



**PERSONAL INFORMATION PROTECTION ACT  
Breach Notification Decision**

<b>Organization providing notice under section 34.1 of PIPA</b>	United Active Living Inc. (Organization)
<b>Decision number (file number)</b>	P2021-ND-305 (File #019120)
<b>Date notice received by OIPC</b>	November 8, 2020
<b>Date Organization last provided information</b>	November 8, 2020
<b>Date of decision</b>	March 3, 2022
<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 the individuals 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 operates in Alberta and is an “organization” as defined in section 1(1)(i) of PIPA.
<b>Section 1(1)(k) of PIPA “personal information”</b>	<p>The incident involved all or some of the following information:</p> <ul style="list-style-type: none"><li>• name,</li><li>• address,</li><li>• suite rental amount, and</li><li>• amount paid for parking (one individual).</li></ul> <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.</p>
<b>DESCRIPTION OF INCIDENT</b>	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
<b>Description of incident</b>	<ul style="list-style-type: none"><li>• On October 28, 2020, an employee of the Organization was delivering monthly rental statements to resident suites during the night shift. The statements were to be left on the shelf at the suite door. However, statements were delivered to the wrong suites.</li><li>• The breach was discovered the same day when a resident reported receiving the wrong envelope. He did not open it.</li></ul>

<b>Affected individuals</b>	The incident affected 2 individuals.
<b>Steps taken to reduce risk of harm to individuals</b>	Will be putting the statements in residents' Canada Post mailboxes.
<b>Steps taken to notify individuals of the incident</b>	The affected individuals were notified by letter on November 4, 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.	<p>The Organization reported that the possible harms that may occur as a result of the breach include:</p> <p><i>Loss of organizational reputation</i></p> <p><i>A resident knows how much another resident is paying for rent.</i></p> <p><i>The rental rate knowledge could impact the sales team's ability to negotiate.</i></p> <p>In my view, a reasonable person would consider that the contact information and the amount of rent paid could be used to cause the significant harms of hurt, embarrassment, humiliation, or damage to relationships.</p>
<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.	<p>The Organization reported,</p> <p><i>There is a low risk of harm as a result of the disclosure of this information.</i></p> <p>In my view, a reasonable person would consider the likelihood of harm resulting in this case is decreased as the unauthorized disclosure was caused by human error. However, it is not clear whether the Organization confirmed that the unintended recipient destroyed the personal information they received in error, and did not use, make copies, further disclose, or otherwise distribute the personal information. Additionally, the likelihood of personal relationships also increases the risk of humiliation, hurt, embarrassment or damage to relationships in this case.</p>
<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 that the contact information and the amount of rent paid could be used to cause the significant harms of hurt, embarrassment, humiliation, or damage to relationships.</p>	

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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 the affected individuals by letter on November 4, 2020 in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton  
Information and Privacy Commissioner