



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	New Horizon Car & Truck Rentals Ltd., o/a Discount Car Truck Rentals (Organization)
Decision number (file number)	P2018-ND-167 (File #010344)
Date notice received by OIPC	November 1, 2018
Date Organization last provided information	November 1, 2018
Date of decision	December 14, 2018
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 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 occurred in Alberta and involved the following information:</p> <ul style="list-style-type: none">• name,• address,• telephone number,• drivers' license number and expiry date,• signature, and• last four (4) digits of a credit card number of individuals who rented vehicles from the location. <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"> • Between 5am and 6:30 am on August 22, 2018, one of the Organization’s Calgary locations was broken into and robbed. • Five vehicles were stolen as well as paperwork containing the information at issue. • The incident was discovered later that same day by employees.
Affected individuals	The incident affected 354 individuals in Alberta.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Reported the incident to law enforcement. • Changed the doors and locks, and updated the security system. • Implementing a new locked drawer/cabinet policy.
Steps taken to notify individuals of the incident	Affected individuals were notified by letter sent October 25, 2018.
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.	The Organization reported “The harms that may result from the breach are identity theft, although there is no evidence of such harms occurring in this case.” In my view, a reasonable person would consider that the contact and identity (driver’s license) information could be used to cause the significant harms of identity theft and fraud.
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.	The Organization reported that “Some of the personal information involved in the breach may be considered more sensitive information, such as information relating to a drivers' license. Other information is not as sensitive, such as name, address, and phone number.” The Organization also said that “The harms that may result from the breach are identity theft, although there is no evidence of such harms occurring in this case.” In my view, a reasonable person would consider that the likelihood of harm resulting from this incident is increased because the personal information was compromised due to the malicious action of an unknown third party (theft). The information has not been recovered. The fact there have been no reported incidents of identity theft to date does not mitigate against such harms in the future.

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 that the contact and identity (driver's license) information 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 personal information was compromised due to the malicious action of an unknown third party (theft). The information has not been recovered. The fact there have been no reported incidents of identity theft to date does not mitigate against such harms in the future.

I require the Organization to notify the affected individuals whose information was collected in Alberta in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation). I understand affected individuals were notified by letter sent October 25, 2018. The Organization is not required to notify affected individuals again.

Jill Clayton
Information and Privacy Commissioner