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Podcast helps stratas protect personal information and avoid privacy pitfalls

VICTORIA— Strata complexes deal with an enormous amount of people's personal information, often without a clear understanding of applicable laws or the simple steps they can take to comply with them.

A <u>newly released podcast</u> from the Office of the Information and Privacy Commissioner for British Columbia (OIPC) tackles some of the most pressing issues relating to the personal information rights of the more than 1.5 million people who live in strata housing in the province.

Commissioner Michael McEvoy said the podcast, "Strata privacy: rights, cameras and taking action," the third in the OIPC's PrivacyRight educational series, responds to a clear demand from British Columbians.

"Looking at files our office has seen since 2014, we noticed a significant number of calls, complaints, and queries from strata owners, strata council members and visitors to strata buildings related to privacy and access to information rights and obligations under the <u>Personal Information Protection Act [PIPA]</u>," the Commissioner said.

"Specifically, people were concerned or wanted to know more about the use of video surveillance by stratas; disclosure of personal information; management of requests for information; privacy policies; as well as the appropriateness of collection and use of personal information. We're hoping that this PrivacyRight podcast will answer some of those questions."

The podcast features interviews with Commissioner McEvoy, as well as Tony Gioventu, executive director of the Condominium Homeowners Association and Times Colonist columnist; Sandy Wagner, head of the Vancouver Island Strata Owners Association, and two representatives of Cornerstone Properties, a Victoria-based property management firm.

They share their expertise and years of experience dealing with strata privacy concerns, and delve into hot-button topics such as the use (and overuse) of video surveillance; privacy pitfalls at strata council meetings; and caveats for stratas in the social media age. The podcast also looks at what recourse British Columbians have when they feel their privacy rights have been violated.

The podcast is available on all major platforms here.

Key takeaways:

- Stratas are private organizations under PIPA and are legally obligated to have a privacy policy. If yours doesn't, the <u>PrivacyRight program</u> offers resources to help you build one.
- Be proactive in protecting privacy: make a privacy policy part of your bylaw package. Don't wait until after a breach to take action.
- Surveillance should only be used in cases where options for less invasive solutions have been exhausted. If it is used, the reasons why and how it will comply with PIPA need to be detailed in a privacy policy.
- The <u>Strata Property Act</u> allows for much broader access to personal information than would be available under PIPA. Limit the types of personal information you collect in the first place to limit the potential harm of this broad access.
- Exercise caution when contemplating the use of any social media platform for your strata. Uses are often inappropriate and could violate strata residents' privacy rights.
- Complaints related to violations of the *Personal Information Protection Act* should be directed to the OIPC, while complaints pertaining to the *Strata Property Act* should be addressed to the Civil Resolution Tribunal. If in doubt, call the OIPC and we'll help direct you to the appropriate avenue.

Resources:

Printable infographic: Strata privacy tips

OIPC guidelines for strata corporations

PIPA and strata corporations: frequently asked questions

PrivacyRight webinars - build a privacy management program from the ground up

Order P09-02: Shoal Point Strata Council

Condominium Homeowners Association

Vancouver Island Strata Owners Association

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