



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

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| Organization providing notice under section 34.1 of PIPA | Microtel Inn & Suites (Organization) | |
| Decision number (file number) | P2018-ND-168 (File #010316) | |
| Date notice received by OIPC | November 6, 2018 | |
| Date Organization last provided information | November 6, 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 Blackfalds, Alberta and is an “organization” as defined in section 1(1)(i) of PIPA. | |
| Section 1(1)(k) of PIPA “personal information” | The incident involved paper records of audit logs containing reservations and including: <ul style="list-style-type: none">• name,• telephone number,• email address,• address,• dates of stay, and• credit card information (number, expiry date, and copy of photo ID if provided) for 5 individuals. <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 |

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| Description of incident | <ul style="list-style-type: none"> On or about August 7, 2018, guests staying at the Organization's location in Blackfalds, Alberta, entered a storage room and stole paper records as well as a number of other items. The Organization became aware of the theft when they were contacted by the RCMP on August 26, 2018, after the RCMP found records belonging to the Organization in an abandoned vehicle along with other stolen items. The stolen records date from January to April 2018; however, the RCMP only recovered records for the month of April 2018. |
| Affected individuals | The Organization is continuing to identify affected individuals. |
| Steps taken to reduce risk of harm to individuals | Cooperated with the RCMP in its investigations. |
| Steps taken to notify individuals of the incident | Affected individuals whose credit card information was involved were notified between October 28 and November 2, 2018 by email and mail. The Organization is in the process of notifying the individuals whose personal contact information was affected and expects to complete notifications by email by November 14, 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. | <p>The Organization reported that "For the five individuals who may have had single use credit card authorizations attached to their reservations, there is a potential risk of fraud and financial loss. For the individuals who may have had personal contact information on their reservations, there may be a risk of phishing."</p> <p>I agree with the Organization's assessment. The financial information at issue could be used to cause the harms of identity theft and fraud. Email address and information about transactions with the Organization could be used for phishing purposes and result in increased vulnerability to fraud. These are all 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 that "The risk that harm that could result is reasonable in the circumstances because the incident arose from a criminal act (theft), carried out by individuals known to the police, who may attempt to commit fraud or perpetuate a phishing scheme".</p> <p>I agree with the Organization's assessment. 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). Not all of the information has 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 financial information at issue could be used to cause the harms of identity theft and fraud. Email address and information about transactions with the Organization could be used for phishing purposes and result in increased vulnerability to fraud. These are significant harms.

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). Not all of the information has been recovered.

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 Organization notified affected individuals whose credit card information was involved between October 28 and November 2, 2018 by email and mail, and expects to complete notification to all affected individuals by November 14, 2018. **I require the Organization to confirm to my office in writing within 10 days of the date of this decision that this has been completed.**

Jill Clayton
Information and Privacy Commissioner