



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

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| Organization providing notice under section 34.1 of PIPA | PFSL Investments (Canada) Ltd. (Organization) |
| Decision number (file number) | P2021-ND-205 (File #017830) |
| Date notice received by OIPC | June 30, 2020 |
| Date Organization last provided information | June 30, 2020 |
| Date of decision | October 18, 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 the individuals pursuant to section 37.1 of the <i>Personal Information Protection Act</i> (PIPA). |
| JURISDICTION | |
| Section 1(1)(i) of PIPA “organization” | The Organization operates in Alberta and is an “organization” as defined in section 1(1)(i) of PIPA. |
| Section 1(1)(k) of PIPA “personal information” | <p>The incident involved all or some of the following information:</p> <ul style="list-style-type: none">• name,• date of birth,• social insurance number,• account number,• contact information including home address and telephone number, and• driver's license number. <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.</p> |
| DESCRIPTION OF INCIDENT | |
| <input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure | |
| Description of incident | <ul style="list-style-type: none">• Sometime between June 7-8, 2020, a burglary took place at the office of one of the Organization’s independent sales representatives. |

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| | <ul style="list-style-type: none"> • An unknown individual(s) broke into locked filing cabinets and removed various client files. • The Organization suspects that the files may have contained personal information. |
| Affected individuals | The incident affected 253 individuals. |
| Steps taken to reduce risk of harm to individuals | <ul style="list-style-type: none"> • Offered complimentary credit monitoring protection for a period of one year as a way to mitigate the risk of harm. • Installed security surveillance to ensure that a similar incident does not occur in the future. |
| Steps taken to notify individuals of the incident | The affected individuals were notified by telephone and letter on June 17, 2020. |
| REAL RISK OF SIGNIFICANT HARM ANALYSIS | |
| 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>The Organization reported that “The documents may have contained personal identifiable information about the affected clients which could result in identity theft and financial fraud.”</p> <p>In my view, a reasonable person would consider that the contact, identity and financial information at issue could be used to cause the significant harms of identity theft, fraud, and financial loss.</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>The Organization reported,</p> <p><i>This incident presents a real risk of significant harm to the affected clients as this incident occurred as a result of a burglary. The actions of the unknown individual(s) were intentional.</i></p> <p>I agree with the Organization’s assessment. A reasonable person would consider that the likelihood of harm resulting from this incident is increased as it was the result of malicious intent (break-in). Further, it appears the documents have not been found to date.</p> |
| DECISION UNDER SECTION 37.1(1) OF PIPA | |
| <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 that the contact, identity and financial information at issue could be used to cause the significant harms of identity theft, fraud, and financial loss.</p> | |

The likelihood of harm resulting from this incident is increased as it was the result of malicious intent (break-in). Further, it appears the documents have not been found to date.

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

I understand the affected individuals were notified by telephone and letter on June 17, 2020. The Organization is not required to notify the individuals again.

Jill Clayton
Information and Privacy Commissioner