

Order P26-15

PARK VILLAGE MOBILE HOME PARK

Alexander Lonergan
Adjudicator

September 14, 2026

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Summary: Two individuals (the complainants) complained that Park Village Mobile Home Park (Park Village), which operates a manufactured home park where the complainants live, was collecting their personal information via video cameras placed without authority, contrary to s. 6 of the *Personal Information Protection Act* (PIPA). The adjudicator found that Park Village was not authorized under s. 6 of PIPA to collect the complainants' personal information through its video cameras and ordered it to stop collecting that information and to delete any existing information.

Statutes Considered: *Personal Information Protection Act*, SBC 2003, c 63, ss. 1, 6(1)(a), 6(2)(a), 6(2)(b), 6(2)(c), 8(1), 8(2)(a), 8(3), 8(3)(a), 8(3)(b), 8(3)(c), 10(1), and 12.

INTRODUCTION

[1] Two individuals (complainants) complained to the Office of the Information and Privacy Commissioner (OIPC) about the collection of their personal information by their landlord, Park Village Mobile Home Park (Park Village). Specifically, the complainants allege that Park Village is collecting their personal information using video cameras without a lawful basis under the *Personal Information Protection Act* (PIPA)¹.

[2] Mediation by the OIPC did not resolve the complaint and it proceeded to inquiry. Both parties provided written submissions for this inquiry.

ISSUES AND BURDEN OF PROOF

[3] In this inquiry, I must decide the following issues:

¹ *Personal Information Protection Act*, SBC 2003, c 63 [PIPA]. All sectional references refer to PIPA unless otherwise noted.

1. Whether Park Village is an “organization” as defined in s. 1; and
2. Whether Park Village collected personal information without authority contrary to s. 6.

[4] PIPA does not assign a burden of proof to any party with respect to these issues. I will adopt the approach taken by previous orders which say that each party should provide argument and evidence in support of its position.²

Preliminary Issues

Matters Outside of the OIPC’s Jurisdiction

[5] The parties provide a substantial amount of material explaining the history of their acrimonious relationship. While I have reviewed all of this material, I will only comment on it insofar as it is relevant and necessary to explain my decision about the PIPA issues in dispute.

[6] In addition, the complainants ask me to grant various forms of relief, including orders requiring Park Village to install fencing, issue public apologies, pay financial compensation for harassment, and to disclose certain security licence information.³ Similarly, Park Village argues that the complainants should apologize to their neighbours.⁴ I do not have the jurisdiction or statutory authority under PIPA to grant these types of relief,⁵ so I will not consider them any further.

New Issue: Complainants’ Alleged Breach of PIPA

[7] Park Village raises a concern that the complainants’ own use of security cameras may be a breach of PIPA because the complainants purportedly operate a security business inside their manufactured home.⁶ This issue is not set out in the investigator’s fact report or the Notice of Inquiry, so it is a new issue.

[8] The Notice of Inquiry states that “Parties may not add new exceptions or issues without the OIPC’s prior consent.” The OIPC’s Instructions for Written Inquiries contains a similar warning.⁷ Generally, the OIPC will only grant a party permission to introduce a new issue at the inquiry stage in exceptional circumstances.⁸ This practice upholds the effectiveness of the mediation process

² Order P22-05, 2022 BCIPC 49 (CanLII) at para 11; Order P07-02, 2007 CanLII 52751 (BC IPC) at para 6.

³ Complainants’ initial submission at p 4.

⁴ Park Village’s submission at pp 4-5.

⁵ Section 52 sets out the types of relief that I am authorized to grant.

⁶ Park Village’s submission at pp 4-5.

⁷ Available online: <https://www.oipc.bc.ca/documents/guidance-documents/1658> at p 3.

⁸ Order P18-01, 2018 BCIPC 6 at para 7.

which exists, in part, to assist the parties in identifying, defining and crystallizing the issues prior to inquiry.⁹

[9] I do not see any exceptional circumstances that warrant considering new issues in this inquiry. Moreover, the complainants' use of cameras is not an issue that has been subject to the OIPC's mediation process. Consequently, I do not accept the complainants' use of false or real cameras on their manufactured home as a new issue and I will not consider it further.¹⁰

Request for Additional Submission

[10] Park Village asked the OIPC Registrar of Inquiries for permission to provide an additional written submission. Park Village explained that it wanted to respond to certain new issues and third-party witness statements that the complainants raised in their reply submission. Park Village withdrew its request after the Registrar of Inquiries explained the limited scope of this inquiry and stated that the adjudicator would seek additional material from the parties if required to adjudicate the issues listed in the Notice of Inquiry.¹¹

[11] I have considered Park Village's concerns. As indicated above, I will only consider the issues listed in the Notice of Inquiry, being Park Village's status as an organization under PIPA and its authority to collect personal information using its video cameras. Park Village has addressed these issues in its response submission.

[12] Regarding the witness statements provided with the complainants' reply submission, I find that this material is largely irrelevant to the issues in this inquiry because it consists of third parties' opinions about Park Village's cameras, whereas I am considering Park Village's purported collection of the complainants' personal information.¹²

[13] In my view, an additional submission from Park Village would not assist me in adjudicating the issues I am considering, nor is it required to ensure fairness to any party. Therefore, I find that I do not require additional submissions from the parties in order to proceed.

⁹ Order F15-15, 2015 BCIPC 16 at para 10; Decision F08-02, 2008 CanLII 1647 at paras 28-30.

¹⁰ As Park Village acknowledges at p 5 of its submission, it is open to Park Village to submit a complaint to the OIPC about these concerns.

¹¹ Registrar's email correspondence with the parties, July 27, 2026 to July 30, 2026. However, Park Village continued to raise concerns about the complainants' reply submission, therefore, I have nonetheless considered whether fairness requires that I provide Park Village with the opportunity to make further submissions.

¹² This order does not prevent any third parties from contacting the OIPC or submitting a complaint if they have concerns about Park Village's purported collection of their personal information.

DISCUSSION

Background¹³

[14] The complainants are individuals who own a manufactured home located on a parcel of land (the lot) within the premises of Park Village (the park). The complainants live inside their manufactured home and pay rent to Park Village for their use of their lot.

[15] The complainants and Park Village have an acrimonious relationship. In recent years, the parties have participated in multiple disputes before the Residential Tenancy Branch. Notwithstanding these disputes, the complainants' tenancy remains in force and they continue to reside on the lot.

[16] One of the recurring issues in the parties' residential tenancy disputes was the complainants' own use of false (i.e., non-functional) surveillance cameras on their manufactured home. During the parties' residential tenancy proceedings, Park Village amended its park rules to prohibit the use of any functional surveillance cameras by tenants except for a single doorbell camera per home. The complainants also state that Park Village had installed multiple cameras pointing at their home during their residential tenancy proceedings.

[17] In early 2025, Park Village emailed the complainants to tell them that it planned to install multiple surveillance cameras in the park. The complainants asked Park Village for information about the cameras' locations, the professionals responsible for installing the cameras, and information about the claimed artificial intelligence capabilities of the cameras. The complainants also asked Park Village to refrain from recording their manufactured home, lot, or vehicles and to provide them with sample recordings to confirm these areas would not be recorded.

[18] After the complainants initially communicated their concerns to Park Village by email, Park Village responded by stating that:

- Park Village would follow the same set of guidelines that the complainants had previously provided to Park Village in relation to the complainants' own video recording activity;¹⁴

¹³ The information in this section is drawn from the parties' submissions and is not in dispute.

¹⁴ For clarity, at the Complainants' initial submission, evidence package 7, the complainants provided a set of March 2008 guidelines entitled "Guidelines for Overt Video Surveillance in the Private Sector", jointly published by the OIPC of BC, the Office of the Privacy Commissioner of Canada, and the OIPC of Alberta. However, I understand from the Complainants' initial submission at p 2, that the "guidelines" discussed in their correspondence with Park Village refers to a different set of rules intended for "residential cameras", which neither party provided a copy of for my review.

- Park Village had provided sufficient notice of its recording activity to the complainants in an earlier email;
- Park Village's intention was to record the same areas that the complainants had been recording;
- The pole that would hold the cameras would be located immediately beside the complainants' lot;
- The complainants had "made so many baseless claims that ... all activity must be recorded to protect our property and interests."; and
- If the complainants felt this activity was in conflict with PIPA, Park Village encouraged them to file a complaint.¹⁵

[19] Ultimately, Park Village installed several cameras which include both false cameras and functional video cameras. In response, the complainants complained to the OIPC.

Is Park Village an "organization" as defined by PIPA?

[20] First, I must determine whether Park Village is an "organization" that is subject to PIPA. Although it was set out as an issue in the Notice of Inquiry, the parties do not speak directly about this issue in their submissions.

[21] PIPA applies to entities that meet the following definition of an "organization" under s. 1 of PIPA:

"organization" includes a person, an unincorporated association, a trade union, a trust or a not for profit organization, but does not include

- (a) an individual acting in a personal or domestic capacity or acting as an employee,
- (b) a public body,
- (c) the Provincial Court, the Supreme Court or the Court of Appeal,
- (d) the Nisga'a Government, as defined in the Nisga'a Final Agreement, or
- (e) a private trust for the benefit of one or more designated individuals who are friends or members of the family of the settlor;

[22] Relatedly, the Interpretation Act defines the term "person" as follows:

"person" includes a corporation, partnership or party, and the personal or other legal representatives of a person to whom the context can apply according to law;

¹⁵ Complainants' initial submission at evidence package 4.

[23] Park Village provided a copy of its 2023 park rules which refer to “Park Village Community LTD”. Similarly, I can see that the complainants’ “Application to Lease”, a copy of which they included with their initial submission, refers to “Park Village Manufactured Home Community Ltd”. While these names are slightly inconsistent, the use of “Ltd” as a suffix in these documents indicates that Park Village is a corporation.¹⁶

[24] Finally, I have considered Park Village’s publicly-available Company Summary, which indicates that Park Village is an active corporation named “PARK VILLAGE COMMUNITY LTD.”¹⁷

[25] Based on these circumstances, I am satisfied that Park Village is an active corporation in BC and that none of the exceptions identified above apply. Therefore, Park Village meets the definition of an organization and is subject to the relevant provisions of PIPA.

[26] Next, I must determine whether Park Village is collecting personal information without authorization under PIPA.

Authority to Collect Personal Information – Section 6

[27] In this matter, the complaint is that Park Village is replacing false cameras with artificial-intelligence enabled cameras and using them to record the complainants’ home, vehicles, personal images of them and their activities in and around their home, including the people who come to visit them. In essence, this is a complaint that Park Village is collecting personal information without lawful authority under PIPA.

[28] Section 6 of PIPA sets out the following general requirements for organizations to collect personal information:

- 6 (1) An organization must not
 - (a) collect personal information about an individual,
 - ...
- (2) Subsection (1) does not apply if
 - (a) the individual gives consent to the collection...
 - (b) this Act authorizes the collection...without the consent of the individual, or

¹⁶ Section 23 of the *Business Corporations Act*, SBC 2002, c 57, requires incorporated companies to have a name with one of the listed words or suffixes, which include “Ltd.”.

¹⁷ The Registrar of Inquiries notified the parties of my intention to take notice of these facts and were provided with an opportunity to raise any objections or contradictory evidence, which they did not: Registrar’s email to the parties dated August 26, 2026.

(c) this Act deems the collection...to be consented to by the individual.

[29] These provisions mean that an organization must not collect personal information about an individual unless the individual gives express consent, PIPA authorizes the collection without consent, or PIPA deems the individual to have consented to the collection (also referred to as “implicit” consent).¹⁸

[30] I will first determine whether Park Village has collected the complainants’ personal information before deciding whether such collection is authorized under PIPA.

Is Park Village Collecting Personal Information?

[31] PIPA defines “personal information” as information about an identifiable individual.¹⁹ PIPA further clarifies that personal information includes employee personal information but does not include contact information²⁰ or work product information.²¹

[32] The parties do not dispute that an audio or video recording of an identifiable individual and their activities is information about that individual. Consequently, I find that if Park Village’s cameras are recording the complainants, the people who visit them, or the complainants’ activities in the park, then that recording activity by Park Village would constitute a collection of the complainants’ personal information.

Parties’ Positions, Collection of Personal Information

[33] The parties provide similar but somewhat different descriptions of the locations, viewing angles, and capabilities of Park Village’s cameras. Both parties provided maps which indicate what they say are the camera locations, fields of view, lot numbers, septic fields, driveways, and the main roadway used to access the lots.

[34] The complainants submit that Park Village currently records footage from at least three cameras. These includes a camera on the former park manager’s unit (Camera 1), a camera mounted on a pole across the main access road from the manufactured homes (Camera 2), and a camera mounted on the front of the

¹⁸ Order P23-08, 2023 BCIPC 76 (CanLII) at para 60.

¹⁹ Section 1, definitions of “Personal Information” and “Contact Information”.

²⁰ “Contact Information” is further defined as “information to enable an individual at a place of business to be contacted and includes the name, position name or title, business telephone number, business address, business email or business fax number of the individual”.

²¹ “Work Product Information” is defined as “information prepared or collected by an individual or group of individuals as a part of the individual's or group's responsibilities or activities related to the individual's or group's employment or business but does not include personal information about an individual who did not prepare or collect the personal information.”

park owner's unit (Camera 3). The complainants say that Park Village can remotely cause these cameras to turn so that their field of view includes the following areas:

- Camera 1:
 - The complainants' bedroom window, front window, door, porch, and driveway.
 - The complainants' next-door neighbour's front window, door, driveway.
 - The full length of the park's main access road.
- Camera 2:
 - The complainants' driveway.
 - The complainants' next-door neighbour's driveway.
- Camera 3:
 - The front door, window, driveway, and porch of a Park Village resident's manufactured home, who is neither the complainant nor their next-door neighbour.
 - A small portion of the main access road.

[35] In support of their position, the complainants provide photographs that they took of the cameras and their vicinity. Some of these photographs show the cameras pointing in different directions while other photographs show the fields of view from the cameras' perspectives.

[36] In its submission, Park Village acknowledges that it operates three cameras capable of recording video but says that all of its other cameras are false, non-recording devices. Park Village says that its functional cameras only monitor two common areas in the park, specifically, the main access road and septic field. Park Village says that none of the cameras record the complainants' lot.²²

[37] Park Village explains that if its cameras detect motion within a specific field of view, the cameras then track the motion and record a short video file which is automatically saved for a maximum of 60 days. In addition, Park Village says that one of its false cameras tracks motion using artificial intelligence but does not record anything.²³ Finally, Park Village provides screenshot samples of footage captured by Camera 1.

Analysis and Findings, Collection of Personal Information

²² Park Village's submission at p 1.

²³ Park Village's submission at pp 2-3.

[38] Apart from the three functional cameras that both parties refer to, nothing in the material before me establishes that Park Village's non-functional cameras are capable of recording any audio or video at all. Therefore, I accept Park Village's position that these devices are not being used to collect anyone's personal information.²⁴

[39] On the other hand, as I explain below, I conclude that Park Village has collected the personal information of the complainants by recording video of them using its three functional cameras.

[40] Park Village does not clearly state whether its cameras record the complainants' personal information. Instead, Park Village describes what it believes to be the areas that are recorded by its cameras. Park Village also provides a map indicating the location and direction faced by each camera, the zones in which any motion triggers a given camera to begin recording, and screenshots from a recording taken by Camera 1. In response, the complainants provide their own map of the cameras' locations and fields of view, photographs that they took of the cameras from various locations in the park, and photographs that they took from the cameras' approximate perspectives.

[41] While the parties take different positions about the directions the cameras can point and their fields of view, their maps of the park premises and indicated positions of Cameras 1, 2, and 3 are generally consistent.

[42] Park Village's screenshot of the view from Camera 1 establishes that it has a clear view of the park's main access road as well as the sides of multiple manufactured homes. Even without any consideration of tracking and turning capabilities, I find that Camera 1 is clearly capable of recording the complainants and their visitors as they leave or arrive at the complainants' home. This conclusion is supported by Park Village's acknowledgement that its cameras track movement that is initially detected in the areas indicated in its map.²⁵

[43] Park Village's map shows "active zones" which it says will trigger a camera to record if motion is detected inside the zone. These zones are limited to small areas that the complainants or their visitors would not ordinarily be expected to enter, such as a septic field, the end of the access road beside the park manager's home, or the front driveway of the park owner's home. However,

²⁴ For clarity, this finding includes the false camera which Park Village says uses "AI" to detect and follow motion in order to simulate the behavior of a genuine camera. Park Village's description of this camera leads me to conclude that the artificial intelligence in this device is a motion detection feature and not a recording device that uses a neural network to process recorded video containing personal information.

²⁵ Park Village's submission at pp 3-4.

I can see that the zones on Park Village's map do not describe the cameras' full fields of view or the areas that the cameras actually record. For example:

- For Camera 1, Park Village's screenshot of the footage captured from this camera shows that its field of view extends the length of the main access road and adjacent homes.
- For Camera 2, the time-stamped photographs taken by the complainant satisfy me that this camera is, at times, oriented to view the road and homes which are in the opposite direction as that indicated in Park Village's map; and
- For Camera 3, the complainants' photographs establish that there are no obstacles in the driveway which would limit this camera's view to the area immediately in front of the park owner's home, which is the only "active zone" indicated in Park Village's map. Rather, depending on which way the camera is oriented, this camera captures the full front window and entryway of the opposite-facing manufactured home, part of the access road, a driveway, or the rear of another home.

[44] The complainants' photographs, including photographs of the cameras and photographs taken from their approximate perspectives, strongly support their position that the cameras are being turned to face the access road, several driveways, and multiple residents' homes (including that of the complainants). Moreover, the complainants provided time-stamped photographs, fewer than two minutes apart, which show Camera 2 in different orientations.²⁶

[45] I understand that Park Village may typically point Camera 2 toward the septic field and Camera 3 toward a different park resident's home. However, the totality of evidence and material before me satisfies me that Park Village is also pointing its cameras toward other areas used by the complainants and their visitors, namely, the access road, driveways, and the premises of the complainants and their neighbour's homes. Therefore, I find that Park Village's cameras have recorded the complainants and their activities in and around their home, and while they enter or leave the park using the access road.

[46] I conclude that Park Village has collected the personal information of the complainants using its three functional video cameras. I also find that Park Village continues to collect the complainants' personal information because it has not removed or disabled its cameras at the time of this inquiry.

[47] Next, I must determine whether Park Village has a legal basis under PIPA for its collection of the complainants' personal information.

²⁶ Complainants' reply submission at pp 1-6.

Individual gives consent to collection – s. 6(2)(a)

[48] The general prohibition on organizations collecting personal information does not apply if, under s. 6(2)(a), the individual whose information is collected has consented to the collection.

[49] Section 7 sets out the two conditions that must be met in order for an individual to be considered to have given consent:

- 7 (1) An individual has not given consent under this Act to an organization unless
- (a) the organization has provided the individual with the information required under s. 10(1), and
 - (b) the individual's consent is provided in accordance with this Act.

[50] Under s. 10(1), the information to be provided at or before the collection includes the purposes for the collection as well as the name and the contact information of someone who can answer questions about the collection. Additionally, for consent to be valid there must be a “definitive and unambiguous demonstration of consent” from the individual whose personal information is being collected.²⁷

[51] In their initial correspondence with Park Village regarding the cameras, the complainants told Park Village that they did not give Park Village their permission to install cameras on or beside their lot and objected to Park Village recording their home, lot, vehicles, and their visitors. In response, Park Village told the complainants that no consent was required under a set of surveillance guidelines that it had previously received from the complainants during their residential tenancy disputes.²⁸

[52] The text of these guidelines was not provided for my review, nor is their source or purported authority clear to me.²⁹ In any event, Park Village does not argue that these guidelines override PIPA's consent requirements for organizations to collect personal information.

[53] Park Village does not say whether it has consent from the complainants. Indeed, the complainants' consistent efforts to stop Park Village from recording them, their visitors, their lot, or their manufactured home (both inside and out), clearly establish that they do not consent to Park Village collecting any of their personal information.

²⁷ Order P22-08, 2022 BCIPC 74 (CanLII) at para 14.

²⁸ Complainants' initial submission at evidence package 4.

²⁹ See footnote #14, *supra*, for further explanation about the guidelines.

[54] Past orders have found that where an individual has no choice but to be monitored by a video camera, then that individual's decision to knowingly enter the monitored area is not proof that they consent to having their personal information collected.³⁰ Consistent with this principle, I am not persuaded that the complainants consented to having their personal information collected by Park Village merely because they used and entered the areas that they knew to be within the cameras' view. For clarity, these areas include the complainants' home and its premises as well as the access road which Park Village instructed the complainants to use as the only permissible method of accessing their home.³¹

[55] Taking all of these circumstances into consideration, I find that Park Village does not have the consent of the complainants to collect their personal information.

Collection without consent – ss. 6(2)(b) and 12

[56] Under s. 6(2)(b), an organization is not prohibited from collecting an individual's personal information without their consent if PIPA authorizes that collection without consent of the individual. Section 12 specifies various circumstances under which an organization may collect an individual's personal information without their consent.

[57] Park Village does not identify any legal basis, under PIPA or otherwise, authorizing it to collect anyone's personal information without their consent.

[58] In its submission, Park Village provides various purposes for its recording activities, including insurance, wildlife management, monitoring the main and service access roads for maintenance frequencies, septic system monitoring, and well water monitoring.³² Park Village does not discuss these purposes in detail or argue that they align with any circumstances under s. 12. Nevertheless, I have carefully considered whether any of Park Village's purposes for collection fall within any of the circumstances set out at s. 12, and I find that they do not. Consequently, I find that Park Village is not authorized by s. 6(2)(b) to collect personal information without the consent of the complainants.

Deemed consent to collection – ss. 6(2)(c) and 8

[59] Under s. 6(2)(c), an organization is not prohibited from collecting an individual's personal information if PIPA deems the individual to have consented to that collection. Section 8 specifies the following circumstances under which an

³⁰ Order P22-08, 2022 BCIPC 74 (CanLII) at para 46; Order P23-05, 2023 BCIPC 46 at para 60; Order P26-12, 2026 BCIPC 82 (CanLII), at para 22.

³¹ Complainants' initial submission at evidence package 5, p 1.

³² Park Village's submission at pp 1-3.

individual is deemed to have consented to a collection of their personal information:

- 8 (1) An individual is deemed to consent to the collection, use or disclosure of personal information by an organization for a purpose if
 - (a) at the time the consent is deemed to be given, the purpose would be considered to be obvious to a reasonable person, and
 - (b) the individual voluntarily provides the personal information to the organization for that purpose.
- (2) An individual is deemed to consent to the collection, use or disclosure of personal information for the purpose of his or her enrolment or coverage under an insurance, pension, benefit or similar plan, policy or contract if he or she
 - (a) is a beneficiary or has an interest as an insured under the plan, policy or contract, and
 - (b) is not the applicant for the plan, policy or contract.
- (3) An organization may collect, use or disclose personal information about an individual for specified purposes if
 - (a) the organization provides the individual with a notice, in a form the individual can reasonably be considered to understand, that it intends to collect, use or disclose the individual's personal information for those purposes,
 - (b) the organization gives the individual a reasonable opportunity to decline within a reasonable time to have his or her personal information collected, used or disclosed for those purposes,
 - (c) the individual does not decline, within the time allowed under paragraph (b), the proposed collection, use or disclosure, and
 - (d) the collection, use or disclosure of personal information is reasonable having regard to the sensitivity of the personal information in the circumstances.
- (4) Subsection (1) does not authorize an organization to collect, use or disclose personal information for a different purpose than the purpose to which that subsection applies.

[60] Beginning with s. 8(1), I find that Park Village's collection of personal information does not meet the requirement under s. 8(1)(a) because, in my view, the purpose of collection would not be considered obvious to a reasonable person. Park Village provided several reasons for its collection of information, including insurance, wildlife management, and septic field monitoring. In its correspondence with the complainants, Park Village said that it needed to install the cameras because the complainants were making many baseless claims. I consider these to be vague purposes that are not obvious from the context of Park Village installing the cameras. In addition, I find that the requirement of

voluntariness under s. 8(1)(b) is not met either. The complainants cannot be said to have provided their personal information voluntarily because they had no choice but to use the access road and their home which are within the cameras' field of view.³³

[61] Next, I find that s. 8(2) clearly does not apply because, while Park Village refers to "insurance purposes" as one basis for its collection, Park Village has not argued or provided evidence establishing that the complainants are a beneficiary of, or have any interest as an insured in, a relevant plan, policy or contract as required by s. 8(2)(a).

[62] Turning to s. 8(3), Park Village states that the camera system "provides stickers not dissimilar to the signage on the [complainants'] office in [their unit], one is on the window of [the park manager's unit], the front entrance sign and on the window of [the park owner's unit]."³⁴ Additionally, the subject of notice requirements appears in Park Village's email correspondence with the complainants in which they first discussed Park Village's decision to install the cameras.

[63] I understand Park Village's position to be that it may collect the complainants' personal information using its cameras because it has provided sufficient notice of its recording activities. Therefore, I will consider whether Park Village's stickers and e-mail correspondence with the complainants meet the four requirements under s. 8(3) to rely on deemed consent for specified purposes.

[64] Regarding the notice requirements under s. 8(3)(a), Park Village has not stated whether the stickers specify the purposes for its collection of personal information at all. Furthermore, Park Village has not clearly explained how the security camera stickers constitute a notice of collection that an individual can reasonably be considered to understand. Park Village's brief description of the stickers satisfies me only that they are a limited notice that security cameras are present nearby, which I find to be insufficient to meet the requirements of s. 8(3)(a).

[65] In considering Park Village's e-mail correspondence with the complainants in which they discussed the cameras, I note that Park Village stated that "You have made so many baseless claims that recording all activity must be recorded [sic] to protect our property and interests."³⁵ In my view, this statement is vague and does not clearly specify a purpose for the collection that an individual can reasonably be considered to understand. Therefore, I also find that this e-mail correspondence fails to meet the notice requirements under s. 8(3)(a).

³³ The complainants' voluntariness in being recorded is discussed in greater detail earlier in this Order in the context of s. 7.

³⁴ Park Village's submission at p 4.

³⁵ Complainants' initial submission at evidence package 4.

[66] Turning to ss. 8(3)(b), Park Village's email to the complainants communicated a firm decision to collect the complainants' personal information by installing cameras. Park Village did not communicate any opportunity, expressly or implicitly, for the complainants to decline its collection. Moreover, in their response, the complainants asked Park Village not to record them but Park Village rejected that response on the basis that their consent was not required.³⁶

[67] Section 8(3)(b) requires an organization to give a reasonable opportunity to decline within a reasonable time. Despite the fact that Park Village notified the complainants in advance of its decision to install functional cameras, I find that Park Village did not give the complainants any opportunity to decline collection at all. Consequently, I find that Park Village did not give the complainants a reasonable opportunity to decline collection in accordance with s. 8(3)(b).

[68] Finally, I note that the complainants immediately communicated their disagreement with Park Village's collection upon receiving Park Village's email describing its intention to install functional cameras. Therefore, the requirement under s. 8(3)(c) that the complainants *not* decline Park Village's proposed collection, is clearly not satisfied in this case.

[69] In summary, I find that Park Village's stickers, its e-mail correspondence, and the complainants' non-consent, together fail to satisfy the requirements of ss. 8(3)(a), (b), and (c). Therefore, I find that s. 8(3) does not apply.

[70] All four subsections of s. 8(3) are required to establish deemed consent under that provision. Consequently, it is not necessary for me to also consider whether Park Village's collection is reasonable under s. 8(3)(d) and I decline to do so.

[71] For the reasons set out above, I find that none of the provisions under s. 8 deem the complainants to have consented to Park Village collecting their personal information by way of the cameras. Therefore, s. 6(2)(c) does not authorize Park Village to collect the complainants' personal information.

Conclusion, Authority to Collect Personal Information

[72] I determined that Park Village has collected, and continues to collect, the personal information of the complainants using Cameras 1, 2, and 3, when the complainants or their visitors access areas covered by the cameras.

[73] I determined that the complainants did not give their consent for Park Village to collect their personal information under s. 6(2)(a). I also found that collection without consent is not authorized under s. 6(2)(b). Finally, I found that

³⁶ Complainants' initial submission at evidence package 4.

PIPA does not deem the complainants to have consented to Park Village's collection of their personal information under s. 6(2)(c). Consequently, Park Village's collection of the complainants' personal information is a contravention of s. 6(1)(a).

CONCLUSION

[74] For the reasons given above, Park Village is not authorized to collect the complainants' personal information via its video surveillance system.

[75] The standard remedy in cases of unauthorized collection of video images is to order the organization to stop collecting the images and to delete any existing images.³⁷ I find that this remedy is appropriate in the circumstances of this case as well.

[76] Furthermore, given that Park Village's cameras can be remotely turned to face different directions and use automated motion tracking to do so, I consider it necessary to order Park Village to physically disable its functional cameras.

[77] Consequently, I make the following orders under ss. 52(3) and 52(4) of PIPA:

1. Park Village is not authorized under s. 6 to collect the personal information of the complainants using its video surveillance system.
2. I require Park Village to cease collecting the personal information of the complainants using its video surveillance system.
3. Park Village must disable all of its functional cameras that are capable of viewing the areas where it is reasonable to conclude that either of the complainants may access. For greater clarity, Park Village must disable all of its cameras that are physically capable of turning to view such areas, including Cameras 1, 2, and 3, even if those cameras' software settings prevent them from automatically turning to view those areas.
4. I require Park Village to delete all existing personal information of the complainants collected through its video surveillance system.
5. I require Park Village to confirm to the OIPC's registrar of inquiries and the complainants that it has complied with the terms of this order.

³⁷ See for example: Order P22-08, 2022 BCIPC 74 (CanLII) at para 52; Order P26-12, 2026 BCIPC 82 (CanLII), at para 27.

[78] Pursuant to s. 53(1) of PIPA, I require Park Village to comply with this order by **October 28, 2026**.

September 14, 2026

ORIGINAL SIGNED BY

Alexander Lonergan, Adjudicator

OIPC File No.: P25-00721