



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Best Buy Canada Ltd. (Organization)
Decision number (file number)	P2019-ND-110 (File #011837)
Date notice received by OIPC	January 25, 2019
Date Organization last provided information	January 25, 2019
Date of decision	July 19, 2019
Summary of decision	There is a real risk of significant harm to the individual affected by this incident. The Organization is required to notify the individual 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 an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	<p>The Organization reported that the personal information at issue is “Unknown, the customer mentioned [sic] to the Store that there was no credit card information on the hard drive. The customer did not share any further privacy concerns.”</p> <p>To the extent the hard drive contained information about identifiable individuals, it qualifies as “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">On or around December 22, 2018, the computer of an Alberta customer was sent to the Organization’s British Columbia Service Centre for a diagnosis repair. The technicians were unable to repair the computer and returned it to the Alberta store.

	<ul style="list-style-type: none"> • The Organization reported that the hard drive of the computer was packed separately and placed in a box with the computer at the time of shipping (on or around January 10, 2019). • The box was received in Alberta on January 11, 2019 and opened on January 14, 2019, at which time it was discovered that the hard drive was missing.
Affected individuals	The incident affected 1 individual.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • As the Organization does not know if there was personal information located on the hard drive of the computer, it recommended that the customer change her password for any other accounts or devices where she might use a similar username and password. • Offered to cover the cost of 12 months of credit monitoring. • Modified process for shipping hard drives.
Steps taken to notify individuals of the incident	The affected individual was notified by telephone on or around January 21, 2019 and by letter on January 24, 2019.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
<p>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>	<p>The Organization reported “The hard drive might have been placed into the box of another customer's repair. The data on the hard drive could provide a foundation for identity theft/fraud [sic], financial lost (if disclose to a third party) [sic]”.</p> <p>I accept the Organization’s assessment. A reasonable person would consider that the type of personal information commonly stored on a personal computer hard drive could be used to cause multiple harms, including fraud and identity theft. 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 the likelihood of harm is “high, we don't know the location of the hard drive. The Service Center is actively looking for the hard drive at the moment.”</p> <p>In my view, the likelihood of significant harm resulting in this case is increased because the Organization does not know the cause (theft or misplaced/lost), and the hard drive 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 individual.	

A reasonable person would consider that the type of personal information commonly stored on a personal computer hard drive could be used to cause multiple harms, including fraud and identity theft. These are significant harms. The likelihood of significant harm resulting in this case is increased because the Organization does not know the cause (theft or misplaced/lost), and the hard drive has not been recovered.

The Organization is required to notify the affected individual in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation). I understand the affected individual was notified by telephone on or around January 21, 2019 and by letter on January 24, 2019. The Organization is not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner