



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

<b>Organization providing notice under section 34.1 of PIPA</b>	Pomeroy Lodging LP (Organization)
<b>Decision number (file number)</b>	P2020-ND-067 (File # 015704)
<b>Date notice received by OIPC</b>	April 22, 2020
<b>Date Organization last provided information</b>	April 22, 2020
<b>Date of decision</b>	July 15, 2020
<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 those individuals whose personal information was collected in Alberta 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 “T4 information and payroll information” which “may have contained personal information such as names, addresses and SIN numbers.”  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 checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	
<b>Description of incident</b>	<ul style="list-style-type: none"><li>• On April 21, 2020, the Organization’s office was broken into and multiple laptops were stolen, along with some paper files.</li><li>• The breach was discovered the same day when a worker arrived at the office early and discovered the robbery still in progress.</li><li>• The police were called but subjects have not been apprehended.</li></ul>
<b>Affected individuals</b>	The incident affected 1,000 individuals, including 500 Albertans.

<b>Steps taken to reduce risk of harm to individuals</b>	<ul style="list-style-type: none"> <li>• Reported the breach to law enforcement.</li> <li>• Updated laptop security and processes.</li> <li>• Reduced hard copy files.</li> </ul>
<b>Steps taken to notify individuals of the incident</b>	Affected individuals were notified by email on April 22, 2020.
<b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b>	
<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.	The Organization reported possible harm(s) included “People using the information to steal identities etc.”  In my view, a reasonable person would consider the financial and employment information at issue could be used to cause the significant harms of identity theft, fraud, and financial loss.
<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.	The Organization reported it “...feel[s] the risk is low as laptops and information were taken as part of a broader robbery. The thieves [sic] were more after valuable items they could on sell.”  In my view, a reasonable person would consider that the likelihood of harm resulting from this incident is increased because the breach resulted from malicious action (break-in and theft). The information has not been recovered. The Organization can only speculate as to the motives of the thieves.
<b>DECISION UNDER SECTION 37.1(1) OF PIPA</b>	
<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 the financial and employment information at issue could be used to cause the significant harms of identity theft, fraud, and financial loss. The likelihood of harm resulting from this incident is increased because the breach resulted from malicious action (break-in and theft). The information has not been recovered. The Organization can only speculate as to the motives of the thieves.</p> <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 <i>Personal Information Protection Act Regulation</i> (Regulation). I understand the Organization notified affected individuals by email on April 22, 2020. The Organization is not required to notify the affected individuals again.</p>	

Jill Clayton  
Information and Privacy Commissioner