



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	American Rental Association (Organization)
Decision number (file number)	P2019-ND-171 (File #013386)
Date notice received by OIPC	June 11, 2019
Date Organization last provided information	June 11, 2019
Date of decision	November 22, 2019
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify the individuals whose personal information was collected in Alberta, 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”	Information involved in the breach may have included: <ul style="list-style-type: none">• name,• address,• credit card number, expiry date. <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA. To the extent the information was collected in Alberta PIPA applies.</p>
DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input checked="" type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none">• On March 19, 2019, the Organization discovered that between the period of June 14, 2018 and March 19, 2019, malicious code was present on its website that scraped certain personal information from the site.• The breach was discovered when an outside source reported an irregularity to the Organization.

Affected individuals	The incident affected 641 individuals, including nine (9) in Alberta.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Removed the malware from the site. • Investigated to determine the cause of the incident, including engaging a forensic IT firm to conduct an analysis and remediation of systems. • Provided affected persons with the opportunity to enroll in ID theft resolution and credit monitoring services, as well as information on steps individuals can take to protect their identity, credit and personal information. • Implemented enhanced security measures to help prevent similar incidents from occurring.
Steps taken to notify individuals of the incident	Affected individuals were notified by letter sent between May 31, 2019 - June 3, 2019.
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 “The individual credit card numbers could be used to make unauthorized purchases, although that is made more difficult with the CVV and other information likely to be needed not being included in the breach.”</p> <p>In my view, a reasonable person would consider that the financial information at issue could be used to cause the significant harms of identity theft and fraud.</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 it is “...not aware of any misuse of the information and believe there is a moderate risk of harm.”</p> <p>In my view, a reasonable person would consider the likelihood of harm resulting from this incident is increased as the breach was the result of malicious intent and it appears the information may have been exposed for approximately 9 months.</p>
DECISION UNDER SECTION 37.1(1) OF PIPA	
<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> <p>A reasonable person would consider that that the financial information at issue could be used to cause the significant harms of identity theft and fraud. The likelihood of harm resulting from this incident is increased as the breach was the result of malicious intent and it appears the information may have been exposed for approximately 9 months.</p>	

I require the Organization to notify the affected individuals whose personal 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 between May 31, 2019 - June 3, 2019. The Organization is not required to notify affected individuals again.

Jill Clayton
Information and Privacy Commissioner