



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Lone Star Inc. (Organization)
Decision number (file number)	P2016-ND-04 (File #000953)
Date notice received by OIPC	May 28, 2015
Date Organization last provided information	May 28, 2015
Date of decision	July 20, 2016
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 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,• address,• social insurance number,• VOID cheque,• financial credit application form,• copy of driver’s licence, and• vehicle registration or vehicle insurance. <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 checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	

Description of incident	<ul style="list-style-type: none"> • On May 19, 2015, the Organization used a courier service to send a package containing customer contracts to a financial services company in Ontario. • On May 21, the Organization was notified by the courier company that “the package was empty, had been torn.” The records contained in the package have not been recovered.
Affected individuals	Eight (8) clients were affected.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Notified the financial services company. • Maintained regular contact with the courier company as it investigated. • Notified Office of the Information and Privacy Commissioner.
Steps taken to notify individuals of the incident	Affected individuals were notified by telephone on May 28, 2015, and by mail sent on May 29, 2015.
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 reported that the personal information at issue is “highly sensitive.”</p> <p>I agree with the Organization’s assessment. The personal information at issue includes sensitive identity and financial information that could be used to cause the harms of identity theft and fraud or 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>In its report, the Organization did not assess the likelihood of harm resulting from this incident.</p> <p>In my view the likelihood of harm resulting from this incident is increased because the information at issue is lost and has not been recovered. Although the incident appears to be the result of human error rather than malicious intent, this cannot be known for sure.</p>

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. The personal information at issue includes sensitive identity and financial information that could be used to cause the significant harms of identity theft and fraud or financial loss. The information at issue is lost and has not been recovered. Although the incident appears to be the result of human error rather than malicious intent, this cannot be known for sure.

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 on May 28, 2015 and May 29, 2015, in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner