



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Gianni Pezzente Professional Corporation (Organization)
Decision number (file number)	P2017-ND-37 (File #004147)
Date notice received by OIPC	October 25, 2016
Date Organization last provided information	November 7, 2016
Date of decision	March 1, 2017
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”	The Organization is incorporated as a professional corporation in Alberta and is an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	<p>Some or all of the following information was involved in this incident:</p> <ul style="list-style-type: none">• name,• address,• social insurance number (SIN),• date of birth,• banking information (branch number, institution number and account number),• marital status,• information about spouse or common-law partner,• income information,• investment information,• pension amounts,• child care expenses, and• moving expenses. <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA. The information was collected in Alberta.</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"> • On October 6, 2016, a vehicle was broken into and a backpack was stolen. The backpack contained tax returns (paper) and may have contained a backup USB drive. • The USB drive may or may not have been password protected or encrypted. • No misuse of personal information has been reported; however to date the personal information has not been recovered.
Affected individuals	The incident affected 112 individuals.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Notified the Calgary Police Service, Canada Revenue Agency and the Chartered Professional Accountants of Alberta. • Provided a year of identity theft and credit monitoring for affected individuals. • Implemented physical and information security measures and policies. • All USB drives will be password/encrypted. • USB drives and hard drives will be stored under lock and key.
Steps taken to notify individuals of the incident	Affected individuals were notified via telephone, email or letter on October 12, 2016.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
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>The Organization reported the harms that could result from this incident "could include identity theft, fraud, financial loss, and negative effects on a credit record."</p> <p>I agree with the Organization's assessment. The comprehensive identity and financial information at issue could be used to cause the harms of identity theft, fraud, financial loss and negative effects on a credit records. These are significant harms.</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 the vehicle break-in was likely opportunistic rather than targeted. However, there is a real risk of harm because the incident was the result of a break-in, the USB drive may or may not have been encrypted or password protected, and the information has not been recovered.</p> <p>I agree with the Organization's assessment. The likelihood of harm resulting is increased because the incident was the result of malicious intent (vehicle break-in), the USB drive may or may not have been encrypted or password protected, and the information 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. The comprehensive identity and financial information at issue could be used to cause the significant harms of identity theft, fraud, financial loss and negative effects on a credit records. The likelihood of harm resulting is increased because the incident was the result of malicious intent (vehicle break-in), the USB drive may or may not have been encrypted or password protected, and the information 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 the affected individuals by telephone, email or letter on October 12, 2016. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner