



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Synergen Housing Corporation Ltd. (Organization)
Decision number (file number)	P2020-ND-053 (#014913)
Date notice received by OIPC	January 14, 2020
Date Organization last provided information	January 14, 2020
Date of decision	May 22, 2020
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 is an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	The incident involved unredacted Board minutes that included unit numbers and personal details (e.g. income-related information) of residents/members. This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.
DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none">• On December 13, 2019, Board of Directors meeting minutes were distributed to members of the Organization.• Personal information contained in the minutes was not redacted before the minutes were sent to the members.• The incident was discovered on December 15, 2019, when a member noticed the personal information and notified the President of the Board of Directors.
Affected individuals	The incident affected 4 individuals.

<p>Steps taken to reduce risk of harm to individuals</p>	<ul style="list-style-type: none"> • Apologized to members. • Recruiting for the position of Privacy Officer. Annual privacy training will be provided. • Reviewing the privacy management program.
<p>Steps taken to notify individuals of the incident</p>	<p>Affected individuals were notified by letter on January 7, 2020.</p>

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 that the possible harms that may occur as a result of the breach are “Risk of embarrassment, hurt, humiliation or damage to reputation.”</p> <p>I agree with the Organization’s assessment. A reasonable person would consider that the contact and personal details at issue could be used to cause hurt, humiliation and embarrassment, as well as damage to reputation. These are significant harms.</p>
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<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 did not specifically provide an assessment of the likelihood that significant harm would result from this incident.</p> <p>In my view, a reasonable person would consider that the likelihood of harm is reduced because the incident resulted from human error and not malicious intent. However, the Organization did not report whether it recovered the information, or was able to confirm the information was destroyed and not further disseminated. As well, the existence of personal relationships between the members increases the likelihood of hurt, humiliation, embarrassment or damage to relationships in this case.</p>
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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 personal details at issue could be used to cause hurt, humiliation and embarrassment, as well as damage to reputation. These are significant harms. The likelihood of harm is reduced because the incident resulted from human error and not malicious intent. However, the Organization did not report whether it recovered the information, or was able to confirm the information was destroyed and not further disseminated. As well, the existence of personal relationships between the members increases the likelihood of hurt, humiliation, embarrassment or damage to relationships in this case.

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 by letter on January 7, 2020 in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner