



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Rifco National Auto Finance (Organization)
Decision number (file number)	P2021-ND-066 (File #017027)
Date notice received by OIPC	February 12, 2020
Date Organization last provided information	January 11, 2021
Date of decision	March 9, 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 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”	<p>The incident involved all or some of the following information:</p> <ul style="list-style-type: none">• name, and• pre-authorized debit information (bank account number, transit number, and institution number). <p>This information is about an identifiable individual and is “personal information” as defined in section 1(1)(k) of PIPA. The personal information was collected in Alberta.</p>
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 February 11, 2020, a void cheque belonging to one customer was emailed to another customer in error.• The incident was discovered and reported to the department manager on the same day.
Affected individuals	The incident affected 1 resident of Alberta.

<p>Steps taken to reduce risk of harm to individuals</p>	<ul style="list-style-type: none"> • Attempted to recall the email. • Attempted to contact the unintended recipient and request deletion of the email. • Disabled auto-fill on Outlook emails. • Advised individual to change bank account information. • Offered to cover costs associated with changing banking information. • Provided monetary compensation, applied to the individual’s account held by the Organization.
<p>Steps taken to notify individuals of the incident</p>	<p>The affected individual was notified by telephone on February 11, 2020, and by mail on February 12, 2020.</p>
<p>REAL RISK OF SIGNIFICANT HARM ANALYSIS</p>	
<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 “3rd party could attempt to commit fraud...”.</p> <p>In my view, a reasonable person would consider that the financial information at issue could be used for the purposes of fraud and financial loss. These are significant harms.</p>
<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 reported that harm is “not likely to occur”.</p> <p>In my view, the likelihood of harm resulting from this incident is decreased because the personal information was compromised due to human error and not malicious intent. However, the Organization did not successfully recall the email, nor did they receive confirmation that the incorrectly delivered email was deleted.</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 individual.</p> <p>A reasonable person would consider that the financial information at issue could be used for the purposes of fraud and financial loss. These are significant harms.</p> <p>The likelihood of harm resulting from this incident is decreased because the personal information was compromised due to human error and not malicious intent. However, the Organization did not successfully recall the email, nor did they receive confirmation that the incorrectly delivered email was deleted.</p>	

I require the Organization to notify the affected individual in Alberta in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified the affected individual by telephone on February 11, 2020, and by mail on February 12, 2020, in accordance with the Regulation. The Organization is not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner