

**YORK CONDOMINIUM CORPORATION No. 323**  
**PRIVACY POLICY**

1. York Condominium Corporation No. 323 (hereinafter "YCC323", "us", or "we") has created this privacy policy in order to demonstrate our commitment to privacy and the protection of your personal information pursuant to current privacy legislation. Please read this policy to understand how your personal information will be treated.

**Collecting Personal Information**

2. YCC323 collects information in several ways. Some personal information is gathered from you when you notify us of the change of ownership of a unit. When you notify us of a change in ownership, YCC323 or its authorized agent will ask for personal information such as your name, email address, unit address, residential address (if different), residential phone number, and/or cell phone number and business phone numbers, emergency contact information and the name(s) of any person residing with you in your unit. You will also be asked for the name of your financial institution and bank account number for the purpose of pre-authorized payment of common expenses, and your motor vehicle information including license plate.
3. Unless the purposes for collecting personal information are obvious and the individual voluntarily provides his or her personal information for those purposes, we will communicate the purposes for which personal information is being collected, either orally or in writing, before or at the time of collection.
4. If you lease your unit, we will also ask you for the name(s) and contact information for tenant, including a copy of the lease agreement or a summary of the lease terms, including occupancy and termination dates.
5. We may ask you for personal information relating to the ownership or occupation of your condominium unit, including (but not limited to) when you ask us to contact you about an issue; and when you report a problem or issue relating to your condominium unit or the condominium corporation as a whole. If you contact us in writing, we will keep a record of that correspondence.
6. We will not sell or rent your personal information to third parties.

**Consent**

7. Subject to any legislated exemptions which would permit us to disclose your personal information as is necessary, we will not disclose any of your personal information except when we have your informed consent. "Personal Information" is defined broadly by governing legislation as any information about an identifiable individual except the name, title, and business address or office telephone number of an employee of an organization.

8. Pursuant to allowable exemptions under current legislation, we may disclose personal information without the individual's knowledge or consent in the following circumstances:
  - a. When the collection, use or disclosure of personal information is permitted or required by law;
  - b. In an emergency situation that threatens an individual's life, health or personal security;
  - c. When the personal information is available from a public source (ie. Canada 411 directory);
  - d. When we require legal advice from a lawyer, including with respect to the enforcement of the condominium documents against an individual;
  - e. For the purpose of collecting outstanding common expenses or other amounts owing by the individual to YCC323;
  - f. Where the disclosure is necessary to identify, contact, or bring legal action against someone who may be violating the condominium documents, violating any law of the province of Ontario or Canada, or may be causing injury to or interference with (either intentionally or unintentionally) the rights or property of the corporation, and its agents, as well as other owners or residents of the condominium property, or anyone else who could be harmed by such activities.

### **Use and Disclosure of Personal Information**

9. Our policy with respect to the use, collection, retention, and disclosure of all personal information is governed by applicable privacy legislation as well as the relevant provisions of the *Condominium Act, 1998*, as may be amended.
10. We will only use or disclose personal information where necessary to fulfill the purposes identified at the time of collection, or reasonably related to such purposes.
11. We make every attempt to periodically update our Privacy Policy such that it is in compliance with governing privacy legislation, any legislative amendments, and is in general conformity with best practices.

### **Storage and Security of Personal Information**

12. We are committed to ensuring the security of individual personal information in order to protect it from unauthorized access, collection, use, disclosure, copying, modification or disposal.
13. The following security measures will be followed to ensure that personal information is

appropriately protected:

- a. Use of locked filing cabinets in the management office to hold personal records;
  - b. Locking the management office during non-office hours;
  - c. Use of user ID and/or passwords on the computer system located in the management office; and
  - d. Restricting access to personal information to the individual directors of YCC323 and its designated property manager(s).
  - e. The archive room will be controlled in a similar manner
14. In addition, YCC323 will ensure that there are contractual provisions in place with its property management company to ensure that the security of the personal information collected is maintained.

### **Providing Access to Personal Information**

15. Individuals have a right to access their own personal information, subject to limited exceptions of solicitor-client privilege, litigation privilege, where disclosure would result in the release of personal information about another individual, or where there is a genuine issue that harm could come to another individual as a result.
16. A request to access personal information must be made in writing to YCC323 and identify the personal information for which access is sought.
17. A minimal fee may be charged for providing access to personal information. Where a fee may apply, we will inform the individual of the cost and request confirmation from the individual whether or not to proceed with the request. Where the request is to examine the records by an owner, a purchaser, or a mortgagee of a unit or an agent of one of them pursuant to Section 55 of the *Condominium Act, 1998*, access will be provided within a reasonable time subject to the provisions of that section. Copies will also be provided if the person pays a reasonable fee to compensate us for the labour and photocopying charges.
18. If a request to access personal information is refused in full or in part, we will notify the individual and provide the reasons for the refusal.

### **Video Surveillance**

19. YCC323 also abides by the Privacy Commissioner's guidelines regarding video surveillance.  
To summarize, YCC323 will

- a. Ensure there is a justifiable purpose for the surveillance, being the safety and security of the condominium property and its residents;
- b. Seek not to use cameras (to the extent possible) in areas where people have a heightened expectation of privacy;
- c. Seek to notify owners and residents (to the extent possible) about the use of cameras by us on the condominium property. Currently, YCC323 has surveillance cameras that have been installed throughout the common elements;
- d. Subject to some legal justification to withhold and unless the data is destroyed, we will provide access to individuals whose images are captured on videotape upon receipt of a written request. Images are destroyed after 28 days;
- e. Ensure that video surveillance equipment and videotapes are secured, and are used for authorized purposes only. The videotapes will only be accessible and viewed by authorized persons of YCC323; and
- f. Ensure that to the extent that recorded images are stored, that they are stored in a secure location with limited access.

### **Privacy Officer**

20. Should you have a question or concern about our Privacy Policy or our practices in this regard, please contact the privacy officer for YCC323. Or you may contact the Office of the Privacy Commissioner.
21. YCC323 will investigate all complaints received respecting the collection, storage and disclosure of personal information. If a complaint is determined to be justified, YCC323 will take appropriate measures.