



**PERSONAL INFORMATION PROTECTION ACT**  
**Breach Notification Decision**

<b>Organization providing notice under section 34.1 of PIPA</b>	United Active Living Inc. (Organization)
<b>Decision number (file number)</b>	P2019-ND-102 (File #012364)
<b>Date notice received by OIPC</b>	March 1, 2019
<b>Date Organization last provided information</b>	March 1, 2019
<b>Date of decision</b>	July 17, 2019
<b>Summary of decision</b>	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).
<b>JURISDICTION</b>	
<b>Section 1(1)(i) of PIPA “organization”</b>	The Organization is an “organization” as defined in section 1(1)(i) of PIPA.
<b>Section 1(1)(k) of PIPA “personal information”</b>	The incident involved all or some of the following information: <ul style="list-style-type: none"><li>• mailing address,</li><li>• financial information regarding the breakdown of rent (including what went to rent, parking, nursing, housekeeping, etc.).</li></ul> This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.
<b>DESCRIPTION OF INCIDENT</b>	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
<b>Description of incident</b>	<ul style="list-style-type: none"><li>• On February 26, 2019, a staff member was emailing information about rent breakdowns to residents/family members. The staff member inadvertently sent an email to two families that included attachments with information about other residents.</li><li>• The breach was discovered on February 27, 2019 when one of the recipients contacted the Organization.</li></ul>
<b>Affected individuals</b>	The incident affected 44 individuals.

<p><b>Steps taken to reduce risk of harm to individuals</b></p>	<ul style="list-style-type: none"> <li>• Reviewed the incident with Resident Council.</li> <li>• Revised process for distributing sensitive information.</li> <li>• Provided education to the staff member who sent the email.</li> <li>• Reviewing process for distributing monthly and annual statements. Will be doing a full analysis of processes as part of incident analysis.</li> </ul>
<p><b>Steps taken to notify individuals of the incident</b></p>	<p>Affected individuals were notified by email or letter between February 28 and March 1, 2019.</p>
<p><b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b></p>	
<p><b>Harm</b> 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>	<p>The Organization reported that possible harms that might result from the breach include:</p> <p style="padding-left: 40px;"> <i>(1) Reputation of United Active Living</i>  <i>(2) the financial information that was seen could be used to negotiate for a different rate, embarrassment [sic] for a resident that may have spent more on housekeeping, nursing or other services in 2019</i>  <i>(3) Damages our relationship with our Residents and Family members</i> </p> <p>I agree with the Organization that a reasonable person would consider that the financial information at issue could be used to cause the significant harms of hurt, humiliation and embarrassment.</p>
<p><b>Real Risk</b> 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 “We have assessed that it is unlikely that harm will result. We have been assured that the information was deleted and in speaking to and emailing the residents and family members they have been very appreciative of our transparency.”</p> <p>In my view, a reasonable person would consider that the likelihood of harm resulting from this incident is reduced as the breach was caused by human error and not malicious intent. However, despite the fact the unauthorized recipients agreed to delete the information they inadvertently received, there may be a personal relationship between the unauthorized recipients and the affected individuals such that the significant harms of hurt, humiliation and embarrassment are more likely to result.</p>
<p><b>DECISION UNDER SECTION 37.1(1) OF PIPA</b></p>	
<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>	

A reasonable person would consider that the financial information at issue could be used to cause the significant harms of hurt, humiliation and embarrassment. The likelihood of harm is reduced as the breach was caused by human error and not malicious intent. However, despite the fact the unauthorized recipients agreed to delete the information they inadvertently received, there may be a personal relationship between the unauthorized recipients and the affected individuals such that the significant harms of hurt, humiliation and embarrassment are more likely to result.

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 email or letter between February 28 and March 1, 2019. The Organization is not required to notify affected individuals again.

Jill Clayton  
Information and Privacy Commissioner