



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	CBV Collection Services Ltd. (Organization)
Decision number (file number)	P2015-ND-02 (File #P2657)
Date notice received by OIPC	May 1, 2014
Date Organization last provided information	December 16, 2014
Date of decision	January 12, 2015
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 pursuant to section 37.1 of the <i>Personal Information Protection Act</i> (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA “organization”	<p>The Organization is incorporated in Alberta as an extra-provincial corporation.</p> <p>I have jurisdiction because the Organization is an “organization” as defined in section 1(1)(i)(i) of PIPA.</p>
Section 1(1)(k) of PIPA “personal information”	<p>The following information was involved in this incident:</p> <ul style="list-style-type: none">• Name,• Telephone number (in some cases),• Creditor name,• Amount owing,• Last payment amount,• Last payment date,• Unique account number. <p>This information is “personal information” as defined in section 1(1)(k) of PIPA and was collected in Alberta.</p>

DESCRIPTION OF INCIDENT

loss unauthorized access unauthorized disclosure

Description of incident	<ul style="list-style-type: none"> • Between February 28, 2014 and April 10, 2014, an employee in the Organization’s Ontario office extracted customer data from the computer system. • The employee disclosed the information to a former employee who works for an unauthorized and unaffiliated third party debt settlement agency. • The incident was discovered by the Organization on April 4, 2014 when a customer contacted the Organization to ask why the customer’s account had been reassigned to another company. • Between April 7 and April 10, 2014 the Organization discovered multiple accounts were involved. • The Organization reported the incident to the Toronto police fraud department on April 14, 2014.
Affected individuals	438 Albertans were affected by the incident; of these, 46 accounts included telephone numbers.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • The Organization is undertaking a full internal investigation. • The Organization has undertaken a review of its privacy policies and procedures. • The employee’s access to the building and computer systems was revoked on April 10, 2014. • The employee was suspended on April 11, 2014, pending the outcome of the Organization’s investigation. • On completion of the investigation the employee was terminated. • The Organization sent cease and desist letters to the unauthorized third party debt collection agency who was allegedly using the personal information at issue.
Steps taken to notify individuals of the incident	Notification sent by mail on June 17, 2014

REAL RISK OF SIGNIFICANT HARM ANALYSIS	
<p>Harm Some damage or detriment or injury that could be caused to the 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 submitted that the information at issue could be used to cause harm to individuals in the form of financial loss.</p> <p>I agree that the personal information involved could be used to cause harm to affected individuals in the form of financial loss, embarrassment and harassment by an unauthorized third party debt collection agency. In my view, these are significant harms.</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 that the accounts which contained phone numbers were at greater risk of harm as these affected individuals could be more easily contacted by the unauthorized third party agency.</p> <p>In my view, there is a real risk of harm resulting from this incident for affected individuals who may be contacted by the unauthorized third party debt collection agency. The risk is increased for those individuals whose personal information included a telephone number, as this would make it easier for the third party agency to contact them.</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. The personal information involved includes name, telephone number (in some cases), creditor name, amount owing, last payment amount, last payment date and unique account number. There is a real risk of harm in that the affected individuals may be contacted by an unauthorized debt collection agency. The agency has enough personal information to potentially convince affected individuals it is authorized to collect the debt.</p> <p>I require the Organization to notify the affected individuals in Alberta in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).</p> <p>I understand the Organization notified the affected individuals in a letter dated June 17, 2014, in accordance with the Regulation. The Organization is, therefore, not required to notify the affected individuals again.</p>	

Jill Clayton
Information and Privacy Commissioner