



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Leibel Insurance Group (Organization)
Decision number (file number)	P2020-ND-188 (File #018430)
Date notice received by OIPC	November 30, 2020
Date Organization last provided information	December 1, 2020
Date of decision	December 16, 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 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 operates in Alberta and is an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	<p>The incident involved all or some of the following information:</p> <ul style="list-style-type: none">• name,• drivers’ license number,• telephone number, and• make, model and year of vehicle. <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.</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">• The Organization’s service provider, Trufla Technology Ltd., provides access to a cloud based lead management platform and a cloud based customer service platform.

	<ul style="list-style-type: none"> On November 10, 2020, the service provider was working on a new feature, and created a separate database on a separate hosting account using sample data copied from transactions relating to the Organization. On November 11, 2020, the service provider found that the information had been taken by an unauthorized individual who demanded a ransom to recover the data. As the sample information accessed was a copy of information, no ransom was paid to recover the data and nothing further was heard from the unauthorized individual. The Organization reported that there is no evidence that the personal information has been misused.
Affected individuals	The incident affected 143 individuals in Canada, including 138 residents of Alberta.
Steps taken to reduce risk of harm to individuals	<p><u>Service provider</u></p> <ul style="list-style-type: none"> Contained the incident and took steps to investigate. Reminded team members of the appropriate process to avoid similar incidents in the future. <p><u>Organization</u></p> <ul style="list-style-type: none"> Met with its service provider. Notified affected individuals. Provided free credit monitoring and identity theft protection services.
Steps taken to notify individuals of the incident	Affected individuals were notified by email or telephone on November 27, 2020.
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 did not specifically identify the type of harm(s) that might result from this incident, but reported that it “...is taking the step of notifying affected individuals and providing free credit monitoring and identity theft protection services”.</p> <p>In my view, a reasonable person would consider the contact and identity information at issue could be used to cause the significant harms of identity theft and fraud.</p>

<p>Real Risk</p> <p>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 it "...considers the risk of harm to individuals from this incident to be medium because: (a) for most of the affected individuals the information that was disclosed included driver's license number, or name and driver's license number, without additional personal information; and (b) the motivation of the unauthorized individual appears to have been to extort a ransom payment ... rather than to use any of the personal information".</p> <p>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 (deliberate unauthorized access, ransom demand). Although the Organization said there is no evidence to indicate the information has been misused, the lack of reported harms or concerns to date does not mitigate against future harms occurring. The Organization can only speculate as to the unauthorized individual's motives.</p>
<p>DECISION UNDER SECTION 37.1(1) OF PIPA</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> <p>A reasonable person would consider the contact and identity 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 because the breach resulted from malicious action (deliberate unauthorized access, ransom demand). Although the Organization said there is no evidence to indicate the information has been misused, the lack of reported harms or concerns to date does not mitigate against future harms occurring. The Organization can only speculate as to the unauthorized individual's motives.</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).</p> <p>I understand the Organization notified the affected individuals by email or telephone on November 27, 2020, in accordance with the Regulation. The Organization is not required to notify affected individuals again.</p>	

Jill Clayton
Information and Privacy Commissioner