

# **FAIRLEA PARK HOUSING CO-OPERATIVE INC.**

By-law No. 38

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## **Personal Information Protection By-law**

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This By-law replaces previous By-law(s) # not applicable

A By-law which regulates the collection, use, and disclosure of personal information by Fairlea Park Housing Co-operative Inc. (the Co-op) and its members.

1. The Personal Information Protection (PIP) Officer will ensure that the Co-op follows the *Personal Information Protection and Electronic Documents Act* and its principles. They will receive and follow up on any inquiries or complaints about how the Co-op collects, uses and shares personal information.
2. The members at the General Members Meeting will elect the first PIP Officer when this By-law is approved. The first PIP Officer's term will end at the next Annual General Members Meeting when the members will elect the PIP Officer for a one-year term.
3. The Co-op shall only collect the personal information that it requires to ensure sound management of the Co-op and to fulfil its obligations to its members and the government.
4. The Co-op shall use and share personal information only with the agreement of the individuals concerned and as outlined in the Occupancy By-law.

**THE CO-OP WILL STORE PERSONAL INFORMATION SECURELY TO PREVENT UNAUTHORIZED USE.** The Co-op will destroy personal information credit checks and outdated insurance policies when the Co-op no longer needs it.

5. Individuals will, on request, have access to any personal information about themselves that the Co-op has. The Co-op will correct any errors in personal information that the individual brings to its attention.

## **Complaints Procedure**

If you have a complaint about how the Co-op deals with personal information:

1. Talk to the Co-op's Personal Information Protection Officer (PIP) Officer to find out if the *Personal Information Protection and Electronic Documents Act* (PIPED Act) covers the subject of your complaint.
2. If it appears that the Co-op has not followed the PIPED Act, put your complaint in writing, sign it, and give it to the Co-op's PIP Officer. You can ask the PIP Officer to help you write the letter.
3. Wait ten (10) working days' time for a response.
4. If you are not satisfied with the response, you can take your complaint to the federal Privacy Commissioner.

If the Personal Information Protection Officer receives a complaint about how the Co-op deals with personal information:

1. Ask for the complaint in writing. If this is difficult for the person complaining, write the complaint for them and read it back. Have them sign the written version to show that they agree with what you have written.
2. Check into the details of the complaint to find out if it is valid and if it is about something that the PIPED Act covers.
  - I. If the Act covers the situation, make sure that there was a problem with the collection, use, or sharing of personal information.
  - II. If it is not covered, explain this to the person who is making the complaint. Help them to understand what the Act does and does not cover.
3. If the complaint is valid, try to correct the situation. This may mean proposing a change to a co-op By-law, Policy, or Procedure. Ask the board to discuss the change at their next meeting.
4. Contact the person who complained and let them know, both verbally and in writing, what you found out during your investigation.

If it was a valid complaint, let them know what the Co-op is doing to correct the situation. Apologize on behalf of the Co-op for any inconvenience or embarrassment.

5. Let the person know that they can take their case to the federal Privacy Commissioner. They can do this if they are not satisfied with the following:
  - I. The Co-op's action to correct the problem,  
or
  - II. Your decision that their complaint was not valid.

PASSED by the Board of Directors and sealed with the corporate seal of the Co-op on  
\_July 2<sup>nd</sup>, 2014\_.

\_\_\_\_\_  
President

(corporate seal here)

\_\_\_\_\_  
Secretary

CONFIRMED by at least two-thirds of the votes cast at a General Meeting of the  
Members on March 1, 2015.

\_\_\_\_\_  
President

(corporate seal here)

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# APPENDIX 1

## Personal Information Protection Statement

I agree that Fairlea Park Housing Co-operative Inc. may keep the following information about me:

1. Contact information (address, telephone number, e-mail, fax).
2. Household income.
3. Household size and composition.
4. Place of employment.
5. Previous housing situation.
6. Housing charge payments, subsidy and arrears records, including appeal and eviction records.
7. Credit rating.
8. Age and gender.
9. Medical information.
10. Any incidence of property damage.
11. Complaints filed by others concerning the household (for example, a noise complaint).
12. Next of kin and emergency contact information.

I agree that this personal information may be made available to people in the following positions:

1. Co-op staff and/or Management Company and their staff.
2. The Co-op's auditor and bookkeeper.
3. Employees of CMHC and the Agency for Co-operative Housing.
4. The Board of Directors (in the case of member arrears and/or subsidy appeals, complaints against a member, police investigation, claim against the Co-op, etc.).

I understand that Fairlea Park Housing Co-operative Inc. will use the information to:

- Contact me about this application.
- Determine my eligibility for housing and membership in the Co-op.
- Decide if I qualify for subsidy.
- Decide on any request for an internal move.

I understand that the Co-op will destroy personal information that it no longer needs. Application forms for unsuccessful candidates will be destroyed after one (1) year. Staff will destroy credit checks as soon as an applicant's file has been approved or denied.

I have read and received a copy of this statement.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

(All members of the household 16 years of age and older must sign this statement.)

## **APPENDIX 2**

### **Personal Information Protection Officer Job Description**

The PIP Officer's job is to:

- Review the co-op's policies and practices for dealing with personal information.
- Review all the co-op's forms, agreements and by-laws to see if they need to be changed.
- Make recommendations to help the co-op follow the Act.
- Provide information to members and the public about how the co-op protects personal information.
- Handle complaints.

The PIP Officer is both a watchdog and a liaison – there to help the co-op meet its responsibilities.

Who would be a good PIP Officer?

This person is someone who will act in the co-op's best interests and who will be fair and sensible when handling complaints. This person is a respected member of the co-op community and has the confidence of the membership. This person is someone who will not have a conflict of interest.

The PIP Officer should not be a staff person. Staff handle a lot of personal information and so a complaint may be about a staff person.

The PIP Officer should not be a board member because of his or her roles and responsibilities within the co-op.