b>Section 1(1)(k) of PIPA “personal information”</b>	<p>The incident involved all or some of the following information:</p> <ul style="list-style-type: none"><li>• name,</li><li>• mailing address, and</li><li>• social insurance number.</li></ul> <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>
<b>DESCRIPTION OF INCIDENT</b>	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
<b>Description of incident</b>	<ul style="list-style-type: none"><li>• On March 17, 2020, a third party to the Organization, TSX Trust Company, used an incorrect envelope format to mail tax forms. As a result, social insurance numbers were visible through the window of the envelope.</li><li>• The breach was discovered by investors who subsequently notified the Organization on or about March 22, 2020.</li></ul>

<b>Affected individuals</b>	The incident affected 39 individuals, including 7 whose information was collected in Alberta.
<b>Steps taken to reduce risk of harm to individuals</b>	<ul style="list-style-type: none"> <li>• Offered affected individuals one year of paid identity theft monitoring.</li> <li>• Enhanced internal procedures to include a review of envelopes used, ensuring that only name and address are visible.</li> <li>• Deployed prominent signage in the workspace with envelope samples and form descriptions.</li> </ul>
<b>Steps taken to notify individuals of the incident</b>	Affected individuals were notified by letter on April 6, 2020.
<b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b>	
<b>Harm</b> 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>The Organization reported the possible harm that might result from the incident as “Identity theft”.</p> <p>In my view, a reasonable person would consider the contact and identity (social insurance number) information at issue could be used to cause the harms of identity theft, fraud, and negative effects on a credit record. These are significant harms.</p>
<b>Real Risk</b> 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>The Organization reports: “The letters were posted by First Class Mail. Exposure will be to those handling mail at Canada Post and at the delivery point. There is some risk but it would seem remote.”</p> <p>In my view, the likelihood of harm resulting from this incident is decreased because the personal information was compromised due to human error and not malicious intent. Despite this, the information was exposed and accessible for the duration of the delivery between the Organization and the intended recipients.</p>
<b>DECISION UNDER SECTION 37.1(1) OF PIPA</b>	
<p>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.</p> <p>A reasonable person would consider the contact and identity (social insurance number) information at issue could be used to cause the harms of identity theft, fraud, and negative effects on a credit record. These are significant harms.</p> <p>The likelihood of harm resulting from this incident is decreased because the personal information was compromised due to human error and not malicious intent. Despite this, the information was exposed and accessible for the duration between leaving the Organization and being received by the intended recipients.</p>	

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

I understand the Organization notified affected individuals in a letter dated April 6, 2020, in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton  
Information and Privacy Commissioner