



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)	P2021-ND-034 (File #016272)
Date notice received by OIPC	August 29, 2019
Date Organization last provided information	August 29, 2019
Date of decision	February 23, 2021
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”	The Organization reported that the personal information at issue is “The possible data located on the Computer.” To the extent the computer contained information about identifiable individuals, it qualifies as “personal information” as defined in section 1(1)(k) of PIPA.
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 May 31, 2019, a customer brought a computer to the Organization’s Grand Prairie store to be sent to the manufacturer for repair.• The Computer was repaired and returned to the store by courier on or around June 12, 2019; however, it was lost while in transit.• The breach was discovered on July 24, 2019.

Affected individuals	The incident affected 1 individual.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Offered 12 months of credit monitoring for the affected individual. • Recommended the customer change his password for any other accounts or devices where he might use a similar username and password and that he remove the data from the computer remotely if possible. • Implemented new shipping processes to, for example, scan shipments, store passwords digitally, and provide alerts.
Steps taken to notify individuals of the incident	The affected individual was notified by telephone and email on August 22, 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 “There could be a risk of fraud and/or identity theft if the data was ever accessed, used or disclosed by a third party.”</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 could be used to cause multiple harms, including fraud and identity theft. These are significant harms.</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 “Since the Computer can not be found, it is possible that someone could have access to the personal information of the Customer and fraudulently use the personal information of the Customer to create harm.”</p> <p>In my view, a reasonable person would consider 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 computer has not been recovered.</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 individual.</p> <p>A reasonable person would consider that the type of personal information commonly stored on a personal computer 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 computer has not been recovered.</p>	

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 and email on August 22, 2019. The Organization is not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner