



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

<b>Organization providing notice under section 34.1 of PIPA</b>	Advantage Welding & Fabrication (Organization)
<b>Decision number (file number)</b>	P2022-ND-079 (File #023256)
<b>Date notice received by OIPC</b>	September 28, 2021
<b>Date Organization last provided information</b>	September 28, 2021
<b>Date of decision</b>	January 10, 2023
<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 is an “organization” as defined in section 1(1)(i) of PIPA.  BrokerLink Inc. (BrokerLink) is the third party reporting the breach to this Office.
<b>Section 1(1)(k) of PIPA “personal information”</b>	The incident involved all or some of the following information: <ul style="list-style-type: none"><li>• employee name,</li><li>• date of birth, and</li><li>• driver’s license number.</li></ul> The above information was exposed on the paper documents.  This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA. To the extent the information was collected in Alberta, PIPA applies.
<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>• The Organization uses the service provider, Brokerlink (insurance brokerage).</li></ul>

	<ul style="list-style-type: none"> <li>• A BrokerLink employee left a workbag, containing a laptop and a paper insurance application, in their car.</li> <li>• On August 26, 2021, the car was broken into and the workbag was stolen.</li> <li>• The paper insurance application was not recovered.</li> <li>• BrokerLink reported it <i>“is confident there was no personal information exposed on the laptop. BrokerLink determined there was no risk of significant harm resulting from the stolen laptop because:</i> <ul style="list-style-type: none"> <li><i>(1) There was no personal Information saved in any local files or drives on the laptop. Personal information is only accessible by logging into a secure environment requiring username, password and secure VPN connection.</i></li> <li><i>(2) The laptop was password protected and encrypted.</i></li> <li><i>(3) The laptop was wiped remotely on August 26 and there was no evidence of tampering or attempted access by a third party.”</i></li> </ul> </li> </ul>
<b>Affected individuals</b>	<ul style="list-style-type: none"> <li>• The incident affected nine (9) individuals in Alberta.</li> </ul>
<b>Steps taken to reduce risk of harm to individuals</b>	<ul style="list-style-type: none"> <li>• Filed a police report.</li> <li>• Notified the Organization on August 27, 2021.</li> <li>• Offered affected individuals 1 year of free credit monitoring and identity protection through a third party vendor.</li> <li>• Reminded employees of BrokerLink's policies regarding securing company property (laptops) and documents containing sensitive information.</li> </ul>
<b>Steps taken to notify individuals of the incident</b>	On behalf of the Organization, BrokerLink notified affected individuals by phone between September 15 and September 17, 2021.
<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,</p> <p><i>The combination of personal information exposed on the paper documents could be used for identity theft or fraud purposes.</i></p> <p>I agree with the Organization’s assessment. A reasonable person would consider that the contact and identity information at issue could be used to cause the harms of identity theft and fraud.</p>
<b>Real Risk</b> The likelihood that the significant harm will result must be more than mere speculation	<p>The Organization reported,</p> <p><i>The paper application contained a driver schedule with personal information (employee name, date of birth, drivers license</i></p>

<p>or conjecture. There must be a cause and effect relationship between the incident and the possible harm.</p>	<p><i>number). Because this was a theft (malicious intent) and the stolen items were not recovered, this poses a real risk of significant harm.</i></p> <p><i>The laptop was encrypted, password secure, and wiped remotely by BrokerLink IT on the morning of August 26 when the incident was reported. There was no data stored outside of the secure network and there was no evidence of attempted access by a third party. There is no risk of harm resulting from the stolen laptop.</i></p> <p>I agree with the BrokerLink’s assessment. A reasonable person would consider the likelihood of harm resulting from the loss of the paper application is increased because the incident is the result of malicious intent (vehicle break-in and theft).</p> <p>BrokerLink reported that the stolen laptop was encrypted and there was no data stored outside of the secure network. Therefore, in my view, a reasonable person would consider there is no likelihood of harm resulting from any personal information stored on the stolen laptop.</p>
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**DECISION UNDER SECTION 37.1(1) OF PIPA**

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.

Contact and identity information at issue could be used to cause the harms of identity theft and fraud.

BrokerLink reported that the stolen laptop was encrypted and there was no data stored outside of the secure network. Therefore, there is no likelihood of harm resulting from any personal information stored on the stolen laptop. However, the likelihood of harm resulting from the loss of the paper application is increased because the incident is the result of malicious intent (vehicle break-in and theft).

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 affected individuals were notified by phone between September 15 and September 17, 2021, in accordance with the Regulation. The Organization is not required to notify the individuals again.

Cara-Lynn Stelmack  
Assistant Commissioner, Operations and Compliance