

PRIVACY POLICY FOR THE OWNERS, STRATA PLAN VR 1191

Approved by Council on December 19, 2019

A. Introduction

1. We are committed to collecting, using and disclosing the information of individuals in an appropriate manner. We have developed this privacy policy ("Privacy Policy") to be able to communicate our privacy practices to owners of strata lots in the complex as well as any employees that we may have from time to time, those that we do business with, and members of the public.
2. This Privacy Policy is developed in compliance with British Columbia's *Personal Information Protection Act* ("*PIPA*"). *PIPA* is British Columbian legislation that governs the collection, use and disclosure of personal information. In British Columbia, Strata Corporations and strata agents acting on their behalf must adhere to the privacy rules contained in *PIPA*. This Privacy Policy is available to the public.
3. All owners and residents are provided with a copy of this policy.

B. Definitions

4. "Personal Information" means information about an identifiable individual, such as the person's name, home address, social insurance number, sex, income or family status.
5. "Employee Personal Information" is information collected, used or disclosed solely for the purposes reasonably required to establish, maintain, manage or terminate an employment relationship between an employee (including a volunteer), and an organization. This may include information about the employee concerning their name, home address, educational history and employment history. It does not include Contact Information or Work Product Information.
6. "Contact Information" means information that allows an individual to be contacted at work. It includes the name, position, name or title, business telephone number, business address, business e-mail and business fax number for the individual. Contact Information is not included in the definition of "Personal Information".
7. "Privacy Officer(s)" are the individual(s) primarily responsible to set policies with respect to the collection, use and disclosure of Personal Information and are the person(s) appointed to deal with any correspondence regarding it.
8. "Work Product Information" means information that is prepared or collected by an employee as part of that individual's work responsibilities, but does not include information about an individual who did not prepare or collect that the information. Work Product Information is not included in the definition of "Personal Information".

C. Purposes for Collection, Use or Disclosure of Personal Information

9. We collect, use and disclose Personal Information in order to run the Strata Corporation, serve the owners and fulfill our statutory and contractual obligations.
10. The Strata Corporation collects, uses and discloses Personal Information for particular purposes. These purposes may include:
 - (a) identifying and communicating with each strata lot owner, tenants and occupants, as applicable;
 - processing payments, including but not limited to payments for strata fees and special levies;
 - responding to emergencies, including communicating with emergency contacts;
 - ensuring the orderly management of the Strata Corporation;

- (b) complying with legal requirements;
- (c) managing its relationship with its employees;
- (d) managing its contractors;
- (e) promoting safe and secure parking in the complex; and
- (f) obtaining information so that pets can be returned to their rightful owners and so that individuals in the complex can be made responsible for their pets.

11. Unless otherwise disclosed in this Privacy Policy, the Strata Corporation will only collect and use Personal Information for the purposes disclosed in this document.

D. Description of Personal Information Collected

12. The Strata Corporation collects the following types of Personal Information:

- (a) name, residential and mailing address, e-mail address, and phone number of owners, tenants, occupant and emergency contacts;
- (b) banking and/or credit card information;
- (c) name, residential and mailing address, e-mail address and phone number of emergency contacts for owners, tenants and occupants;
- (d) various personal information to comply with legal requirements;
- (e) various personal information for the orderly management of the Strata Corporation;
- (f) personal information of employees of the Strata Corporation to ensure effective management of the complex;
- (g) various personal information of employees required for the effective management of the relationship;
- (h) personal information of its contractors to ensure effective management of the complex;
- (i) vehicle description/license plates and, in the case of unlicensed vehicles, proof of insurance; and
- (j) information regarding pets including name, breed, colour and markings.

E. Limits on the Collection, Use and Disclosure of Personal Information

13. It is our policy to only collect, use and disclose Personal Information that is necessary to fulfill our purposes as a Strata Corporation. We will not collect, use or disclose information except for the identified purposes unless we seek further consent from the individual.
14. If we retain another organization to do work for us that involves providing them with Personal Information, we will ensure that the other organization commits to providing services that adhere to this Privacy Policy.
15. We will disclose Personal Information where authorized to do so by *PIPA* and where required by law.
16. We will not sell or rent Personal Information to anyone.

F. How the Strata Corporation Obtains Consent to Collect, Use and Disclose Personal Information

17. We will obtain the consent of individuals to collect, use or disclosure their Personal Information, except where we are legally authorized or required by law to do so without consent.
18. Pursuant to section 12 of *PIPA*, we will collect, use and/or disclose Personal Information without the consent of the individual if:
- (a) doing so is clearly in the interests of the individual and consent cannot be obtained in a timely way;
 - (b) doing so is necessary for the medical treatment of the individual and the individual is unable to give consent;

- (c) it is reasonable to expect that obtaining the consent of an individual would compromise the availability or the accuracy of the Personal Information and the collection is reasonable for an investigation or a proceeding, such as bylaw enforcement proceedings by a strata corporation;
 - (d) it is necessary in order to collect a debt owing to the Strata Corporation or to repay an individual money owed to them by the Strata Corporation;
 - (e) the Personal Information is available to the public from a source prescribed for the purposes of section 12 of *PIPA*;
 - (f) the disclosure is made under an enactment of British Columbia or Canada;
 - (g) the disclosure is to a public body or a law enforcement agency in Canada, concerning an offence under the laws of Canada or a province, to assist in an investigation, or in the making of a decision to undertake an investigation to determine whether the offence has taken place, or to prepare for the laying of a charge or the prosecution of an offence.
 - (h) there are reasonable grounds to believe that compelling circumstances exist that affect the health or safety of any individual and if notice of disclosure is mailed to the last known address of the individual to whom the Personal Information relates;
 - (i) the disclosure is for the purpose of contacting next of kin or a friend of an injured, ill or deceased individual;
 - (j) the disclosure is to a lawyer who is representing the Strata Corporation or one of its clients;
 - (k) the disclosure is authorized by law; or
 - (l) the collection, use or disclosure of Personal Information was without consent, but allowed for under one of the exceptions under *PIPA*.
19. The Strata Corporation may use information collected prior to January 1, 2004 (when *PIPA* came into force), if the information is used for the purpose for which it was collected.
20. Individuals can consent orally, in writing or electronically to the collection, use and disclosure of their Personal Information.
21. Individuals are considered to have given implied consent when the purpose for the Strata Corporation collecting, using or disclosing Personal Information is obvious and the individual voluntarily provides Personal Information for that obvious purpose.
22. We will tell individuals the purpose for collecting Personal Information and give them a chance to refuse to give us their Personal Information, or the chance to withdraw their consent later.
23. Individuals may withdraw their consent at any time by giving the Strata Corporation reasonable notice. Individuals cannot withdraw consent when doing so will frustrate performance of a legal obligation, such as a contract between the individual and the Strata Corporation. An example of frustrating legal performance would be an owner withdrawing use of their financial information when the Strata Corporation is involved in collection proceedings.
24. If an individual withdraws their consent for use of his or her Personal Information we will advise them of the likely consequences of withdrawing their consent. For instance, withdrawing consent for the use of emergency contact information would leave us unable to contact their relatives or friends in the event of an emergency.

G. Key Fob System

25. The Strata Corporation uses a key fob system to monitor the parkade. However, no information is collected with respect to this system. If the Strata Corporation wishes to collect information using this system, a bylaw must be passed by the owners and this policy will be updated.

H. Employee Information

26. With respect to Employee Personal Information, *PIPA* allows the Strata Corporation to collect use or disclose employee Personal Information without consent if it is reasonable for the purposes of establishing, managing or terminating an employment relationship between our organization and the individual.

27. The Strata Corporation will not disclose Employee Personal Information without the consent of the individual except if the disclosure is reasonable for the purposes of establishing, managing, or terminating an employment relationship between the Strata Corporation and the individual; or
- (a) doing so is clearly in the interests of the individual and consent cannot be obtained in a timely way;
 - (b) doing so is necessary for the medical treatment of the individual and the individual is unable to give consent;
 - (c) it is reasonable to expect that obtaining the consent of an individual would compromise the availability or the accuracy of the Personal Information and the collection is reasonable for an investigation or a proceeding;
 - (d) it is necessary in order to collect a debt owing to the Strata Corporation;
 - (e) the Personal Information is available to the public from a source prescribed for the purposes of section 12 of *PIPA*;
 - (f) the disclosure is made under an enactment of Canada or a province;
 - (g) the disclosure is to a public body or a law enforcement agency in Canada, concerning an offence under the laws of Canada or a province, to assist in an investigation, or in the making of a decision to undertake an investigation to determine whether the offence has taken place, or to prepare for the laying of a charge or the prosecution of an offence;
 - (h) there are reasonable grounds to believe that compelling circumstances exist that affect the health or safety of any individual and if notice of disclosure is mailed to the last known address of the individual to whom the Personal Information relates; and
 - (i) the disclosure is necessary to determine the suitability of an employee to receive an honour, award or similar benefit.

I. How long will the Strata Corporation Retain Personal Information?

28. The Strata Corporation will keep Personal Information used by the Strata Corporation to make a decision that directly affects individuals for at least one year after the Strata Corporation makes that decision.
29. Subject to the one-year retention requirement, the Strata Corporation will only retain Personal Information for as long as necessary to fulfill a legal or business purpose.

J. How We Keep Personal Information Secure

30. Personal Information in the Strata Corporation's custody will be kept secure. We have security arrangements to prevent against risks such as unauthorized access, collection, use, disclosure, copying, modification or disposal of Personal Information. The main ways that we keep Personal Information secure are as follows:
- (a) locking file cabinets in a secured, locked room;
 - (b) allowing only authorized persons to access files;
 - (c) ensuring that email addresses used for strata purposes are only accessible by the appropriate individuals;
 - (d) ensuring that confidential information is not left in a vehicle or gym locker where it can be easily stolen;
 - (e) ensuring that only the minimum number of people have access to certain documentation and only for a proper purpose;
 - (f) physically destroying memory storage devices or properly erasing them when destroying computers or other electronic devices;
 - (g) destroying information after it is no longer required;
 - (h) shredding papers; and
 - (i) ensuring that all third parties hired to collect, use or disclose Personal Information are aware of and bound by this Privacy Policy.
31. We will also take steps to keep Personal Information secure when it is being destroyed, and we may hire a third party company to remove and destroy confidential information.

K. How We Ensure that Personal Information is Accurate and Request for Correction

32. We take reasonable steps to ensure that the Personal Information we collect, use and disclose is accurate. At times, we may write to individuals to ask them to correct any errors or omissions in their Personal Information that is under the Strata Corporation's control.

33. Pursuant to section 24 of *PIPA*, an individual has the right to request that the Strata Corporation correct an error or omission in his or her Personal Information if that Personal Information is about the same individual and in the control of the Strata Corporation. If the Strata Corporation is satisfied that an individual's request for correction is reasonable, we will correct the Personal Information as soon as reasonably possible. The Strata Corporation will, as soon as reasonably possible, send an individual's corrected Personal Information to each organization it was disclosed to during the year before it was corrected.
34. If the Strata Corporation does not correct an individual's Personal Information, we will note the requested correction on copies of the Personal Information under our custody or control.

L. How We Provide Individuals with Access to their Personal Information Under our Control or Custody

35. Individuals have the right to access their Personal Information under our custody or control. A request for access must be made in writing. The Strata Corporation may require individuals to prove their identity before giving them access to their Personal Information.
36. The Strata Corporation, upon specific request, will give individuals their Personal Information under our control, information about the ways in which their information is or has been used, and the names of the individuals and organization to which their Personal Information has been disclosed.
37. *PIPA* allows a minimal fee to be charged for the disclosure of information. Our fee for disclosure of information is \$25.00 per hour of access, and \$0.25 per page. We may require a deposit or payment in full of the minimal fee prior to providing access to the Personal Information.
38. The Strata Corporation will provide the requested Personal Information within 30 business days after it is requested or will give the individual written notice if we need more time to respond.
39. In certain circumstances, in accordance with *PIPA*, the Strata Corporation may refuse an individual access to his or her Personal Information. If we do refuse access to a request, we will tell the applicant why in writing, stating the reasons for the Strata Corporation's refusal and outlining further steps that are available to the applicant, including applying to the Strata Corporation for an internal review of the decision and the right to ask the OIPC for British Columbia to review the decision.

M. How Individuals Can Ask Questions, Complain, or Ask for Access

40. Individuals can complain about the Strata Corporation's treatment of their Personal Information, ask for access to their own Personal Information and ask questions.
41. The Strata Corporation's Privacy Officer(s) can be reached by writing to the following e-mail address: PrivacyOfficer@npmews.com.
42. If individuals are not satisfied with the Strata Corporation's response, they can complain to the Office of the Information and Privacy Commissioner for British Columbia and request a review. There are time limits to request a review under *PIPA* and individuals wanting a review should seek legal advice.