

Legislation Privacy & Access Consultation Summary

Privacy, Compliance and Training Branch (PCT)

Name of Legislation:	Budget Measures Implementation Act		
Draft Date:	N/A (see comments)	Draft Number:	N/A (see comments)
LRC Date:	N/A (see comments)		
Name of Ministry:	Finance		
Ministry Contact:	Steve Hawkshaw	Phone:	250 387 7364
Email:	Steve.hawkshaw@gov.bc.ca		

Brief Summary of Legislative Proposal:

The Budget Measures Implementation Act amends a number of statutes including the *Property Transfer Tax Act* (the Act). The amendments to the Act will authorize the collection of citizenship data from transferees who register a taxable transaction with the Land Title Office. The Act will also be amended to require transferees to disclose whether or not they are taking an interest in land as a bare trustee. The amendments also allow a transferee to apply to switch between the existing First Time Home Buyers' exemption and the new housing exemption.

Summary of Privacy and Legislation Branch Review

The draft legislative proposal includes provisions that relate to:

<input checked="" type="checkbox"/>	Privacy	<input type="checkbox"/>	Access	<input type="checkbox"/>	Statutory Override	<input type="checkbox"/>	Other impacts to FOIPPA or PIPA
PLB Branch Assessment				OIPC Assessment			
Green - no concerns				Green - no concerns			

Comments:

The Privacy, Compliance and Training branch (PCT) has no privacy concerns. The OIPC were consulted and also did not express any privacy concerns. Any future updates on any developments or changes to this or related programs must go through PCT for review and the OIPC for consultation (facilitated by PCT). Once these amendments have come into force and operations to bring these changes about have commenced, PCT would encourage the program area to complete a Privacy Impact Assessment, to ensure that any unforeseen privacy/access elements are properly addressed.

Reviewed by:	David Padgett Senior Privacy and Policy Advisor	Signature:		Date:	29 February, 2016
--------------	-------------------------------------------------------	------------	-------------------------------------------------------------------------------------	-------	----------------------



Legislation Privacy Impact Assessment

Why do I need to do a PIA?

Section 69(5) of the *Freedom of Information and Protection of Privacy Act* (FOIPPA) states that the head of a ministry must conduct a privacy impact assessment (PIA) in accordance with the directions of the minister responsible for the FOIPPA. Section 69 (5.1) states that the PIA must be submitted to the minister responsible for the FOIPPA Act for review during the development of any new project, program or activity, system or proposed enactment, or when making changes to an existing one. The Privacy and Legislation Branch (PLB) is the representative of the Minister for the purposes of PIAs. Ministries must attach a Legislation PIA (LPIA) to their RFLs when submitting to PLB for review and comment. If you have not prepared an RFL, please attach the LPIA to your draft legislation. When completed please submit to PIA.Intake@gov.bc.ca. If you have any questions regarding this process or when filling out the LPIA, please contact PLB Helpline at 250 356 1851.

What if my proposed enactment does not include personal information?

Ministries need to complete a PIA and submit it to PLB even if it is thought that no personal information is involved. This allows PLB to ensure that the proposed or revised enactment has been accurately assessed.

Part 1 – GENERAL

Name of Legislation:	Budget Measures Implementation Act		
Date of RFL:	There is no RFL process for budget measures.		
Name of Ministry:	Finance		
Ministry Contact:	Steve Hawkshaw	Phone:	250 387 7364
Email:	Steve.hawkshaw@gov.bc.ca		

1. Please indicate whether the legislation is:

<input type="checkbox"/>	New
<input checked="" type="checkbox"/>	Amended
Name of the Act being replaced (if applicable):	

2. Provide a brief summary of the legislative proposal.

The *Budget Measures Implementation Act* contains amendments to the *Property Transfer Tax Act* (the Act) which will authorize the collection of citizenship data from transferees who register a taxable transaction with the Land Title Office. The amendments means that when an individual or corporation registers an ownership interest in land in the Land Title Office and pays property transfer tax, the property transfer tax form will require the following information:

- Individuals will have to disclose their home country or state.

- Corporations will have to disclose the home country or state of directors who are not Canadian citizens or permanent residents of Canada.

This re-implements a similar requirement that was previously contained in the *Land Title Act* but that was repealed in 1998.

The Act will also be amended to require transferees to disclose whether or not they are taking an interest in land as a bare trustee. A bare trust is a special form of trust arrangement, typically used for tax planning. A trust is a legal arrangement that splits the legal ownership (held by the trustee) of property and the beneficial ownership (held by the beneficiary). A bare trustee (or nominee or mere agent) relationship exists where the person holding title has no independent powers, discretions or responsibilities; his or her only responsibility is to carry out the instructions of the beneficial owner. Typically a shell company is used as a bare trustee with the beneficiary controlling the company. The splitting the ownership has some income and pst/gst tax advantages and avoids property transfer tax on subsequent transfers. The fact that information is being collected from bare trustees will not come as a surprise to the people who set them up. Similar information on bare trusts is already collected in the income tax and pst/gst contexts.

If a transferee is taking an interest in land as a bare trustee they will be required to disclose the name, address and citizenship of the settlor(s) of the bare trust and the beneficiary(ies) of the bare trust.

The amendments also create a new exemption for newly constructed homes purchased by Canadian citizens or permanent residents of Canada who then live in the home as their principal residence. Applying for the exemption is voluntary. The application will require that a transferee declare that their home is a “new home” as defined in the Act, a declaration that they are a Canadian Citizen or permanent resident of Canada and a SIN¹ number in order to qualify. The transferee will also be required live in the new home as their principal residence for a year after registration in order to qualify for the exemption.

The amendments also allow a transferee to apply to switch between the existing First Time Home Buyers’ exemption and the new housing exemption. The application will require the transferee to disclose the same information that they would have been required to in order to qualify for the exemption they are applying to switch to. For example, a first time home buyer who wants to switch to the new housing exemption will be required to provide the information necessary for the new housing exemption. Switching from the new home exemption to the First Time Home Buyers’ exemption would require providing the information currently required by the First Time Home Buyers’ exemption.

¹ Collection of SIN is not specifically required or authorized by the amendments. Rather, an application for a new housing exemption “...must be in the form required by the minister...” This form includes SIN as a field. See: <https://ltsa.ca/docs/Property-Transfer-Tax-Form.pdf>

There is an existing framework in the Act that governs the confidentiality of taxpayer information and restricts the use of taxpayer information collected under the Act. Section 32 of the Act provides that information collected under the act may only be used or disclosed for prescribed purposes:

- The administration and enforcement of the Act, the *Home Owner Grant Act* and the *Land Tax Deferment Act*.
- Court proceedings related to those acts
- Under a tax information exchange agreement entered into with the federal government
- Compilation of statistical data, and
- To the British Columbia Assessment Authority.

The amendments do not expand or modify the existing framework. The citizenship information that is being collected will be subject to that framework and handled in the same manner as any confidential taxpayer information that is collected under the Act.

3. Please advise:

a)	For which legislative session is the proposed amendment scheduled?	Spring 2016
b)	Do you have a policy committee date?	No Date:
c)	Has the Privacy and Legislation Branch (PLB) reviewed any part of this amendment for a previous legislative session? (If yes, please list relevant parts, date reviewed and changes that have been made since. If you previously completed an LPIA or PIA, please attach a copy.)	No. Budget confidentiality precludes review prior to the Budget being made public.

Part 2 - PRIVACY (Protection of Privacy)

In the following questions “**proposed legislation**” means the new or amended legislation that is being put forward by your Ministry. This PIA does not assess your compliance under the *Freedom of Information and Protection of Privacy Act* as it applies to existing legislation or the programs that are operational under your legislation.

4. a) Within the proposed legislation, what personal information, if any, is authorized to be collected, used or disclosed?

- The home country or state of a transferee if they are not a Canadian citizen or permanent resident of Canada
- Status as a settlor or beneficiary of a bare trust including the home country or state of a settlor or beneficiary
- Names
- Addresses
- Whether or not a home is a new home if they are applying for the new housing exemption
- The transferees principal residence if they are applying for the new housing exemption
- The transferee's SIN if they are applying for the new housing exemption²
- Whether an application is for an existing First Time Home Buyers' exemption or a new housing exemption and, when applicable, if a transferee is applying to switch between the two exemptions.

b) Will there be a change to the scope (amount or type) of personal information being collected, used or disclosed? (If so, please describe.)

This type of information is consistent with information already collected under the *Property Transfer Tax Act* and other tax statutes such as the *Income Tax Act*, the *Provincial Sales Tax*, and the *Home Owner Grant Act*. It is also consistent with information that was previously collected under the *Land Title Act*.

5. Collection of personal information

a)	Does the proposed legislation <u>specifically authorize the collection</u> of personal information?		
*	Yes	<input type="checkbox"/>	No (Go to question 6)
If yes, please describe and provide the rationale to support the collection.			
<p>The information is being collected for the administration and enforcement of tax statutes as well as for use in the formulation of tax policy.</p> <p>There has been concern over the impact of foreign investment on real estate prices, including investment through the use of bare trusts and corporations. There has also been concern over possible tax avoidance. The information being collected should better inform tax policy decisions on matters such as whether to increase taxes or institute new taxes.</p> <p>The amount of new information that is requested was kept at a minimum. The old <i>Land Title Act</i> provision required continuing disclosure when information changed and required information to be disclosed under for a wider range of transactions. The new information is collected only when a taxable transaction is registered, rather than any</p>			

² ibid

registerable charge which was the case under the old *Land Title Act* provision.

Prior to its repeal in 1998, section 151 of the *Land Title Act* provided:

151 (1) A person claiming to be registered as owner in fee simple or claiming a charge on land, other than a mortgage or a money judgment, must include with the person's application for registration a statement in the prescribed form, stating, if such is the case, whether the person

(a) is a Canadian citizen,

(b) has been lawfully admitted to Canada under the *Immigration Act* (Canada) for permanent residence, or

(c) is a citizen of a foreign country or state.

(2) If the person referred to in subsection (1) is a citizen of a foreign country or state, the person must state the country or state of which he or she is a citizen.

(3) If the person is a corporation, instead of the statement required by subsections (1) and (2) the application must include a statement in the prescribed form, stating the number of directors of the corporation and whether or not they are Canadian citizens or have been lawfully admitted to Canada under the *Immigration Act* (Canada) for permanent residence.

(4) If the statement required by subsection (3) shows that any of the directors are not Canadian citizens or have not been lawfully admitted to Canada, the statement must contain particulars as to the names, addresses and citizenship of those directors.

(5) If the facts stated in the statements required by subsections (1), (2) and (3) materially change after those persons become registered owners, they must forthwith give notice of the change in the prescribed form to the registrar.

(6) The Lieutenant Governor in Council may exempt a corporation or a class of corporation from the requirements of subsections (3) and (4), and the exemption may be made subject to terms and conditions the Lieutenant Governor in Council considers necessary.

A decision was made to have the information collected through the Act rather than re-implementing section 151(1) of the *Land Title Act* because the Act has an existing framework to protect the confidentiality of taxpayer information and clearly lays out what uses that information can be put to. Under these amendments data collection will only occur when a transaction is registered or an application from a transferee is received

The Act also makes clear who is responsible for the collection and protection of the information (the Property Taxation Branch of the Ministry of Finance).

The new housing exemption will require a transferee to disclose their citizenship status as well as their SIN³. It will also require a transferee to disclose that they are purchasing a new house. This information is consistent with other exemptions in the Act which also require this information. The SIN is required in order to audit the citizenship status of the transferee as Social Insurance Numbers belonging to non-citizens and non-permanent residents all begin with the number nine. This avoids requiring birth certificates or citizenship certificates, which typically contain more information such as parents names, where an individual was born, height, eye colour etc

b) Will the personal information be collected directly from the individual concerned?

* Yes (Go to question 6)

* No

If no, will the proposed legislation authorize the indirect collection of the personal information? (Please specify)

Citizenship information will be collected directly from the transferee if the transferee is an individual through the Property Transfer Tax form when the transferee applies for registration at the Land Title Office.

Information will also be collected directly from the transferee if they apply for the new housing exemption or makes an application to switch between the new housing exemption and the First Time Home Buyers' exemption.

The legislation will authorize the indirect collection of some of the information. In the case of a corporation, information is being collected from the corporation about directors. In the case of bare trustees, some information is collected from the bare trustee concerning the settlors and beneficiaries of the bare trust.

In the case of the corporation much of this information is also available publicly (the names and addresses of their directors) and is within the scope of other information that is already collected in the Act and other tax statutes.

A bare trust is a sophisticated tax planning tool. In the case of a bare trustee, the bare trustee is the agent of the beneficiaries and is following the instructions of the settlor as set out in the trust deed. A bare trustee (or nominee or mere agent) relationship exists where the person holding title has no independent powers, discretions or responsibilities; his or her only responsibility is to carry out the instructions of the beneficial owner. The fact that this information is being disclosed is unlikely to be a surprise to either the settlor or the beneficiary as a bare trustee is not independent and by definition cannot act without instructions (the bare trust is a tool of the settlor and beneficiary).

Additionally, the data being collected is generally within the scope of the Act which already requires the disclosure of information on settlors and beneficiaries in other circumstances and other tax statutes more generally.

6. Use of personal information

a) Does the proposed legislation specifically authorize the use of personal information?

³ ibid

Legislation Privacy Impact Assessment

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No (Go to question 7)
If yes, please describe and provide the rationale to support the use.	
<p>These amendments contain a new exemption for new housing. In order to ensure that the exemption is not abused or claimed by individuals who do not actually qualify for the exemption the administrator is authorized to use the information collected from the transferee to determine whether or not a transferee who applies for a refund of tax actually qualifies for that refund. This includes the use of that information for audit purposes.</p> <p>This is consistent with the other exemptions in the Act (such as the First Time Home Buyers' exemption) and tax statutes more generally which all provide for audits.</p>	

7. Disclosure of personal information

a)	Does the proposed legislation <u>specifically authorize the disclosure</u> of personal information?	
	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No (Go to question 8)
If yes, please describe and provide the purpose and rationale to support the disclosure. Please also describe to whom the personal information would be disclosed.		
b)	Does the proposed legislation <u>permit or require the disclosure</u> of personal information outside Canada? (This includes information posted on the internet.)	
	<input type="checkbox"/> Yes (Please describe and provide the rationale)	<input checked="" type="checkbox"/> No (Go to question 8)

8. Does the proposed legislation address the retention/disposal of personal information? If so, please explain.

No.

9. Will the proposed legislation support a regulation-making function related to the administration of personal information?

<input type="checkbox"/>	Yes – please explain (Please follow-up with PLB during the regulation development)
<input checked="" type="checkbox"/>	No
<input type="checkbox"/>	Unknown (If one is developed please follow-up with PLB during the regulation development)



Legislation Privacy Impact Assessment

Part 3 – ACCESS (Freedom of Information)

10. Does the proposed legislation include a section that overrides or limits provisions of the *Freedom of Information and Protection of Privacy* (FOIPP) Act (examples of this include a notwithstanding clause or “despite the FOIPP Act” clause)?

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No (Go to question 11)
a)	Identify the provisions of the FOIPP Act that will be affected,		
b)	cite section in proposed legislation (if available), and		
c)	explain why the override or limitation is necessary.		

11. Does the proposed legislation include a confidentiality clause or any other provision that limits the access of an individual to their personal information or other records of the public body?

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
a)	Cite section reference in proposed legislation (if available)		
b)	Explain why the confidentiality clause or other limiting provision is necessary		

Part 4 – Conclusion

This LPIA is based on the RFL dated and identified on page one. If there are any changes in scope from the original RFL you may need to complete a new Legislation Privacy Impact Assessment. Please inform PLB if you make any changes to the scope.

LPIA Completed by:	Steve Hawkshaw	Title:	Tax Policy Analyst	Date:	February 12, 2016
--------------------	----------------	--------	--------------------	-------	-------------------



Legislation Privacy Impact Assessment

Please note that PLB's review and comment on your PIA is confirmed through the summary it sends to Cabinet Operations.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

Part 1 – General

Name of Ministry:	Finance		
PIA Drafter:	Deborah Brouwer		
Email:	Deborah.Brouwer@gov.bc.ca	Phone:	250 387-2884
Program Manager:	Liam Vearer		
Email:	Liam.Vearer@gov.bc.ca	Phone:	250 387-0602

1. Description of the Initiative

The property tax deferment program is a low-interest loan program that allows qualifying property owners to defer paying their annual property taxes. The Province pays the annual property taxes to municipal or rural tax collectors on behalf of the property owner and the resulting debt to the Province is secured by a registered lien and charge on the property. The debt must be repaid before the property can be sold or otherwise transferred. Participation in the program must be renewed annually.

To participate in the program, property owners must have a minimum amount of equity in their home (25% for the regular program, 15% for the “families with children” program). The Ministry of Finance (FIN) checks that property owners meet the equity requirements both at the time that they enter into the deferment program and with each annual renewal application.

If the property owner has a Canada Revenue Agency (CRA) judgment registered on title to the property, the FIN needs to know the current value of the judgment debt to determine whether the owner has sufficient remaining equity to defer his or her current year property taxes. In previous years, FIN has requested this information from the property owner. Under this initiative, the property tax deferment program will provide the CRA with personal information of the property owner so that the CRA can confirm the current balance of the debt, rather than requiring the property owner obtain and submit to it to FIN.

2. Scope of this PIA

This PIA covers the disclosure of personal information collected under the *Land Tax Deferment Act* (LTDA) to the CRA for the purpose of determining the current balance of a CRA judgment debt. As well, this PIA covers the collection and use of personal information, including taxpayer information, by FIN from the CRA.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

3. Related Privacy Impact Assessments

None.

4. Elements of Information or Data

Each February FIN will run a power query through the property tax deferment application (TDA) database looking for judgments registered on deferment properties. If a judgment is registered in the name of "The Crown in Right of Canada" by the CRA, then the judgment will be entered into a spreadsheet by FIN with the following columns:

- AGREEMENT NUMBER
- REGISTERED OWNERS ON LTO [Land Title Office]
- PID # [Parcel Identification Number]
- OWNER OF THE JUDGMENT
- TYPE OF JUDGMENT
- REGISTRATION NUMBER OF THE JUDGMENT
- DATE OF THE REGISTERED CHARGE
- AMOUNT INDICATED ON REGISTERED DOCUMENT
- WHO THE INTEREST OF THE CHARGE IS FOR
- FIN COMMENTS

FIN will then encrypt the spreadsheet and disclose it to the CRA.

The CRA will add two additional columns to the spreadsheet with the headings:

- CURRENT BALANCE OF DEBT
- CRA COMMENTS

The CRA will then encrypt the updated spreadsheet and disclose it to FIN. FIN will use the information in its determination of whether the owner is eligible to defer their annual property taxes.

If personal information **is** involved in your initiative, please continue to the next page to complete your PIA.

If **no** personal information is involved, please submit Parts 1, 6, and 7 unsigned to PLB at pia.intake@gov.bc.ca. A privacy advisor will be assigned to your file and will guide you through the completion of your PIA.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

Part 2 – Protection of Personal Information

5. Storage or Access outside Canada

The data is stored within Canada at the BC Government Data Centre and accessible only within Canada.

6. Data-linking Initiative*

In FOIPPA, "data linking" and "data-linking initiative" are strictly defined. Answer the following questions to determine whether your initiative qualifies as a "data-linking initiative" under the Act. If you answer "yes" to all 3 questions, your initiative may be a data linking initiative. If so, you will need to comply with specific requirements under the Act related to data-linking initiatives.

1. Personal information from one database is linked or combined with personal information from another database;	yes
2. The purpose for the linkage is different from those for which the personal information in each database was originally obtained or compiled;	no
3. The data linking is occurring between either (1) two or more public bodies or (2) one or more public bodies and one or more agencies.	no
If you have answered "yes" to all three questions, please contact a PLB Privacy Advisor to discuss the requirements of a data-linking initiative.	n/a



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

7. Common or Integrated Program or Activity*

<p>In FOIPPA, “common or integrated program or activity” is strictly defined. Answer the following questions to determine whether your initiative qualifies as “a common or integrated program or activity” under the Act. If you answer “yes” to all 3 of these questions, you must comply with requirements under the Act for common or integrated programs and activities.</p>	
<p>1. This initiative involves a program or activity that provides a service (or services);</p>	yes
<p>2. Those services are provided through: (a) a public body and at least one other public body or agency working collaboratively to provide that service; or (b) one public body working on behalf of one or more other public bodies or agencies;</p>	no
<p>3. The common or integrated program/activity is confirmed by written documentation that meets the requirements set out in the FOIPP regulation.</p>	no
<p>Please check this box if this program involves a common or integrated program or activity based on your answers to the three questions above.</p>	n/a

*** Please note: If your initiative involves a “data-linking initiative” or a “common or integrated program or activity”, consultation on this PIA must take place with the Office of the Information and Privacy Commissioner (OIPC). PLB will facilitate the consultation with the OIPC.**

For future reference, ministries are required to notify the OIPC of a “data-linking initiative” or a “common or integrated program or activity” in the early stages of developing the initiative, program or activity. PLB will help facilitate this notification.

8. Personal Information Flow Diagram and/or Personal Information Flow Table

Personal Information Flow Table			
	Description/Purpose	Type	FOIPPA Authority
1.	Owner provides personal information including his or her name on the property tax deferment application or renewal application.	Direct Collection	26(a) [expressly authorized by section 13(a) LTDA]
2.	CRA judgment charge number is collected from	Indirect	26(c) [necessary for



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

	land title office records.	Collection	program] 27(b)[33.1(1)(i.1)]
3.	FIN transmits personal information to CRA.	Disclosure	33.1(1)(c) [disclosure is authorized to administer the Act under s.13.1(2)(a) LTDA] 33.1(1)(i.1) [to make a deferment payment]
s.13			
5.	FIN uses information provided by CRA to confirm equity in property and so eligibility to participate in the deferment program.	Use	32(a)

9. Risk Mitigation Table

Risk Mitigation Table				
	Risk	Mitigation Strategy	Likelihood	Impact
1.	Employees could access personal information and use or disclose it for unauthorized purposes	Oath of Employment. Income Tax Branch employees re-affirm understanding of Standards of Conduct and privacy protocols on an annual basis via a Policy Acceptance Tool.	Low	High
2.	Owner's personal information is compromised when transferred to and from CRA.	The list of accounts requiring confirmation by CRA will be sent as an encrypted file (the ministry has the ability to encrypt to CRA specific certificates). The file	Low	High



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

		returned by CRA will also be encrypted. Encrypted files are transmitted over a secure line.		
--	--	---------------------------------------------------------------------------------------------	--	--

10. Collection Notice

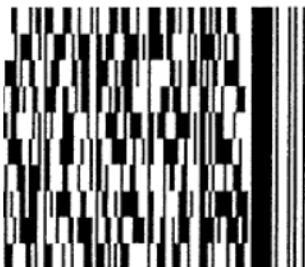
The judgment information is not collected directly from the individual; however, the property tax deferment application contains the following collection notice:

a/propertytaxdeferment

PROPERTY TAX DEFERMENT PROGRAM APPLICATION

under the *Land Tax Deferment Act*

FORM 1



Freedom of Information and Protection of Privacy Act (FOIPPA)

The personal information on this form is collected for the purpose of administering the *Land Tax Deferment Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferment, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, the *Property Transfer Tax Act* and the *Taxation (Rural Area) Act*.

The annual renewal application has a similar collection notice:

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, *Property Transfer Tax Act* and *Taxation (Rural Area) Act*.

Freedom of Information and Protection of Privacy Act (FOIPPA)

The personal information on this form is collected for the purpose of administering the *Land Tax Deferment Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferment, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

As well, all registered owners authorize the Province to obtain the value of any charges registered against the title on the property in order to verify the minimum equity requirements for tax deferment. The deferment agreement provides:



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

I/We, as the owner/owners of the property identified in the application (the Property), agree with Her Majesty the Queen in right of British Columbia (the Province) as represented by the minister responsible for the administration of the *Land Tax Deferment Act*, to defer property taxes on the Property as follows:

- I/We authorize the Province:
 - to obtain the Parcel Identifier (P.I.D.) Number(s), registered owner information and legal description of the Property, or the details of the manufactured home that correspond with the Property, and to endorse that information on this agreement with the intent that the endorsement will form part of this agreement, and in the case of the manufactured home, endorse the information on the financing statement;
 - to obtain the value of any charges registered against the title on the Property from the registered chargeholders in order to verify the minimum equity requirements for tax deferment;
 - to verify the information provided by accessing relevant records held by the Insurance Corporation of British Columbia, Home Owner Grant Administration, Land Title and Survey Authority, Personal Property Registry, Manufactured Home Registry, BC Assessment and other sources as required; and

Part 3 – Security of Personal Information

If this PIA involves an information system, or if it is otherwise deemed necessary to do so, please consult with your Ministry Information Security Officer (MISO) when filling out this section. Your MISO will also be able to tell you whether you will need to complete a separate assessment called a Security Threat and Risk Assessment (STRA) for this initiative.

11. Please describe the physical security measures related to the initiative (if applicable).

N/A - disclosure will be electronic. Personal information collected from CRA is stored in a FIN secure system, i.e. the local area network, and is accessed through password protected computer terminals.

12. Please describe the technical security measures related to the initiative (if applicable).

Data file will be encrypted based using CRA-specific certificates and transmitted over a secure line.

Encryption software being used is Entrust which is required and provided by CRA to use as file exchanged mechanism.

13. Does your branch rely on security policies other than the Information Security Policy?

No.



Privacy Impact Assessment for

Property Tax Deferment and Canada

Revenue Agency information

PIA# FIN16016

14. Please describe any access controls and/or ways in which you will limit or restrict unauthorized changes (such as additions or deletions) to personal information.

FIN users must be approved for role-based access to the FIN systems on a need-to-know basis. As well, external access to the personal information is restricted by government firewalls.

15. Please describe how you track who has access to the personal information.

Access must be requested from the supervisor of the program area for staff. In the situation for staff outside of the program area, Manager approval is needed. Access is arranged through FIN's contractor HP Advanced Solutions (HPAS). HPAS keeps an inventory of staff with access that can be requested by FIN when needed. Access is removed on request by the supervisor.

Part 4 – Accuracy/Correction/Retention of Personal Information

16. How is an individual's information updated or corrected? If information is not updated or corrected (for physical, procedural or other reasons) please explain how it will be annotated? If personal information will be disclosed to others, how will the ministry notify them of the update, correction or annotation?

A property owner, including an individual, may contact FIN in order to correct or update their personal information under the custody of FIN. Additionally, if FIN staff becomes aware that a property owner's may be incorrect, FIN staff will contact the property owner by telephone in order to verify the accuracy of the information currently in its custody.

17. Does your initiative use personal information to make decisions that directly affect an individual(s)? If yes, please explain.

Yes. The current amount of the CRA debt may affect the owner's ability to defer property taxes.

18. If you answered "yes" to question 17, please explain the efforts that will be made to ensure that the personal information is accurate and complete.

Receiving updated balance confirmation directly from CRA helps ensure accuracy for administration of the tax deferment program.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

19. If you answered “yes” to question 17, do you have approved records retention and disposition schedule that will ensure that personal information is kept for at least one year after it is used in making a decision directly affecting an individual?

Yes. Records are retained in accordance with approved ARCS/ORCS schedules and LTDA. Property tax deferment images and data are retained for three years after the deferment loan is no longer active (i.e. after the loan is paid back in full). If the deferment application is not accepted, the retention period is 7 years.

Part 5 – Further Information

20. Does the initiative involve systematic disclosures of personal information? If yes, please explain.

Yes, there is a systematic disclosure as it is occurring at least once a year on a regular basis.

Please check this box if the related Information Sharing Agreement (ISA) has been prepared. If you have general questions about preparing an ISA, please contact the Privacy and Access Helpline.

N/A*

*While there is no Information Sharing Agreement specifically for this initiative, the exchange of information between FIN and the CRA will follow existing protocols. The CRA does not require an Information Sharing Agreement to be in place for this initiative because confirmation of a judgement balance is released by the CRA to any party that has a financial interest in a property, including financial institutions and mortgage brokers.

21. Does the program involve access to personally identifiable information for research or statistical purposes? If yes, please explain.

No.

Please check this box if the related Research Agreement (RA) is attached. If you require assistance completing an RA please contact a PLB advisor.

N/A

22. Will a personal information bank (PIB) result from this initiative?

No. The information from the CRA would be added to the already existing tax deferment application (TDA) database. PIBS_FIN_295 covers data collected for the Property Tax Deferment program.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

Please ensure Parts 6 and 7 are attached unsigned to your submitted PIA.

Part 6 – PCTB Comments and Signatures

This PIA is based on a review of the material provided to PCTB as of the date below. If, in future any substantive changes are made to the scope of this PIA, the ministry will have to complete a PIA Update and submit it to PCTB.

s.13

Alan Arslan

April 26, 2016

Privacy Analyst
Privacy, Compliance and Training
Branch
Corporate Information and Records
Management Office
Ministry of Finance

Signature

Date

Eileen Padgett

Senior Privacy Advisor
Privacy, Compliance and Training
Branch
Corporate Information and Records
Management Office
Ministry of Finance

Signature

Date



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

Part 7 – Program Area Comments and Signatures

Liam Vearer
Manager, Property Tax Deferment Administration
Property Taxation Branch
Ministry of Finance

Date

Richard Barlow
MISO and MPO
Ministry of Finance

Date

Paula Harper
Executive Director
Income Taxation Branch
Ministry of Finance

Date

Steven Emery
Executive Director
Property Taxation Branch
Ministry of Finance

Date

Elan Symes
Assistant Deputy Minister Revenue Division
Ministry of Finance

Date



Privacy Impact Assessment for

Property Tax Deferment and Canada

Revenue Agency information

PIA# FIN16016

A final copy of this PIA (with all applicable signatures and attachments) must be provided to PCTB for its records to complete the process. PCTB is the designated office of primary responsibility for PIAs under ARCS 293-60.

PCTB will publish the ministry name, business contact details and a brief summary of the PIA to the Personal Information Directory (PID) as required by section 69(2) of FOIPPA. If you have any questions, please contact your privacy advisor at PCTB or call the Privacy and Access Helpline at 250 356-1851.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

Why do I need to do a PIA?

Section 69 (5) of the *Freedom of Information and Protection of Privacy Act* (FOIPPA) requires the head of a ministry to conduct a privacy impact assessment (PIA) in accordance with the directions of the minister responsible for FOIPPA. Section 69 (5.1) requires the head to submit the PIA to the minister responsible for FOIPPA for review, during the development of any new system, project, program or activity, or proposed enactment, or when making changes to an existing one. The Privacy and Legislation Branch (PLB) is the representative of the Minister for these purposes. Ministries must submit PIAs to PLB at pia.intake@gov.bc.ca for review and comment prior to implementation of any initiative. If you have any questions, please call the Privacy and Access Helpline (250 356-1851) for a privacy advisor. Please see our PIA Guidelines for question-specific guidance on completing a PIA.

What if my initiative does not include personal information?

Ministries still need to complete Part 1 of the PIA and submit it, along with the signatures pages, to PLB even if it is thought that no personal information is involved. This ensures that the initiative has been accurately assessed.

Part 1 – General

Name of Ministry:	Finance		
PIA Drafter:	Deborah Brouwer		
Email:	Deborah.Brouwer@gov.bc.ca	Phone:	250 387-2884
Program Manager:	Liam Vearer		
Email:	Liam.Vearer@gov.bc.ca	Phone:	250 387-0602

1. Description of the Initiative

The property tax deferment program is a low-interest loan program that allows qualifying property owners to defer paying their annual property taxes. The Province pays the annual property taxes to municipal or rural tax collectors on behalf of the property owner and the resulting debt to the Province is secured by a registered lien and charge on the property. The debt must be repaid before the property can be sold or otherwise transferred. Participation in the program must be renewed annually.

To participate in the program, property owners must have a minimum amount of equity in their home (25% for the regular program, 15% for the “families with children” program). The Ministry of Finance (FIN) checks that property owners meet the equity requirements both at the time that they enter into the deferment program and with each annual renewal application.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

If the property owner has a Canada Revenue Agency (CRA) judgment registered on title to the property, the FIN needs to know the current value of the judgment debt to determine whether the owner has sufficient remaining equity to defer his or her current year property taxes. In previous years, FIN has requested this information from the property owner. Under this initiative, the property tax deferment program will provide the CRA with personal information of the property owner so that the CRA can confirm the current balance of the debt, rather than requiring the property owner obtain and submit to it to FIN.

2. Scope of this PIA

This PIA covers the disclosure of personal information collected under the *Land Tax Deferment Act* (LTDA) to the CRA for the purpose of determining the current balance of a CRA judgment debt. As well, this PIA covers the collection and use of personal information, including taxpayer information, by FIN from the CRA.

3. Related Privacy Impact Assessments

None.

4. Elements of Information or Data

Each February FIN will run a power query through the property tax deferment application (TDA) database looking for judgments registered on deferment properties. If a judgment is registered in the name of "The Crown in Right of Canada" by the CRA, then the judgment will be entered into a spreadsheet by FIN with the following columns:

- AGREEMENT NUMBER
- REGISTERED OWNERS ON LTO [Land Title Office]
- PID # [Parcel Identification Number]
- OWNER OF THE JUDGMENT
- TYPE OF JUDGMENT
- REGISTRATION NUMBER OF THE JUDGMENT
- DATE OF THE REGISTERED CHARGE
- AMOUNT INDICATED ON REGISTERED DOCUMENT
- WHO THE INTEREST OF THE CHARGE IS FOR
- FIN COMMENTS

FIN will then encrypt the spreadsheet and disclose it to the CRA.

The CRA will add two additional columns to the spreadsheet with the headings:

- CURRENT BALANCE OF DEBT



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

- CRA COMMENTS

The CRA will then encrypt the updated spreadsheet and disclose it to FIN. FIN will use the information in its determination of whether the owner is eligible to defer their annual property taxes.

If personal information **is** involved in your initiative, please continue to the next page to complete your PIA.

If **no** personal information is involved, please submit Parts 1, 6, and 7 unsigned to PLB at pia.intake@gov.bc.ca. A privacy advisor will be assigned to your file and will guide you through the completion of your PIA.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

Part 2 – Protection of Personal Information

5. Storage or Access outside Canada

The data is stored within Canada at the BC Government Data Centre and accessible only within Canada.

6. Data-linking Initiative*

In FOIPPA, "data linking" and "data-linking initiative" are strictly defined. Answer the following questions to determine whether your initiative qualifies as a "data-linking initiative" under the Act. If you answer "yes" to all 3 questions, your initiative may be a data linking initiative. If so, you will need to comply with specific requirements under the Act related to data-linking initiatives.

1. Personal information from one database is linked or combined with personal information from another database;	yes
2. The purpose for the linkage is different from those for which the personal information in each database was originally obtained or compiled;	no
3. The data linking is occurring between either (1) two or more public bodies or (2) one or more public bodies and one or more agencies.	no
If you have answered "yes" to all three questions, please contact a PLB Privacy Advisor to discuss the requirements of a data-linking initiative.	n/a



Privacy Impact Assessment for Property Tax Deferral and Canada Revenue Agency information

PIA# FIN16016

7. Common or Integrated Program or Activity*

In FOIPPA, “common or integrated program or activity” is strictly defined. Answer the following questions to determine whether your initiative qualifies as “a common or integrated program or activity” under the Act. If you answer “yes” to all 3 of these questions, you must comply with requirements under the Act for common or integrated programs and activities.	
1. This initiative involves a program or activity that provides a service (or services);	yes
2. Those services are provided through: (a) a public body and at least one other public body or agency working collaboratively to provide that service; or (b) one public body working on behalf of one or more other public bodies or agencies;	no
3. The common or integrated program/activity is confirmed by written documentation that meets the requirements set out in the FOIPP regulation.	no
Please check this box if this program involves a common or integrated program or activity based on your answers to the three questions above.	n/a

* Please note: If your initiative involves a “data-linking initiative” or a “common or integrated program or activity”, consultation on this PIA must take place with the Office of the Information and Privacy Commissioner (OIPC). PLB will facilitate the consultation with the OIPC.

For future reference, ministries are required to notify the OIPC of a “data-linking initiative” or a “common or integrated program or activity” in the early stages of developing the initiative, program or activity. PLB will help facilitate this notification.

8. Personal Information Flow Diagram and/or Personal Information Flow Table

Personal Information Flow Table			
	Description/Purpose	Type	FOIPPA Authority
1.	Owner provides personal information including his or her name on the property tax deferral application or renewal application.	Direct Collection	26(a) [expressly authorized by section 13(a) LTDA]
2.	CRA judgment charge number is collected from	Indirect	26(c) [necessary for



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

	land title office records.	Collection	program] 27(b)[33.1(1)(i.1)]
3.	FIN transmits personal information to CRA.	Disclosure	33.1(1)(c) [disclosure is authorized to administer the Act under s.13.1(2)(a) LTDA] 33.1(1)(i.1) [to make a deferment payment]
s.13			
5.	FIN uses information provided by CRA to confirm equity in property and so eligibility to participate in the deferment program.	Use	32(a)

9. Risk Mitigation Table

Risk Mitigation Table				
	Risk	Mitigation Strategy	Likelihood	Impact
1.	Employees could access personal information and use or disclose it for unauthorized purposes	Oath of Employment. Income Tax Branch employees re-affirm understanding of Standards of Conduct and privacy protocols on an annual basis via a Policy Acceptance Tool.	Low	High
2.	Owner's personal information is compromised when transferred to and from CRA.	The list of accounts requiring confirmation by CRA will be sent as an encrypted file (the ministry has the ability to encrypt to CRA specific certificates). The file	Low	High



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

		returned by CRA will also be encrypted. Encrypted files are transmitted over a secure line.		
--	--	---------------------------------------------------------------------------------------------	--	--

10. Collection Notice

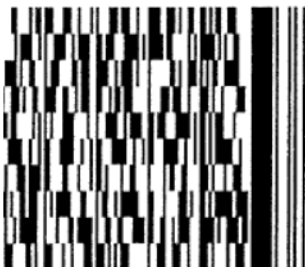
The judgment information is not collected directly from the individual; however, the property tax deferment application contains the following collection notice:

a/propertytaxdeferment

PROPERTY TAX DEFERMENT PROGRAM APPLICATION

under the *Land Tax Deferment Act*

FORM 1



Freedom of Information and Protection of Privacy Act (FOIPPA)

The personal information on this form is collected for the purpose of administering the *Land Tax Deferment Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferment, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, the *Property Transfer Tax Act* and the *Taxation (Rural Area) Act*.

The annual renewal application has a similar collection notice:

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, *Property Transfer Tax Act* and *Taxation (Rural Area) Act*.

Freedom of Information and Protection of Privacy Act (FOIPPA)

The personal information on this form is collected for the purpose of administering the *Land Tax Deferment Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferment, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

As well, all registered owners authorize the Province to obtain the value of any charges registered against the title on the property in order to verify the minimum equity requirements for tax deferment. The deferment agreement provides:



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

I/We, as the owner/owners of the property identified in the application (the Property), agree with Her Majesty the Queen in right of British Columbia (the Province) as represented by the minister responsible for the administration of the *Land Tax Deferment Act*, to defer property taxes on the Property as follows:

- I/We authorize the Province:
 - to obtain the Parcel Identifier (P.I.D.) Number(s), registered owner information and legal description of the Property, or the details of the manufactured home that correspond with the Property, and to endorse that information on this agreement with the intent that the endorsement will form part of this agreement, and in the case of the manufactured home, endorse the information on the financing statement;
 - to obtain the value of any charges registered against the title on the Property from the registered chargeholders in order to verify the minimum equity requirements for tax deferment;
 - to verify the information provided by accessing relevant records held by the Insurance Corporation of British Columbia, Home Owner Grant Administration, Land Title and Survey Authority, Personal Property Registry, Manufactured Home Registry, BC Assessment and other sources as required; and

Part 3 – Security of Personal Information

If this PIA involves an information system, or if it is otherwise deemed necessary to do so, please consult with your Ministry Information Security Officer (MISO) when filling out this section. Your MISO will also be able to tell you whether you will need to complete a separate assessment called a Security Threat and Risk Assessment (STRA) for this initiative.

11. Please describe the physical security measures related to the initiative (if applicable).

N/A - disclosure will be electronic. Personal information collected from CRA is stored in a FIN secure system, i.e. the local area network, and is accessed through password protected computer terminals.

12. Please describe the technical security measures related to the initiative (if applicable).

Data file will be encrypted based using CRA-specific certificates and transmitted over a secure line.

Encryption software being used is Entrust which is required and provided by CRA to use as file exchanged mechanism.

13. Does your branch rely on security policies other than the Information Security Policy?

No.



Privacy Impact Assessment for

Property Tax Deferment and Canada

Revenue Agency information

PIA# FIN16016

14. Please describe any access controls and/or ways in which you will limit or restrict unauthorized changes (such as additions or deletions) to personal information.

FIN users must be approved for role-based access to the FIN systems on a need-to-know basis. As well, external access to the personal information is restricted by government firewalls.

15. Please describe how you track who has access to the personal information.

Access must be requested from the supervisor of the program area for staff. In the situation for staff outside of the program area, Manager approval is needed. Access is arranged through FIN's contractor HP Advanced Solutions (HPAS). HPAS keeps an inventory of staff with access that can be requested by FIN when needed. Access is removed on request by the supervisor.

Part 4 – Accuracy/Correction/Retention of Personal Information

16. How is an individual's information updated or corrected? If information is not updated or corrected (for physical, procedural or other reasons) please explain how it will be annotated? If personal information will be disclosed to others, how will the ministry notify them of the update, correction or annotation?

A property owner, including an individual, may contact FIN in order to correct or update their personal information under the custody of FIN. Additionally, if FIN staff becomes aware that a property owner's may be incorrect, FIN staff will contact the property owner by telephone in order to verify the accuracy of the information currently in its custody.

17. Does your initiative use personal information to make decisions that directly affect an individual(s)? If yes, please explain.

Yes. The current amount of the CRA debt may affect the owner's ability to defer property taxes.

18. If you answered "yes" to question 17, please explain the efforts that will be made to ensure that the personal information is accurate and complete.

Receiving updated balance confirmation directly from CRA helps ensure accuracy for administration of the tax deferment program.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

19. If you answered “yes” to question 17, do you have approved records retention and disposition schedule that will ensure that personal information is kept for at least one year after it is used in making a decision directly affecting an individual?

Yes. Records are retained in accordance with approved ARCS/ORCS schedules and LTDA. Property tax deferment images and data are retained for three years after the deferment loan is no longer active (i.e. after the loan is paid back in full). If the deferment application is not accepted, the retention period is 7 years.

Part 5 – Further Information

20. Does the initiative involve systematic disclosures of personal information? If yes, please explain.

Yes, there is a systematic disclosure as it is occurring at least once a year on a regular basis.

Please check this box if the related Information Sharing Agreement (ISA) has been prepared. If you have general questions about preparing an ISA, please contact the Privacy and Access Helpline.

N/A*

*While there is no Information Sharing Agreement specifically for this initiative, the exchange of information between FIN and the CRA will follow existing protocols. The CRA does not require an Information Sharing Agreement to be in place for this initiative because confirmation of a judgement balance is released by the CRA to any party that has a financial interest in a property, including financial institutions and mortgage brokers.

21. Does the program involve access to personally identifiable information for research or statistical purposes? If yes, please explain.

No.

Please check this box if the related Research Agreement (RA) is attached. If you require assistance completing an RA please contact a PLB advisor.

N/A

22. Will a personal information bank (PIB) result from this initiative?

No. The information from the CRA would be added to the already existing tax deferment application (TDA) database. PIBS_FIN_295 covers data collected for the Property Tax Deferment program.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

Please ensure Parts 6 and 7 are attached unsigned to your submitted PIA.

Part 6 – PCTB Comments and Signatures

This PIA is based on a review of the material provided to PCTB as of the date below. If, in future any substantive changes are made to the scope of this PIA, the ministry will have to complete a PIA Update and submit it to PCTB.

Alan Arslan

Privacy Analyst and Investigator
Privacy, Compliance and Training
Branch
Corporate Information and Records
Management Office
Ministry of Finance

Signature

Date

Eileen Padgett

Senior Privacy and Policy Advisor
Privacy, Compliance and Training
Branch
Corporate Information and Records
Management Office
Ministry of Finance

Signature

Date



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

Part 7 – Program Area Comments and Signatures

Liam Vearer
Manager, Property Tax Deferment Administration
Property Taxation Branch
Ministry of Finance

Date

Richard Barlow
MISO and MPO
Ministry of Finance

Date

Paula Harper
Executive Director
Income Taxation Branch
Ministry of Finance

Date

Steven Emery
Executive Director
Property Taxation Branch
Ministry of Finance

Date

Elan Symes
Assistant Deputy Minister Revenue Division
Ministry of Finance

Date



Privacy Impact Assessment for

Property Tax Deferment and Canada

Revenue Agency information

PIA# FIN16016

A final copy of this PIA (with all applicable signatures and attachments) must be provided to PCTB for its records to complete the process. PCTB is the designated office of primary responsibility for PIAs under ARCS 293-60.

PCTB will publish the ministry name, business contact details and a brief summary of the PIA to the Personal Information Directory (PID) as required by section 69(2) of FOIPPA. If you have any questions, please contact your privacy advisor at PCTB or call the Privacy and Access Helpline at 250 356-1851.



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

Why do I need to do a PIA?

Section 69 (5) of the *Freedom of Information and Protection of Privacy Act* (FOIPPA) requires the head of a ministry to conduct a privacy impact assessment (PIA) in accordance with the directions of the minister responsible for FOIPPA. Section 69 (5.1) requires the head to submit the PIA to the minister responsible for FOIPPA for review, during the development of any new system, project, program or activity, or proposed enactment, or when making changes to an existing one. The Privacy and Legislation Branch (PLB) is the representative of the Minister for these purposes. Ministries must submit PIAs to PLB at pia.intake@gov.bc.ca for review and comment prior to implementation of any initiative. If you have any questions, please call the Privacy and Access Helpline (250 356-1851) for a privacy advisor. Please see our PIA Guidelines for question-specific guidance on completing a PIA.

What if my initiative does not include personal information?

Ministries still need to complete Part 1 of the PIA and submit it, along with the signatures pages, to PLB even if it is thought that no personal information is involved. This ensures that the initiative has been accurately assessed.

Part 1 – General

Name of Ministry:	Finance		
PIA Drafter:	Deborah Brouwer		
Email:	Deborah.Brouwer@gov.bc.ca	Phone:	250 387-2884
Program Manager:	Liam Vearer		
Email:	Liam.Vearer@gov.bc.ca	Phone:	250 387-0602

1. Description of the Initiative

The property tax deferment program is a low-interest loan program that allows qualifying property owners to defer paying their annual property taxes. The Province pays the annual property taxes to municipal or rural tax collectors on behalf of the property owner and the resulting debt to the Province is secured by a registered lien and charge on the property. The debt must be repaid before the property can be sold or otherwise transferred. Participation in the program must be renewed annually.

To participate in the program, property owners must have a minimum amount of equity in their home (25% for the regular program, 15% for the “families with children” program). The Ministry of Finance (FIN) checks that property owners meet the equity requirements both at the time that they enter into the deferment program and with each annual renewal application.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

If the property owner has a Canada Revenue Agency (CRA) judgment registered on title to the property, the FIN needs to know the current value of the judgment debt to determine whether the owner has sufficient remaining equity to defer his or her current year property taxes. Under this initiative, the property tax deferment program will provide the CRA with personal information of the property owner so that the CRA can confirm the current balance of the debt.

2. Scope of this PIA

This PIA covers the disclosure of personal information collected under the Land Tax Deferment Act (LTDA) to the CRA for the purpose of determining the current balance of a CRA judgment debt. As well, this PIA covers the collection and use of personal information, including taxpayer information, by FIN from the CRA.

3. Related Privacy Impact Assessments

None.

4. Elements of Information or Data

Each February FIN will run a power query through the property tax deferment application (TDA) database looking for judgments registered on deferment properties. If a judgment is registered in the name of "the Crown in Right of Canada" by the CRA, then the judgment will be entered into a spreadsheet by FIN with the following columns:

- AGREEMENT NUMBER
- REGISTERED OWNERS ON LTO [Land Title Office]
- PID # [Parcel Identification Number]
- OWNER OF THE JUDGMENT
- TYPE OF JUDGMENT
- REGISTRATION NUMBER OF THE JUDGMENT
- DATE OF THE REGISTERED CHARGE
- AMOUNT INDICATED ON REGISTERED DOCUMENT
- WHO THE INTEREST OF THE CHARGE IS FOR
- FIN COMMENTS

FIN will then encrypt the spreadsheet and disclose it to the CRA.

The CRA will add two additional columns to the spreadsheet with the headings:

- CURRENT BALANCE OF DEBT
- CRA COMMENTS



Privacy Impact Assessment for *Property Tax Deferral and Canada Revenue Agency information* PIA# FIN16016

The CRA will then encrypt the updated spreadsheet and disclose it to FIN. FIN will use the information in its determination of whether the owner is eligible to defer their annual property taxes.

If personal information **is** involved in your initiative, please continue to the next page to complete your PIA.

If **no** personal information is involved, please submit Parts 1, 6, and 7 unsigned to PLB at pia.intake@gov.bc.ca. A privacy advisor will be assigned to your file and will guide you through the completion of your PIA.



Privacy Impact Assessment for *Property Tax Deferral and Canada Revenue Agency information* PIA# FIN16016

Part 2 – Protection of Personal Information

5. Storage or Access outside Canada

The data is stored within Canada at the BC Government Data Centre and accessible only within Canada.

6. Data-linking Initiative*

In FOIPPA, "data linking" and "data-linking initiative" are strictly defined. Answer the following questions to determine whether your initiative qualifies as a "data-linking initiative" under the Act. If you answer "yes" to all 3 questions, your initiative may be a data linking initiative. If so, you will need to comply with specific requirements under the Act related to data-linking initiatives.

1. Personal information from one database is linked or combined with personal information from another database;	yes
2. The purpose for the linkage is different from those for which the personal information in each database was originally obtained or compiled;	no
3. The data linking is occurring between either (1) two or more public bodies or (2) one or more public bodies and one or more agencies.	no
If you have answered "yes" to all three questions, please contact a PLB Privacy Advisor to discuss the requirements of a data-linking initiative.	n/a



Privacy Impact Assessment for *Property Tax Deferral and Canada* *Revenue Agency information* PIA# FIN16016

7. Common or Integrated Program or Activity*

<p>In FOIPPA, “common or integrated program or activity” is strictly defined. Answer the following questions to determine whether your initiative qualifies as “a common or integrated program or activity” under the Act. If you answer “yes” to all 3 of these questions, you must comply with requirements under the Act for common or integrated programs and activities.</p>	
1. This initiative involves a program or activity that provides a service (or services);	yes
2. Those services are provided through: (a) a public body and at least one other public body or agency working collaboratively to provide that service; or (b) one public body working on behalf of one or more other public bodies or agencies;	no
3. The common or integrated program/activity is confirmed by written documentation that meets the requirements set out in the FOIPP regulation.	no
Please check this box if this program involves a common or integrated program or activity based on your answers to the three questions above.	n/a

* Please note: If your initiative involves a “data-linking initiative” or a “common or integrated program or activity”, consultation on this PIA must take place with the Office of the Information and Privacy Commissioner (OIPC). PLB will facilitate the consultation with the OIPC.

For future reference, ministries are required to notify the OIPC of a “data-linking initiative” or a “common or integrated program or activity” in the early stages of developing the initiative, program or activity. PLB will help facilitate this notification.

8. Personal Information Flow Diagram and/or Personal Information Flow Table

Personal Information Flow Table			
	Description/Purpose	Type	FOIPPA Authority
1.	Owner provides personal information including his or her name on the property tax deferral application or renewal application.	Direct Collection	26(a) [expressly authorized by section 13(a) LTDA]
2.	CRA judgment charge number is collected from	Indirect	26(c) [necessary for



Privacy Impact Assessment for *Property Tax Deferral and Canada* *Revenue Agency information* PIA# FIN16016

	land title office records.	Collection	program] 27(b)[33.1(1)(i.1)]
3.	FIN transmits personal information to CRA.	Disclosure	33.1(1)(c) [disclosure is authorized to administer the Act under s.13.1(2)(a) LTDA] 33.1(1)(i.1) [to make a deferment payment]

s.13

5.	FIN uses information provided by CRA to confirm equity in property and so eligibility to participate in the deferment program.	Use	32(a)
----	--------------------------------------------------------------------------------------------------------------------------------	-----	-------

9. Risk Mitigation Table

Risk Mitigation Table					
	Risk	Mitigation Strategy	Likelihood	Impact	
1.	Employees could access personal information and use or disclose it for unauthorized purposes	Oath of Employment. Income Tax Branch employees re-affirm understanding of Standards of Conduct and privacy protocols on an annual basis via a Policy Acceptance Tool.	Low	High	
2.	Owner's personal information is compromised when transferred to and from CRA.	The list of accounts requiring confirmation by CRA will be sent as an encrypted file (the ministry has the ability to encrypt to CRA specific certificates). The file	Low	High	

For PCTB Use Only:
Version 1.0



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

		returned by CRA will also be encrypted. Encrypted files are transmitted over a secure line.		
--	--	---------------------------------------------------------------------------------------------	--	--

10. Collection Notice

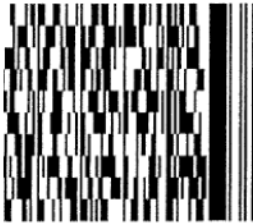
The judgment information is not collected directly from the individual; however, the property tax deferment application contains the following collection notice:

a/propertytaxdeferment

PROPERTY TAX DEFERMENT PROGRAM APPLICATION

under the *Land Tax Deferment Act*

FORM 1



Freedom of Information and Protection of Privacy Act (FOIPPA)

The personal information on this form is collected for the purpose of administering the *Land Tax Deferment Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferment, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, the *Property Transfer Tax Act* and the *Taxation (Rural Area) Act*.

The annual renewal application has a similar collection notice:

Freedom of Information and Protection of Privacy Act (FOIPPA)

The personal information on this form is collected for the purpose of administering the *Land Tax Deferment Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferment, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, *Property Transfer Tax Act* and *Taxation (Rural Area) Act*.

As well, all registered owners authorize the Province to obtain the value of any charges registered against the title on the property in order to verify the minimum equity requirements for tax deferment. The deferment agreement provides:



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

I/We, as the owner/owners of the property identified in the application (the Property), agree with Her Majesty the Queen in right of British Columbia (the Province) as represented by the minister responsible for the administration of the *Land Tax Deferment Act*, to defer property taxes on the Property as follows:

- I/We authorize the Province:
 - to obtain the Parcel Identifier (P.I.D.) Number(s), registered owner information and legal description of the Property, or the details of the manufactured home that correspond with the Property, and to endorse that information on this agreement with the intent that the endorsement will form part of this agreement, and in the case of the manufactured home, endorse the information on the financing statement;
 - to obtain the value of any charges registered against the title on the Property from the registered chargeholders in order to verify the minimum equity requirements for tax deferment;
 - to verify the information provided by accessing relevant records held by the Insurance Corporation of British Columbia, Home Owner Grant Administration, Land Title and Survey Authority, Personal Property Registry, Manufactured Home Registry, BC Assessment and other sources as required; and

Part 3 – Security of Personal Information

If this PIA involves an information system, or if it is otherwise deemed necessary to do so, please consult with your Ministry Information Security Officer (MISO) when filling out this section. Your MISO will also be able to tell you whether you will need to complete a separate assessment called a Security Threat and Risk Assessment (STRA) for this initiative.

11. Please describe the physical security measures related to the initiative (if applicable).

N/A - disclosure will be electronic. Personal information collected from CRA is stored in a FIN secure system, i.e. the local area network, and is accessed through password protected computer terminals.

12. Please describe the technical security measures related to the initiative (if applicable).

Data file will be encrypted based using CRA-specific certificates and transmitted over a secure line.

Encryption software being used is Entrust which is required and provided by CRA to use as file exchanged mechanism.

13. Does your branch rely on security policies other than the Information Security Policy?

No.



Privacy Impact Assessment for *Property Tax Deferment and Canada* *Revenue Agency information* PIA# FIN16016

14. Please describe any access controls and/or ways in which you will limit or restrict unauthorized changes (such as additions or deletions) to personal information.

FIN users must be approved for role-based access to the FIN systems on a need-to-know basis. As well, external access to the personal information is restricted by government firewalls.

15. Please describe how you track who has access to the personal information.

Access must be requested from the supervisor of the program area for staff. In the situation for staff outside of the program area, Manager approval is needed. Access is arranged through FIN's contractor HP Advanced Solutions (HPAS). HPAS keeps an inventory of staff with access that can be requested by FIN when needed. Access is removed on request by the supervisor.

Part 4 – Accuracy/Correction/Retention of Personal Information

16. How is an individual's information updated or corrected? If information is not updated or corrected (for physical, procedural or other reasons) please explain how it will be annotated? If personal information will be disclosed to others, how will the ministry notify them of the update, correction or annotation?

s.13

17. Does your initiative use personal information to make decisions that directly affect an individual(s)? If yes, please explain.

Yes. The current amount of the CRA debt may affect the owner's ability to defer property taxes.

18. If you answered "yes" to question 17, please explain the efforts that will be made to ensure that the personal information is accurate and complete.

Receiving updated balance confirmation directly from CRA helps ensure accuracy for administration of the tax deferment program.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

19. If you answered “yes” to question 17, do you have approved records retention and disposition schedule that will ensure that personal information is kept for at least one year after it is used in making a decision directly affecting an individual?

Yes. Records are retained in accordance with approved ARCS/ORCS schedules and LTDA. Property tax deferment images and data are retained for three years after the deferment loan is no longer active (i.e. after the loan is paid back in full). If the deferment application is not accepted, the retention period is 7 years.

Part 5 – Further Information

20. Does the initiative involve systematic disclosures of personal information? If yes, please explain.

Yes, there is a systematic disclosure as it is occurring at least once a year on a regular basis.

s.13

21. Does the program involve access to personally identifiable information for research or statistical purposes? If yes, please explain.

No.

Please check this box if the related Research Agreement (RA) is attached. If you require assistance completing an RA please contact a PLB advisor.

N/A

22. Will a personal information bank (PIB) result from this initiative?

No. The information from the CRA would be added to the already existing tax deferment application (TDA) database. PIBS_FIN_295 covers data collected for the Property Tax Deferment program.

Please ensure Parts 6 and 7 are attached unsigned to your submitted PIA.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

Part 6 – PCTB Comments and Signatures

This PIA is based on a review of the material provided to PCTB as of the date below. If, in future any substantive changes are made to the scope of this PIA, the ministry will have to complete a PIA Update and submit it to PCTB.

Alan Arslan

Privacy Analyst and Investigator
Privacy, Compliance and Training
Branch
Corporate Information and Records
Management Office
Ministry of Finance

Signature

Date

Eileen Padgett

Senior Privacy and Policy Advisor
Privacy, Compliance and Training
Branch
Corporate Information and Records
Management Office
Ministry of Finance

Signature

Date



Privacy Impact Assessment for Property Tax Deferral and Canada Revenue Agency information

PIA# FIN16016

Part 7 – Program Area Comments and Signatures

Program Manager	Signature	Date
-----------------	-----------	------

Comment [AA4]: Please provide appropriate name and title.

Ministry Contact Responsible for Security (Signature not required unless MISO has been involved.)	Signature	Date
---------------------------------------------------------------------------------------------------	-----------	------

Comment [AA5]: If applicable, please provide appropriate name and title.

Assistant Deputy Minister or Designate (if Personal Information is involved in this initiative)	Signature	Date
-------------------------------------------------------------------------------------------------	-----------	------

Comment [AA6]: Please provide appropriate name.

A final copy of this PIA (with all applicable signatures and attachments) must be provided to PCTB for its records to complete the process. PCTB is the designated office of primary responsibility for PIAs under ARCS 293-60.

PCTB will publish the ministry name, business contact details and a brief summary of the PIA to the Personal Information Directory (PID) as required by section 69(2) of FOIPPA. If you have any questions, please contact your privacy advisor at PCTB or call the Privacy and Access Helpline at 250 356-1851.



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

Why do I need to do a PIA?

Section 69 (5) of the *Freedom of Information and Protection of Privacy Act* (FOIPPA) requires the head of a ministry to conduct a privacy impact assessment (PIA) in accordance with the directions of the minister responsible for FOIPPA. Section 69 (5.1) requires the head to submit the PIA to the minister responsible for FOIPPA for review, during the development of any new system, project, program or activity, or proposed enactment, or when making changes to an existing one. The Privacy and Legislation Branch (PLB) is the representative of the Minister for these purposes. Ministries must submit PIAs to PLB at pia.intake@gov.bc.ca for review and comment prior to implementation of any initiative. If you have any questions, please call the Privacy and Access Helpline (250 356-1851) for a privacy advisor. Please see our PIA Guidelines for question-specific guidance on completing a PIA.

What if my initiative does not include personal information?

Ministries still need to complete Part 1 of the PIA and submit it, along with the signatures pages, to PLB even if it is thought that no personal information is involved. This ensures that the initiative has been accurately assessed.

Part 1 – General

Name of Ministry:	Finance		
PIA Drafter:	Deborah Brouwer		
Email:	Deborah.Brouwer@gov.bc.ca	Phone:	250 387-2884
Program Manager:	Liam Vearer		
Email:	Liam.Vearer@gov.bc.ca	Phone:	250 387-0602

1. Description of the Initiative

The property tax deferment program is a low-interest loan program that allows qualifying property owners to defer paying their annual property taxes. The Province pays the annual property taxes to municipal or rural tax collectors on behalf of the property owner and the resulting debt to the Province is secured by a registered lien and charge on the property. The debt must be repaid before the property can be sold or otherwise transferred. Participation in the program must be renewed annually.

To participate in the program, property owners must have a minimum amount of equity in their home (25% for the regular program, 15% for the “families with children” program). The Ministry of Finance (FIN) checks that property owners meet the equity requirements both at the time that they enter into the deferment program and with each annual renewal application.



Privacy Impact Assessment for *Property Tax Deferment and Canada* *Revenue Agency information* PIA# FIN16016

If the property owner has a Canada Revenue Agency (CRA) judgment registered on title to the property, the FIN needs to know the current value of the judgment debt to determine whether the owner has sufficient remaining equity to defer his or her current year property taxes. Under this initiative, the property tax deferment program will provide the CRA with personal information of the property owner so that the CRA can confirm the current balance of the debt.

2. Scope of this PIA

This PIA covers the disclosure of personal information collected under the Land Tax Deferment Act (LTDA) to the CRA for the purpose of determining the current balance of a CRA judgment debt. As well, this PIA covers the collection and use of personal information, including taxpayer information, by FIN from the CRA.

3. Related Privacy Impact Assessments

None.

4. Elements of Information or Data

Each February FIN will run a power query through the property tax deferment application (TDA) database looking for judgments registered on deferment properties. If a judgment is registered in the name of "the Crown in Right of Canada" by the CRA, then the judgment will be entered into a spreadsheet by FIN with the following columns:

- AGREEMENT NUMBER
- REGISTERED OWNERS ON LTO [Land Title Office]
- PID # [Parcel Identification Number]
- OWNER OF THE JUDGMENT
- TYPE OF JUDGMENT
- REGISTRATION NUMBER OF THE JUDGMENT
- DATE OF THE REGISTERED CHARGE
- AMOUNT INDICATED ON REGISTERED DOCUMENT
- WHO THE INTEREST OF THE CHARGE IS FOR
- FIN COMMENTS

FIN will then encrypt the spreadsheet and disclose it to the CRA.

The CRA will add two additional columns to the spreadsheet with the headings:

- CURRENT BALANCE OF DEBT
- CRA COMMENTS



Privacy Impact Assessment for *Property Tax Deferral and Canada Revenue Agency information* PIA# FIN16016

The CRA will then encrypt the updated spreadsheet and disclose it to FIN. FIN will use the information in its determination of whether the owner is eligible to defer their annual property taxes.

If personal information **is** involved in your initiative, please continue to the next page to complete your PIA.

If **no** personal information is involved, please submit Parts 1, 6, and 7 unsigned to PLB at pia.intake@gov.bc.ca. A privacy advisor will be assigned to your file and will guide you through the completion of your PIA.



Privacy Impact Assessment for *Property Tax Deferral and Canada Revenue Agency information* PIA# FIN16016

Part 2 – Protection of Personal Information

5. Storage or Access outside Canada

s.13

The data is stored within Canada at the BC Government Data Centre and accessible only within Canada.

6. Data-linking Initiative*

In FOIPPA, "data linking" and "data-linking initiative" are strictly defined. Answer the following questions to determine whether your initiative qualifies as a "data-linking initiative" under the Act. If you answer "yes" to all 3 questions, your initiative may be a data linking initiative. If so, you will need to comply with specific requirements under the Act related to data-linking initiatives.

1. Personal information from one database is linked or combined with personal information from another database;	yes
2. The purpose for the linkage is different from those for which the personal information in each database was originally obtained or compiled;	no
3. The data linking is occurring between either (1) two or more public bodies or (2) one or more public bodies and one or more agencies.	no
If you have answered "yes" to all three questions, please contact a PLB Privacy Advisor to discuss the requirements of a data-linking initiative.	n/a



Privacy Impact Assessment for *Property Tax Deferral and Canada* *Revenue Agency information* PIA# FIN16016

7. Common or Integrated Program or Activity*

<p>In FOIPPA, “common or integrated program or activity” is strictly defined. Answer the following questions to determine whether your initiative qualifies as “a common or integrated program or activity” under the Act. If you answer “yes” to all 3 of these questions, you must comply with requirements under the Act for common or integrated programs and activities.</p>	
1. This initiative involves a program or activity that provides a service (or services);	yes
2. Those services are provided through: (a) a public body and at least one other public body or agency working collaboratively to provide that service; or (b) one public body working on behalf of one or more other public bodies or agencies;	no
3. The common or integrated program/activity is confirmed by written documentation that meets the requirements set out in the FOIPP regulation.	no
Please check this box if this program involves a common or integrated program or activity based on your answers to the three questions above.	n/a

* Please note: If your initiative involves a “data-linking initiative” or a “common or integrated program or activity”, consultation on this PIA must take place with the Office of the Information and Privacy Commissioner (OIPC). PLB will facilitate the consultation with the OIPC.

For future reference, ministries are required to notify the OIPC of a “data-linking initiative” or a “common or integrated program or activity” in the early stages of developing the initiative, program or activity. PLB will help facilitate this notification.

8. Personal Information Flow Diagram and/or Personal Information Flow Table

Personal Information Flow Table			
	Description/Purpose	Type	FOIPPA Authority
1.	Owner provides personal information including his or her name on the property tax deferral application or renewal application.	Direct Collection	26(a) [expressly authorized by section 13(a) LTDA]
2.	CRA judgment charge number is collected from	Indirect	26(c) [necessary for



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

s.13

s.13

5.	FIN uses information provided by CRA to confirm equity in property and so eligibility to participate in the deferment program.	Use	32(a)
----	--------------------------------------------------------------------------------------------------------------------------------	-----	-------

9. Risk Mitigation Table

Risk Mitigation Table				
	Risk	Mitigation Strategy	Likelihood	Impact
1.	Employees could access personal information and use or disclose it for unauthorized purposes	Oath of Employment. Income Tax Branch employees re-affirm understanding of Standards of Conduct and privacy protocols on an annual basis via a Policy Acceptance Tool.	Low	High
2.	Owner's personal information is compromised when	The list of accounts requiring confirmation by CRA will be sent as	Low	High

For PCTB Use Only:
Version 1.0



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

s.13

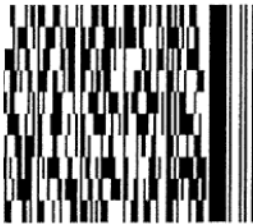
10. Collection Notice

The judgment information is not collected directly from the individual; however, the property tax deferment application contains the following collection notice:

a/propertytaxdeferment

PROPERTY TAX DEFERMENT PROGRAM APPLICATION under the *Land Tax Deferment Act*

FORM 1



Freedom of Information and Protection of Privacy Act (FOIPPA)
The personal information on this form is collected for the purpose of administering the *Land Tax Deferment Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferment, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, the *Property Transfer Tax Act* and the *Taxation (Rural Area) Act*.

The annual renewal application has a similar collection notice:

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, *Property Transfer Tax Act* and *Taxation (Rural Area) Act*.

Freedom of Information and Protection of Privacy Act (FOIPPA)
The personal information on this form is collected for the purpose of administering the *Land Tax Deferment Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferment, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

As well, all registered owners authorize the Province to obtain the value of any charges registered against the title on the property in order to verify the minimum equity requirements for tax deferment. The deferment agreement provides:



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

I/We, as the owner/owners of the property identified in the application (the Property), agree with Her Majesty the Queen in right of British Columbia (the Province) as represented by the minister responsible for the administration of the *Land Tax Deferment Act*, to defer property taxes on the Property as follows:

- I/We authorize the Province:
 - to obtain the Parcel Identifier (P.I.D.) Number(s), registered owner information and legal description of the Property, or the details of the manufactured home that correspond with the Property, and to endorse that information on this agreement with the intent that the endorsement will form part of this agreement, and in the case of the manufactured home, endorse the information on the financing statement;
 - to obtain the value of any charges registered against the title on the Property from the registered chargeholders in order to verify the minimum equity requirements for tax deferment;
 - to verify the information provided by accessing relevant records held by the Insurance Corporation of British Columbia, Home Owner Grant Administration, Land Title and Survey Authority, Personal Property Registry, Manufactured Home Registry, BC Assessment and other sources as required; and

Part 3 – Security of Personal Information

If this PIA involves an information system, or if it is otherwise deemed necessary to do so, please consult with your Ministry Information Security Officer (MISO) when filling out this section. Your MISO will also be able to tell you whether you will need to complete a separate assessment called a Security Threat and Risk Assessment (STRA) for this initiative.

11. Please describe the physical security measures related to the initiative (if applicable).

N/A - disclosure will be electronic. Personal information collected from CRA is stored in a FIN secure system, i.e. the local area network, and is accessed through password protected computer terminals.

12. Please describe the technical security measures related to the initiative (if applicable).

Data file will be encrypted based using CRA-specific certificates and transmitted over a secure line.

Encryption software being used is Entrust is required and provided by CRA to use as file exchanged mechanism.

13. Does your branch rely on security policies other than the Information Security Policy?

No.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

14. Please describe any access controls and/or ways in which you will limit or restrict unauthorized changes (such as additions or deletions) to personal information.

s.13

FIN users must be approved for role-based access to the **FIN system** on a need-to-know basis. As well, external access to the personal information is restricted by government firewalls.

15. Please describe how you track who has access to the personal information.

Access must be requested from the supervisor of the program area for staff. In the situation for staff outside of the program area, Manager approval is needed. Access is arranged through FIN's contractor HP Advanced Solutions (HPAS). HPAS keeps an inventory of staff with access that can be requested by FIN when needed. Access is removed on request by the supervisor.

Part 4 – Accuracy/Correction/Retention of Personal Information

16. How is an individual's information updated or corrected? If information is not updated or corrected (for physical, procedural or other reasons) please explain how it will be annotated? If personal information will be disclosed to others, how will the ministry notify them of the update, correction or annotation?

s.13

17. Does your initiative use personal information to make decisions that directly affect an individual(s)? If yes, please explain.

Yes. The current amount of the CRA debt may affect the owner's ability to defer property taxes.

18. If you answered "yes" to question 17, please explain the efforts that will be made to ensure that the personal information is accurate and complete.

Receiving updated balance confirmation directly from CRA helps ensure accuracy for administration of the tax deferment program.



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

19. If you answered "yes" to question 17, do you have approved records retention and disposition schedule that will ensure that personal information is kept for at least one year after it is used in making a decision directly affecting an individual?

Yes. Records are retained in accordance with approved ARCS/ORCS schedules and LTDA. Property tax deferment images and data are retained for three years after the deferment loan is no longer active (i.e. after the loan is paid back in full). If the deferment application is not accepted, the retention period is 7 years.

Part 5 – Further Information

20. Does the initiative involve systematic disclosures of personal information? If yes, please explain.

Yes, there is a systematic disclosure as it is occurring at least once a year on a regular basis.
s.13

21. Does the program involve access to personally identifiable information for research or statistical purposes? If yes, please explain.

No.

Please check this box if the related Research Agreement (RA) is attached. If you require assistance completing an RA please contact a PLB advisor.

N/A

22. Will a personal information bank (PIB) result from this initiative?

No. The information from the CRA would be added to the already existing tax deferment application (TDA) database. PIBS_FIN_295 covers data collected for the Property Tax Deferment program.

If yes, please complete the fields in the table below by deleting the descriptive text in the right-hand column and replacing it with your own.

Personal Information Bank – Required Information	
Description	

For PCTB Use Only:
Version 1.0



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

Primary ministry/government agency involved	
All other ministries/government agencies and public bodies involved	
Business contact title	
Business contact telephone number	

Please ensure Parts 6 and 7 are attached unsigned to your submitted PIA.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

Part 6 – PCTB Comments and Signatures

This PIA is based on a review of the material provided to PCTB as of the date below. If, in future any substantive changes are made to the scope of this PIA, the ministry will have to complete a PIA Update and submit it to PCTB.

Alan Arslan
Privacy Analyst and Investigator
Privacy, Compliance and Training
Branch
Corporate Information and Records
Management Office
Ministry of Finance

Signature

Date

Sukhy Sidhu
Director
Privacy, Compliance and Training
Branch
Corporate Information and Records
Management Office
Ministry of Finance

Signature

Date



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

Part 7 – Program Area Comments and Signatures

Program Manager	Signature	Date
Ministry Contact Responsible for Security (Signature not required unless MISO has been involved.)	Signature	Date
Assistant Deputy Minister or Designate (if Personal Information is involved in this initiative)	Signature	Date

Comment [AA19]: Please provide appropriate name and title.

Comment [AA20]: If applicable, please provide appropriate name and title.

Comment [AA21]: Please provide appropriate name.

A final copy of this PIA (with all applicable signatures and attachments) must be provided to PCTB for its records to complete the process. PCTB is the designated office of primary responsibility for PIAs under ARCS 293-60.



Privacy Impact Assessment for

Property Tax Deferment and Canada

Revenue Agency information

PIA# FIN16016

PCTB will publish the ministry name, business contact details and a brief summary of the PIA to the Personal Information Directory (PID) as required by section 69(2) of FOIPPA. If you have any questions, please contact your privacy advisor at PCTB or call the Privacy and Access Helpline at 250 356-1851.



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

Why do I need to do a PIA?

Section 69 (5) of the *Freedom of Information and Protection of Privacy Act* (FOIPPA) requires the head of a ministry to conduct a privacy impact assessment (PIA) in accordance with the directions of the minister responsible for FOIPPA. Section 69 (5.1) requires the head to submit the PIA to the minister responsible for FOIPPA for review, during the development of any new system, project, program or activity, or proposed enactment, or when making changes to an existing one. The Privacy and Legislation Branch (PLB) is the representative of the Minister for these purposes. Ministries must submit PIAs to PLB at pia.intake@gov.bc.ca for review and comment prior to implementation of any initiative. If you have any questions, please call the Privacy and Access Helpline (250 356-1851) for a privacy advisor. Please see our PIA Guidelines for question-specific guidance on completing a PIA.

What if my initiative does not include personal information?

Ministries still need to complete Part 1 of the PIA and submit it, along with the signatures pages, to PLB even if it is thought that no personal information is involved. This ensures that the initiative has been accurately assessed.

Part 1 – General

Name of Ministry:	Finance		
PIA Drafter:	Deborah Brouwer		
Email:	Deborah.Brouwer@gov.bc.ca	Phone:	250 387-2884
Program Manager:	Liam Vearer		
Email:	Liam.Vearer@gov.bc.ca	Phone:	250 387-0602

1. Description of the Initiative

The property tax deferment program is a low-interest loan program that allows qualifying property owners to defer paying their annual property taxes. The Province pays the annual property taxes to municipal or rural tax collectors on behalf of the property owner and the resulting debt to the Province is secured by a registered lien and charge on the property. The debt must be repaid before the property can be sold or otherwise transferred. Participation in the program must be renewed annually.

To participate in the program, property owners must have a minimum amount of equity in their home (25% for the regular program, 15% for the “families with children” program). The Ministry of Finance (FIN) checks that property owners meet the equity requirements both at the time that they enter into the deferment program and with each annual renewal application.



Privacy Impact Assessment for *Property Tax Deferment and Canada* *Revenue Agency information* PIA# FIN16016

If the property owner has a Canada Revenue Agency (CRA) judgment registered on title to the property, the FIN needs to know the current value of the judgment debt to determine whether the owner has sufficient remaining equity to defer his or her current year property taxes. Under this initiative, the property tax deferment program will provide the CRA with personal information of the property owner so that the CRA can confirm the current balance of the debt.

2. Scope of this PIA

This PIA covers the disclosure of personal information collected under the Land Tax Deferment Act (LTDA) to the CRA for the purpose of determining the current balance of a CRA judgment debt. As well, this PIA covers the collection and use of personal information, including taxpayer information, by FIN from the CRA.

3. Related Privacy Impact Assessments

None.

4. Elements of Information or Data

Each February FIN will run a power query through the property tax deferment application (TDA) database looking for judgments registered on deferment properties. If a judgment is registered in the name of "the Crown in Right of Canada" by the CRA, then the judgment will be entered into a spreadsheet by FIN with the following columns:

- AGREEMENT NUMBER
- REGISTERED OWNERS ON LTO [Land Title Office]
- PID # [Parcel Identification Number]
- OWNER OF THE JUDGMENT
- TYPE OF JUDGMENT
- REGISTRATION NUMBER OF THE JUDGMENT
- DATE OF THE REGISTERED CHARGE
- AMOUNT INDICATED ON REGISTERED DOCUMENT
- WHO THE INTEREST OF THE CHARGE IS FOR
- FIN COMMENTS

FIN will then encrypt the spreadsheet and disclose it to the CRA.

The CRA will add two additional columns to the spreadsheet with the headings:

- CURRENT BALANCE OF DEBT
- CRA COMMENTS



Privacy Impact Assessment for *Property Tax Deferral and Canada Revenue Agency information* PIA# FIN16016

The CRA will then encrypt the updated spreadsheet and disclose it to FIN. FIN will use the information in its determination of whether the owner is eligible to defer their annual property taxes.

If personal information **is** involved in your initiative, please continue to the next page to complete your PIA.

If **no** personal information is involved, please submit Parts 1, 6, and 7 unsigned to PLB at pia.intake@gov.bc.ca. A privacy advisor will be assigned to your file and will guide you through the completion of your PIA.



Privacy Impact Assessment for *Property Tax Deferral and Canada Revenue Agency information* PIA# FIN16016

Part 2 – Protection of Personal Information

5. Storage or Access outside Canada

The data is stored within Canada at the BC Government Data Centre and accessible only within Canada.

s.13

6. Data-linking Initiative*

In FOIPPA, "data linking" and "data-linking initiative" are strictly defined. Answer the following questions to determine whether your initiative qualifies as a "data-linking initiative" under the Act. If you answer "yes" to all 3 questions, your initiative may be a data linking initiative. If so, you will need to comply with specific requirements under the Act related to data-linking initiatives.

1. Personal information from one database is linked or combined with personal information from another database;	yes
2. The purpose for the linkage is different from those for which the personal information in each database was originally obtained or compiled;	no
3. The data linking is occurring between either (1) two or more public bodies or (2) one or more public bodies and one or more agencies.	no
If you have answered "yes" to all three questions, please contact a PLB Privacy Advisor to discuss the requirements of a data-linking initiative.	n/a



Privacy Impact Assessment for *Property Tax Deferral and Canada* *Revenue Agency information* PIA# FIN16016

7. Common or Integrated Program or Activity*

<p>In FOIPPA, "common or integrated program or activity" is strictly defined. Answer the following questions to determine whether your initiative qualifies as "a common or integrated program or activity" under the Act. If you answer "yes" to all 3 of these questions, you must comply with requirements under the Act for common or integrated programs and activities.</p>	
1. This initiative involves a program or activity that provides a service (or services);	yes
2. Those services are provided through: (a) a public body and at least one other public body or agency working collaboratively to provide that service; or (b) one public body working on behalf of one or more other public bodies or agencies;	no
3. The common or integrated program/activity is confirmed by written documentation that meets the requirements set out in the FOIPP regulation.	no
Please check this box if this program involves a common or integrated program or activity based on your answers to the three questions above.	n/a

* Please note: If your initiative involves a "data-linking initiative" or a "common or integrated program or activity", consultation on this PIA must take place with the Office of the Information and Privacy Commissioner (OIPC). PLB will facilitate the consultation with the OIPC.

For future reference, ministries are required to notify the OIPC of a "data-linking initiative" or a "common or integrated program or activity" in the early stages of developing the initiative, program or activity. PLB will help facilitate this notification.

8. Personal Information Flow Diagram and/or Personal Information Flow Table

Personal Information Flow Table			
	Description/Purpose	Type	FOIPPA Authority
1.	Owner provides personal information including his or her name on the property tax deferral application or renewal application.	Direct Collection	26(a) [expressly authorized by section 13(a) LTDA]

s.13



Privacy Impact Assessment for
Property Tax Deferral and Canada
Revenue Agency information
PIA# FIN16016

— s.13



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information PIA# FIN16016

s.13

s.13

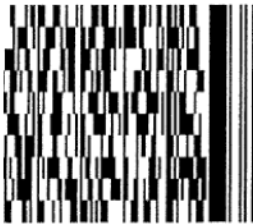
10. Collection Notice

The judgment information is not collected directly from the individual; however, the property tax deferment application contains the following collection notice:

a/propertytaxdeferment

PROPERTY TAX DEFERMENT PROGRAM APPLICATION under the *Land Tax Deferment Act*

FORM 1



Freedom of Information and Protection of Privacy Act (FOIPPA)
The personal information on this form is collected for the purpose of administering the *Land Tax Deferment Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferment, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, the *Property Transfer Tax Act* and the *Taxation (Rural Area) Act*.

The annual renewal application has a similar collection notice:

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, *Property Transfer Tax Act* and *Taxation (Rural Area) Act*.

Freedom of Information and Protection of Privacy Act (FOIPPA)
The personal information on this form is collected for the purpose of administering the *Land Tax Deferment Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferment, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

As well, all registered owners authorize the Province to obtain the value of any charges registered against the title on the property in order to verify the minimum equity requirements for tax deferment. The deferment agreement provides:



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

I/We, as the owner/owners of the property identified in the application (the Property), agree with Her Majesty the Queen in right of British Columbia (the Province) as represented by the minister responsible for the administration of the *Land Tax Deferment Act*, to defer property taxes on the Property as follows:

- I/We authorize the Province:
 - to obtain the Parcel Identifier (P.I.D.) Number(s), registered owner information and legal description of the Property, or the details of the manufactured home that correspond with the Property, and to endorse that information on this agreement with the intent that the endorsement will form part of this agreement, and in the case of the manufactured home, endorse the information on the financing statement;
 - to obtain the value of any charges registered against the title on the Property from the registered chargeholders in order to verify the minimum equity requirements for tax deferment;
 - to verify the information provided by accessing relevant records held by the Insurance Corporation of British Columbia, Home Owner Grant Administration, Land Title and Survey Authority, Personal Property Registry, Manufactured Home Registry, BC Assessment and other sources as required; and

Part 3 – Security of Personal Information

If this PIA involves an information system, or if it is otherwise deemed necessary to do so, please consult with your Ministry Information Security Officer (MISO) when filling out this section. Your MISO will also be able to tell you whether you will need to complete a separate assessment called a Security Threat and Risk Assessment (STRA) for this initiative.

11. Please describe the physical security measures related to the initiative (if applicable).

N/A - disclosure will be electronic. Personal information collected from CRA is stored in a FIN secure system, i.e. the local area network, and is accessed through password protected computer terminals.

s.13

12. Please describe the technical security measures related to the initiative (if applicable).

Data file will be encrypted based using CRA-specific certificates and transmitted over a secure line.

13. Does your branch rely on security policies other than the Information Security Policy?

No.



Privacy Impact Assessment for

Property Tax Deferment and Canada

Revenue Agency information

PIA# FIN16016

- 14. Please describe any access controls and/or ways in which you will limit or restrict unauthorized changes (such as additions or deletions) to personal information.**

s.13

FIN users must be approved for role-based access to the FIN system on a need-to-know basis. As well, external access to the personal information is restricted by government firewalls.

- 15. Please describe how you track who has access to the personal information.**

Access must be requested from the supervisor of the program area for staff. In the situation for staff outside of the program area, Manager approval is needed. Access is arranged through FIN's contractor HP Advanced Solutions (HPAS). HPAS keeps an inventory of staff with access that can be requested by FIN when needed. Access is removed on request by the supervisor.

Part 4 – Accuracy/Correction/Retention of Personal Information

- 16. How is an individual's information updated or corrected? If information is not updated or corrected (for physical, procedural or other reasons) please explain how it will be annotated? If personal information will be disclosed to others, how will the ministry notify them of the update, correction or annotation?**

s.13

- 17. Does your initiative use personal information to make decisions that directly affect an individual(s)? If yes, please explain.**

Yes. The current amount of the CRA debt may affect the owner's ability to defer property taxes.

- 18. If you answered "yes" to question 17, please explain the efforts that will be made to ensure that the personal information is accurate and complete.**

Receiving updated balance confirmation directly from CRA helps ensure accuracy for administration of the tax deferment program.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

19. If you answered “yes” to question 17, do you have approved records retention and disposition schedule that will ensure that personal information is kept for at least one year after it is used in making a decision directly affecting an individual?

Yes. Records are retained in accordance with approved ARCS/ORCS schedules and LTDA. Property tax deferment images and data are retained for three years after the deferment loan is no longer active (i.e. after the loan is paid back in full). If the deferment application is not accepted, the retention period is 7 years.

Part 5 – Further Information

20. Does the initiative involve systematic disclosures of personal information? If yes, please explain.

s.13

s.13

21. Does the program involve access to personally identifiable information for research or statistical purposes? If yes, please explain.

No.

Please check this box if the related Research Agreement (RA) is attached. If you require assistance completing an RA please contact a PLB advisor.

N/A

22. Will a personal information bank (PIB) result from this initiative?

No. The information from the CRA would be added to the already existing tax deferment application (TDA) database. PIBS_FIN_295 covers data collected for the Property Tax Deferment program.

If yes, please complete the fields in the table below by deleting the descriptive text in the right-hand column and replacing it with your own.

Personal Information Bank – Required Information	
Description	
Primary ministry/government agency involved	



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

All other ministries/government agencies and public bodies involved	
Business contact title	
Business contact telephone number	

Please ensure Parts 6 and 7 are attached unsigned to your submitted PIA.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

Part 6 – PCTB Comments and Signatures

This PIA is based on a review of the material provided to PCTB as of the date below. If, in future any substantive changes are made to the scope of this PIA, the ministry will have to complete a PIA Update and submit it to PCTB.

Alan Arslan
Privacy Analyst and Investigator
Privacy, Compliance and Training
Branch
Corporate Information and Records
Management Office
Ministry of Finance

Signature

Date

Sukhy Sidhu
Director
Privacy, Compliance and Training
Branch
Corporate Information and Records
Management Office
Ministry of Finance

Signature

Date



Privacy Impact Assessment for Property Tax Deferral and Canada Revenue Agency information

PIA# FIN16016

Part 7 – Program Area Comments and Signatures

Program Manager	Signature	Date
Ministry Contact Responsible for Security (Signature not required unless MISO has been involved.)	Signature	Date
Assistant Deputy Minister or Designate (if Personal Information is involved in this initiative)	Signature	Date

Comment [AA12]: Please provide appropriate name and title.

Comment [AA13]: If applicable, please provide appropriate name and title.

Comment [AA14]: Please provide appropriate name.

A final copy of this PIA (with all applicable signatures and attachments) must be provided to PCTB for its records to complete the process. PCTB is the designated office of primary responsibility for PIAs under ARCS 293-60.

PCTB will publish the ministry name, business contact details and a brief summary of the PIA to the Personal Information Directory (PID) as required by section 69(2) of FOIPPA. If you have any questions, please contact your privacy advisor at PCTB or call the Privacy and Access Helpline at 250 356-1851.



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

Why do I need to do a PIA?

Section 69 (5) of the *Freedom of Information and Protection of Privacy Act* (FOIPPA) requires the head of a ministry to conduct a privacy impact assessment (PIA) in accordance with the directions of the minister responsible for FOIPPA. Section 69 (5.1) requires the head to submit the PIA to the minister responsible for FOIPPA for review, during the development of any new system, project, program or activity, or proposed enactment, or when making changes to an existing one. The Privacy and Legislation Branch (PLB) is the representative of the Minister for these purposes. Ministries must submit PIAs to PLB at pia.intake@gov.bc.ca for review and comment prior to implementation of any initiative. If you have any questions, please call the Privacy and Access Helpline (250 356-1851) for a privacy advisor. Please see our PIA Guidelines for question-specific guidance on completing a PIA.

What if my initiative does not include personal information?

Ministries still need to complete Part 1 of the PIA and submit it, along with the signatures pages, to PLB even if it is thought that no personal information is involved. This ensures that the initiative has been accurately assessed.

Part 1 – General

Name of Ministry:	Finance		
PIA Drafter:	Deborah Brouwer		
Email:	Deborah.Brouwer@gov.bc.ca	Phone:	250 387-2884
Program Manager:	Liam Vearer		
Email:	Liam.Vearer@gov.bc.ca	Phone:	250 387-0602

1. Description of the Initiative

The property tax deferment program is a low-interest loan program that allows qualifying property owners to defer paying their annual property taxes. The Province pays the annual property taxes to municipal or rural tax collectors on behalf of the property owner and the resulting debt to the Province is secured by a registered lien and charge on the property. The debt must be repaid before the property can be sold or otherwise transferred. Participation in the program must be renewed annually.

To participate in the program, property owners must have a minimum amount of equity in their home (25% for the regular program, 15% for the “families with children” program). The Ministry of Finance (FIN) checks that property owners meet the equity requirements both at the time that they enter into the deferment program and with each annual renewal application.



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

If the property owner has a Canada Revenue Agency (CRA) judgment registered on title to the property, the FIN needs to know the current value of the judgment debt to determine whether the owner has sufficient remaining equity to defer his or her current year property taxes. Under this initiative, the property tax deferment program will provide the CRA with personal information of the property owner so that the CRA can confirm the current balance of the debt.

2. Scope of this PIA

This PIA covers the disclosure of personal information collected under the Land Tax Deferment Act (LTDA) to the CRA for the purpose of determining the current balance of a CRA judgment debt. As well, this PIA covers the collection and use of personal information, including taxpayer information, by FIN from the CRA.

3. Related Privacy Impact Assessments

None.

4. Elements of Information or Data

Each February FIN will run a power query through the property tax deferment application (TDA) database looking for judgments registered on deferment properties. If a judgment is registered in the name of "the Crown in Right of Canada" by the CRA, then the judgment will be entered into a spreadsheet by FIN with the following columns:

- AGREEMENT NUMBER
- REGISTERED OWNERS ON LTO [Land Title Office]
- PID # [Parcel Identification Number]
- OWNER OF THE JUDGMENT
- TYPE OF JUDGMENT
- REGISTRATION NUMBER OF THE JUDGMENT
- DATE OF THE REGISTERED CHARGE
- AMOUNT INDICATED ON REGISTERED DOCUMENT
- WHO THE INTEREST OF THE CHARGE IS FOR
- FIN COMMENTS

FIN will then encrypt the spreadsheet and disclose it to the CRA.

The CRA will add two additional columns to the spreadsheet with the headings:

- CURRENT BALANCE OF DEBT
- CRA COMMENTS



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

The CRA will then encrypt the updated spreadsheet and disclose it to FIN. FIN will use the information in its determination of whether the owner is eligible to defer their annual property taxes.

If personal information **is** involved in your initiative, please continue to the next page to complete your PIA.

If **no** personal information is involved, please submit Parts 1, 6, and 7 unsigned to PLB at pia.intake@gov.bc.ca. A privacy advisor will be assigned to your file and will guide you through the completion of your PIA.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

Part 2 – Protection of Personal Information

In the following questions, delete the descriptive text and replace it with your own.

5. Storage or Access outside Canada

The data is stored within Canada at the BC Government Data Centre and accessible only within Canada.

6. Data-linking Initiative*

In FOIPPA, "data linking" and "data-linking initiative" are strictly defined. Answer the following questions to determine whether your initiative qualifies as a "data-linking initiative" under the Act. If you answer "yes" to all 3 questions, your initiative may be a data linking initiative. If so, you will need to comply with specific requirements under the Act related to data-linking initiatives.

1. Personal information from one database is linked or combined with personal information from another database;	yes
2. The purpose for the linkage is different from those for which the personal information in each database was originally obtained or compiled;	no
3. The data linking is occurring between either (1) two or more public bodies or (2) one or more public bodies and one or more agencies.	no
If you have answered "yes" to all three questions, please contact a PLB Privacy Advisor to discuss the requirements of a data-linking initiative.	



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

7. Common or Integrated Program or Activity*

<p>In FOIPPA, “common or integrated program or activity” is strictly defined. Answer the following questions to determine whether your initiative qualifies as “a common or integrated program or activity” under the Act. If you answer “yes” to all 3 of these questions, you must comply with requirements under the Act for common or integrated programs and activities.</p>	
<p>1. This initiative involves a program or activity that provides a service (or services);</p>	yes
<p>2. Those services are provided through: (a) a public body and at least one other public body or agency working collaboratively to provide that service; or (b) one public body working on behalf of one or more other public bodies or agencies;</p>	no
<p>3. The common or integrated program/activity is confirmed by written documentation that meets the requirements set out in the FOIPP regulation.</p>	no
<p>Please check this box if this program involves a common or integrated program or activity based on your answers to the three questions above.</p>	

*** Please note: If your initiative involves a “data-linking initiative” or a “common or integrated program or activity”, consultation on this PIA must take place with the Office of the Information and Privacy Commissioner (OIPC). PLB will facilitate the consultation with the OIPC.**

For future reference, ministries are required to notify the OIPC of a “data-linking initiative” or a “common or integrated program or activity” in the early stages of developing the initiative, program or activity. PLB will help facilitate this notification.

8. Personal Information Flow Diagram and/or Personal Information Flow Table

Personal Information Flow Table			
	Description/Purpose	Type	FOIPPA Authority
1.	Owner provides personal information including his or her name on the property tax deferment application or renewal application.	Direct Collection	26(a) [expressly authorized by section 13(a) LTDA]
2.	CRA judgment charge number is collected from	Indirect	26(c) [necessary for



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

	<i>land title office records.</i>	<i>Collection</i>	<i>program]</i>
3.	<i>FIN transmits personal information to CRA.</i>	<i>Disclosure</i>	33.1(1)(b) [consent] 33.1(1)(c) [disclosure is authorized to administer the Act under s.13.1(2)(a) LTDA] 33.1(1)(i.1) [to make a deferment payment]
s.13			
5.	<i>FIN uses information provided by CRA to confirm equity in property and so eligibility to participate in the deferment program.</i>	<i>Use</i>	32(a)

9. Risk Mitigation Table

Risk Mitigation Table				
	Risk	Mitigation Strategy	Likelihood	Impact
1.	<i>Employees could access personal information and use or disclose it for unauthorized purposes</i>	<i>Oath of Employment. Income Tax Branch employees re-affirm understanding of Standards of Conduct and privacy protocols on an annual basis via a Policy Acceptance Tool.</i>	<i>Low</i>	s.13
2.	<i>Owner's personal information is compromised when transferred to and from CRA.</i>	<i>The list of accounts requiring confirmation by CRA will be sent as an encrypted file (the ministry has the ability to encrypt to CRA specific certificates). The file</i>	<i>Low</i>	



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

		returned by CRA will also be encrypted. Encrypted files are transmitted over a secure line.		
--	--	---------------------------------------------------------------------------------------------	--	--

10. Collection Notice

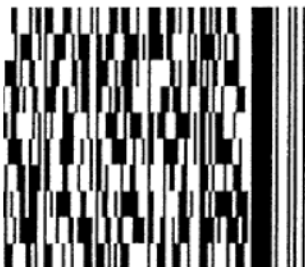
The judgment information is not collected directly from the individual; however, the property tax deferment application contains the following collection notice:

a/propertytaxdeferment

PROPERTY TAX DEFERMENT PROGRAM APPLICATION

under the *Land Tax Deferment Act*

FORM 1



Freedom of Information and Protection of Privacy Act (FOIPPA)

The personal information on this form is collected for the purpose of administering the *Land Tax Deferment Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferment, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, the *Property Transfer Tax Act* and the *Taxation (Rural Area) Act*.

The annual renewal application has a similar collection notice:

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, *Property Transfer Tax Act* and *Taxation (Rural Area) Act*.

Freedom of Information and Protection of Privacy Act (FOIPPA)

The personal information on this form is collected for the purpose of administering the *Land Tax Deferment Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferment, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

As well, all registered owners authorize the Province to obtain the value of any charges registered against the title on the property in order to verify the minimum equity requirements for tax deferment. The deferment agreement provides:



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

I/We, as the owner/owners of the property identified in the application (the Property), agree with Her Majesty the Queen in right of British Columbia (the Province) as represented by the minister responsible for the administration of the *Land Tax Deferment Act*, to defer property taxes on the Property as follows:

- I/We authorize the Province:
 - to obtain the Parcel Identifier (P.I.D.) Number(s), registered owner information and legal description of the Property, or the details of the manufactured home that correspond with the Property, and to endorse that information on this agreement with the intent that the endorsement will form part of this agreement, and in the case of the manufactured home, endorse the information on the financing statement;
 - to obtain the value of any charges registered against the title on the Property from the registered chargeholders in order to verify the minimum equity requirements for tax deferment;
 - to verify the information provided by accessing relevant records held by the Insurance Corporation of British Columbia, Home Owner Grant Administration, Land Title and Survey Authority, Personal Property Registry, Manufactured Home Registry, BC Assessment and other sources as required; and

Part 3 – Security of Personal Information

If this PIA involves an information system, or if it is otherwise deemed necessary to do so, please consult with your Ministry Information Security Officer (MISO) when filling out this section. Your MISO will also be able to tell you whether you will need to complete a separate assessment called a Security Threat and Risk Assessment (STRA) for this initiative.

11. Please describe the physical security measures related to the initiative (if applicable).

N/A - disclosure will be electronic. Personal information collected from CRA is stored in a FIN secure system, i.e. the local area network, and is accessed through password protected computer terminals.

12. Please describe the technical security measures related to the initiative (if applicable).

Data file will be encrypted based using CRA-specific certificates and transmitted over a secure line.

13. Does your branch rely on security policies other than the Information Security Policy?

No.

14. Please describe any access controls and/or ways in which you will limit or restrict unauthorized changes (such as additions or deletions) to personal information.

FIN users must be approved for role-based access to the FIN system on a need-to-know basis. As well, external access to the personal information is restricted by government firewalls.

15. Please describe how you track who has access to the personal information.

Access must be requested from the supervisor of the program area for staff. In the situation for staff outside of the program area, Manager approval is needed. Access is arranged through FIN's



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

contractor HP Advanced Solutions (HPAS). HPAS keeps an inventory of staff with access that can be requested by FIN when needed. Access is removed on request by the supervisor.

Part 4 – Accuracy/Correction/Retention of Personal Information

- 16. How is an individual's information updated or corrected? If information is not updated or corrected (for physical, procedural or other reasons) please explain how it will be annotated? If personal information will be disclosed to others, how will the ministry notify them of the update, correction or annotation?**

s.13

- 17. Does your initiative use personal information to make decisions that directly affect an individual(s)? If yes, please explain.**

Yes. The current amount of the CRA debt may affect the owner's ability to defer property taxes.

- 18. If you answered "yes" to question 17, please explain the efforts that will be made to ensure that the personal information is accurate and complete.**

Receiving updated balance confirmation directly from CRA helps ensure accuracy for administration of the tax deferment program.

- 19. If you answered "yes" to question 17, do you have approved records retention and disposition schedule that will ensure that personal information is kept for at least one year after it is used in making a decision directly affecting an individual?**

Yes. Records are retained in accordance with approved ARCS/ORCS schedules and LTDA. Property tax deferment images and data are retained for three years after the deferment loan is no longer active (i.e. after the loan is paid back in full). If the deferment application is not accepted, the retention period is 7 years.

Part 5 – Further Information

- 20. Does the initiative involve systematic disclosures of personal information? If yes, please explain.**



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

s.13

21. Does the program involve access to personally identifiable information for research or statistical purposes? If yes, please explain.

No.

Please check this box if the related Research Agreement (RA) is attached. If you require assistance completing an RA please contact a PLB advisor.

22. Will a personal information bank (PIB) result from this initiative?

No. The information from the CRA would be added to the already existing tax deferment application (TDA) database. PIBS_FIN_295 covers data collected for the Property Tax Deferment program.

If yes, please complete the fields in the table below by deleting the descriptive text in the right-hand column and replacing it with your own.

Personal Information Bank – Required Information	
Description	
Primary ministry/government agency involved	
All other ministries/government agencies and public bodies involved	
Business contact title	
Business contact telephone number	

Please ensure Parts 6 and 7 are attached unsigned to your submitted PIA.

Part 6 – PLB Comments and Signatures



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

This PIA is based on a review of the material provided to PLB as of the date below. If, in future any substantive changes are made to the scope of this PIA, the ministry will have to complete a PIA Update and submit it to PLB.

Privacy Advisor
Privacy and Legislation Branch
Office of the Chief Information Officer
Ministry of Technology, Innovation and
Citizens' Services

Signature

Date

Director or Manager
Privacy and Legislation Branch
Office of the Chief Information Officer
Ministry of Technology, Innovation
and Citizens' Services (**if Personal
Information is involved in this
initiative**)

Signature

Date

Part 7 – Program Area Comments and Signatures



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

_____ Program Manager	_____ Signature	_____ Date
_____ Ministry Contact Responsible for Security (Signature not required unless MISO has been involved.)	_____ Signature	_____ Date
_____ Assistant Deputy Minister or Designate (if Personal Information is involved in this initiative)	_____ Signature	_____ Date
_____ Executive Director or equivalent (if no Personal Information is involved in this initiative)	_____ Signature	_____ Date

A final copy of this PIA (with all applicable signatures and attachments) must be provided to PLB for its records to complete the process. PLB is the designated office of primary responsibility for PIAs under ARCS 293-60.

PLB will publish the ministry name, business contact details and a brief summary of the PIA to the Personal Information Directory (PID) as required by section 69(2) of FOIPPA. If you have any questions, please contact your privacy advisor at PLB or call the Privacy and Access Helpline at 250 356-1851.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

Part 1 – General

Name of Ministry:	Finance		
PIA Drafter:	Deborah Brouwer		
Email:	Deborah.Brouwer@gov.bc.ca	Phone:	250 387-2884
Program Manager:	Liam Vearer		
Email:	Liam.Vearer@gov.bc.ca	Phone:	250 387-0602

1. Description of the Initiative

The property tax deferment program is a low-interest loan program that allows qualifying property owners to defer paying their annual property taxes. The Province pays the annual property taxes to municipal or rural tax collectors on behalf of the property owner and the resulting debt to the Province is secured by a registered lien and charge on the property. The debt must be repaid before the property can be sold or otherwise transferred. Participation in the program must be renewed annually.

To participate in the program, property owners must have a minimum amount of equity in their home (25% for the regular program, 15% for the “families with children” program). The Ministry of Finance (FIN) checks that property owners meet the equity requirements both at the time that they enter into the deferment program and with each annual renewal application.

If the property owner has a Canada Revenue Agency (CRA) judgment registered on title to the property, the FIN needs to know the current value of the judgment debt to determine whether the owner has sufficient remaining equity to defer his or her current year property taxes. In previous years, FIN has requested this information from the property owner. Under this initiative, the property tax deferment program will provide the CRA with personal information of the property owner so that the CRA can confirm the current balance of the debt, rather than requiring the property owner obtain and submit to it to FIN.

2. Scope of this PIA

This PIA covers the disclosure of personal information collected under the *Land Tax Deferment Act* (LTDA) to the CRA for the purpose of determining the current balance of a CRA judgment debt. As well, this PIA covers the collection and use of personal information, including taxpayer information, by FIN from the CRA.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

3. Related Privacy Impact Assessments

None.

4. Elements of Information or Data

Each February FIN will run a power query through the property tax deferment application (TDA) database looking for judgments registered on deferment properties. If a judgment is registered in the name of "The Crown in Right of Canada" by the CRA, then the judgment will be entered into a spreadsheet by FIN with the following columns:

- AGREEMENT NUMBER
- REGISTERED OWNERS ON LTO [Land Title Office]
- PID # [Parcel Identification Number]
- OWNER OF THE JUDGMENT
- TYPE OF JUDGMENT
- REGISTRATION NUMBER OF THE JUDGMENT
- DATE OF THE REGISTERED CHARGE
- AMOUNT INDICATED ON REGISTERED DOCUMENT
- WHO THE INTEREST OF THE CHARGE IS FOR
- FIN COMMENTS

FIN will then encrypt the spreadsheet and disclose it to the CRA.

The CRA will add two additional columns to the spreadsheet with the headings:

- CURRENT BALANCE OF DEBT
- CRA COMMENTS

The CRA will then encrypt the updated spreadsheet and disclose it to FIN. FIN will use the information in its determination of whether the owner is eligible to defer their annual property taxes.

If personal information is involved in your initiative, please continue to the next page to complete your PIA.

If no personal information is involved, please submit Parts 1, 6, and 7 unsigned to PLB at pia.intake@gov.bc.ca. A privacy advisor will be assigned to your file and will guide you through the completion of your PIA.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

Part 2 – Protection of Personal Information

5. Storage or Access outside Canada

The data is stored within Canada at the BC Government Data Centre and accessible only within Canada.

6. Data-linking Initiative*

In FOIPPA, "data linking" and "data-linking initiative" are strictly defined. Answer the following questions to determine whether your initiative qualifies as a "data-linking initiative" under the Act. If you answer "yes" to all 3 questions, your initiative may be a data linking initiative. If so, you will need to comply with specific requirements under the Act related to data-linking initiatives.

1. Personal information from one database is linked or combined with personal information from another database;	yes
2. The purpose for the linkage is different from those for which the personal information in each database was originally obtained or compiled;	no
3. The data linking is occurring between either (1) two or more public bodies or (2) one or more public bodies and one or more agencies.	no
If you have answered "yes" to all three questions, please contact a PLB Privacy Advisor to discuss the requirements of a data-linking initiative.	n/a



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

7. Common or Integrated Program or Activity*

<p>In FOIPPA, "common or integrated program or activity" is strictly defined. Answer the following questions to determine whether your initiative qualifies as "a common or integrated program or activity" under the Act. If you answer "yes" to all 3 of these questions, you must comply with requirements under the Act for common or integrated programs and activities.</p>	
<p>1. This initiative involves a program or activity that provides a service (or services);</p>	yes
<p>2. Those services are provided through: (a) a public body and at least one other public body or agency working collaboratively to provide that service; or (b) one public body working on behalf of one or more other public bodies or agencies;</p>	no
<p>3. The common or integrated program/activity is confirmed by written documentation that meets the requirements set out in the FOIPP regulation.</p>	no
<p>Please check this box if this program involves a common or integrated program or activity based on your answers to the three questions above.</p>	n/a

*** Please note:** If your initiative involves a "data-linking initiative" or a "common or integrated program or activity", consultation on this PIA must take place with the Office of the Information and Privacy Commissioner (OIPC). PLB will facilitate the consultation with the OIPC.

For future reference, ministries are required to notify the OIPC of a "data-linking initiative" or a "common or integrated program or activity" in the early stages of developing the initiative, program or activity. PLB will help facilitate this notification.

8. Personal Information Flow Diagram and/or Personal Information Flow Table

Personal Information Flow Table		
Description/Purpose	Type	FOIPPA Authority
<p>1. Owner provides personal information including his or her name on the property tax deferment application or renewal application.</p>	<p>Direct Collection</p>	<p>26(a) [expressly authorized by section 13(a) LTDA]</p>
<p>2. CRA judgment charge number is collected from</p>	<p>Indirect</p>	<p>26(c) [necessary for</p>



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

	land title office records.	Collection	program] 27(b)[33.1(1)(i.1)]
3.	FIN transmits personal information to CRA.	Disclosure	33.1(1)(c) [disclosure is authorized to administer the Act under s.13.1(2)(a) LTDA] 33.1(1)(i.1) [to make a deferment payment]
4.	CRA transmits current balance of judgment debt to the ministry	Indirect Collection	26(c) [necessary for program] 27(1)(c)(iii)
5.	FIN uses information provided by CRA to confirm equity in property and so eligibility to participate in the deferment program.	Use	32(a)

9. Risk Mitigation Table

Risk Mitigation Table				
	Risk	Mitigation Strategy	Likelihood	Impact
1.	Employees could access personal information and use or disclose it for unauthorized purposes	Oath of Employment. Income Tax Branch employees re-affirm understanding of Standards of Conduct and privacy protocols on an annual basis via a Policy Acceptance Tool.	Low	High
2.	Owner's personal information is compromised when transferred to and from CRA.	The list of accounts requiring confirmation by CRA will be sent as an encrypted file (the ministry has the ability to encrypt to CRA specific certificates). The file	Low	High



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information PIA# FIN16016

returned by CRA will also be
encrypted. Encrypted files are
transmitted over a secure line.

10. Collection Notice

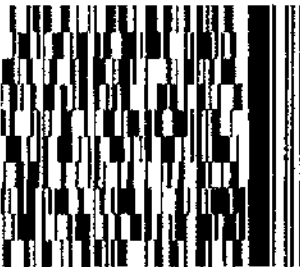
The judgment information is not collected directly from the individual; however, the property tax deferment application contains the following collection notice:

a/propertytaxdeferment

PROPERTY TAX DEFERMENT PROGRAM APPLICATION

under the *Land Tax Deferment Act*

FORM 1



Freedom of Information and Protection of Privacy Act (FOIPPA)
The personal information on this form is collected for the purpose of administering the *Land Tax Deferment Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferment, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, the *Property Transfer Tax Act* and the *Taxation (Rural Area) Act*.

The annual renewal application has a similar collection notice:

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, *Property Transfer Tax Act* and *Taxation (Rural Area) Act*.

Freedom of Information and Protection of Privacy Act (FOIPPA)
The personal information on this form is collected for the purpose of administering the *Land Tax Deferment Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferment, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

As well, all registered owners authorize the Province to obtain the value of any charges registered against the title on the property in order to verify the minimum equity requirements for tax deferment. The deferment agreement provides:



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

I/We, as the owner/owners of the property identified in the application (the Property), agree with Her Majesty the Queen in right of British Columbia (the Province) as represented by the minister responsible for the administration of the *Land Tax Deferment Act*, to defer property taxes on the Property as follows:

- I/We authorize the Province:
 - to obtain the Parcel Identifier (P.I.D.) Number(s), registered owner information and legal description of the Property, or the details of the manufactured home that correspond with the Property, and to endorse that information on this agreement with the intent that the endorsement will form part of this agreement, and in the case of the manufactured home, endorse the information on the financing statement;
 - to obtain the value of any charges registered against the title on the Property from the registered chargeholders in order to verify the minimum equity requirements for tax deferment;
 - to verify the information provided by accessing relevant records held by the Insurance Corporation of British Columbia, Home Owner Grant Administration, Land Title and Survey Authority, Personal Property Registry, Manufactured Home Registry, BC Assessment and other sources as required; and

Part 3 – Security of Personal Information

If this PIA involves an information system, or if it is otherwise deemed necessary to do so, please consult with your Ministry Information Security Officer (MISO) when filling out this section. Your MISO will also be able to tell you whether you will need to complete a separate assessment called a Security Threat and Risk Assessment (STRA) for this initiative.

11. Please describe the physical security measures related to the initiative (if applicable).

N/A - disclosure will be electronic. Personal information collected from CRA is stored in a FIN secure system, i.e. the local area network, and is accessed through password protected computer terminals.

12. Please describe the technical security measures related to the initiative (if applicable).

Data file will be encrypted based using CRA-specific certificates and transmitted over a secure line.

Encryption software being used is Entrust which is required and provided by CRA to use as file exchanged mechanism.

13. Does your branch rely on security policies other than the Information Security Policy?

No.



Privacy Impact Assessment for

Property Tax Deferment and Canada

Revenue Agency information

PIA# FIN16016

14. Please describe any access controls and/or ways in which you will limit or restrict unauthorized changes (such as additions or deletions) to personal information.

FIN users must be approved for role-based access to the FIN systems on a need-to-know basis. As well, external access to the personal information is restricted by government firewalls.

15. Please describe how you track who has access to the personal information.

Access must be requested from the supervisor of the program area for staff. In the situation for staff outside of the program area, Manager approval is needed. Access is arranged through FIN's contractor HP Advanced Solutions (HPAS). HPAS keeps an inventory of staff with access that can be requested by FIN when needed. Access is removed on request by the supervisor.

Part 4 – Accuracy/Correction/Retention of Personal Information

16. How is an individual's information updated or corrected? If information is not updated or corrected (for physical, procedural or other reasons) please explain how it will be annotated? If personal information will be disclosed to others, how will the ministry notify them of the update, correction or annotation?

A property owner, including an individual, may contact FIN in order to correct or update their personal information under the custody of FIN. Additionally, if FIN staff becomes aware that a property owner's may be incorrect, FIN staff will contact the property owner by telephone in order to verify the accuracy of the information currently in its custody.

17. Does your initiative use personal information to make decisions that directly affect an individual(s)? If yes, please explain.

Yes. The current amount of the CRA debt may affect the owner's ability to defer property taxes.

18. If you answered "yes" to question 17, please explain the efforts that will be made to ensure that the personal information is accurate and complete.

Receiving updated balance confirmation directly from CRA helps ensure accuracy for administration of the tax deferment program.



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

19. If you answered "yes" to question 17, do you have approved records retention and disposition schedule that will ensure that personal information is kept for at least one year after it is used in making a decision directly affecting an individual?

Yes. Records are retained in accordance with approved ARCS/ORCS schedules and LTDA. Property tax deferment images and data are retained for three years after the deferment loan is no longer active (i.e. after the loan is paid back in full). If the deferment application is not accepted, the retention period is 7 years.

Part 5 - Further Information

20. Does the initiative involve systematic disclosures of personal information? If yes, please explain.

Yes, there is a systematic disclosure as it is occurring at least once a year on a regular basis.

Please check this box if the related Information Sharing Agreement (ISA) has been prepared. If you have general questions about preparing an ISA, please contact the Privacy and Access Helpline.

N/A*

*While there is no Information Sharing Agreement specifically for this initiative, the exchange of information between FIN and the CRA will follow existing protocols. The CRA does not require an Information Sharing Agreement to be in place for this initiative because confirmation of a judgement balance is released by the CRA to any party that has a financial interest in a property, including financial institutions and mortgage brokers.

21. Does the program involve access to personally identifiable information for research or statistical purposes? If yes, please explain.

No.

Please check this box if the related Research Agreement (RA) is attached. If you require assistance completing an RA please contact a PLB advisor.

N/A

22. Will a personal information bank (PIB) result from this initiative?

No. The information from the CRA would be added to the already existing tax deferment application (TDA) database. PIBS_FIN_295 covers data collected for the Property Tax Deferment program.



Privacy Impact Assessment for Property Tax Deferral and Canada Revenue Agency information

PIA# FIN16016

Please ensure Parts 6 and 7 are attached unsigned to your submitted PIA.

Part 6 – PCTB Comments and Signatures

This PIA is based on a review of the material provided to PCTB as of the date below. If, in future any substantive changes are made to the scope of this PIA, the ministry will have to complete a PIA Update and submit it to PCTB.

PCTB would recommend that FIN have an ISA in place that covers the systematic exchange occurring at least once a year between CRA and FIN as part of this initiative but acknowledges the Ministry's position on this matter.

Alan Arslan

April 26, 2016

Privacy Analyst
Privacy, Compliance and Training
Branch
Corporate Information and Records
Management Office
Ministry of Finance

Signature

Date

Eileen Padgett

April 29, 2016

Senior Privacy Advisor
Privacy, Compliance and Training
Branch
Corporate Information and Records
Management Office
Ministry of Finance

Signature

Date



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

Part 7 - Program Area Comments and Signatures

Liam Vearer
Manager, Property Tax Deferment Administration
Property Taxation Branch
Ministry of Finance

MAY 4, 2016
Date

Richard Barlow
MISO and MPO
Ministry of Finance

May 2 2016
Date

Paula Harper
Executive Director
Income Taxation Branch
Ministry of Finance

May 5/16
Date

Steven Emery
Executive Director
Property Taxation Branch
Ministry of Finance

May 9/16
Date

Elan Symes
Assistant Deputy Minister Revenue Division
Ministry of Finance

May 19/16
Date



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

A final copy of this PIA (with all applicable signatures and attachments) must be provided to PCTB for its records to complete the process. PCTB is the designated office of primary responsibility for PIAs under ARCS 293-60.

PCTB will publish the ministry name, business contact details and a brief summary of the PIA to the Personal Information Directory (PID) as required by section 69(2) of FOIPPA. If you have any questions, please contact your privacy advisor at PCTB or call the Privacy and Access Helpline at 250 356-1851.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

Part 1 – General

Name of Ministry:	Finance		
PIA Drafter:	Deborah Brouwer		
Email:	Deborah.Brouwer@gov.bc.ca	Phone:	250 387-2884
Program Manager:	Liam Vearer		
Email:	Liam.Vearer@gov.bc.ca	Phone:	250 387-0602

1. Description of the Initiative

The property tax deferment program is a low-interest loan program that allows qualifying property owners to defer paying their annual property taxes. The Province pays the annual property taxes to municipal or rural tax collectors on behalf of the property owner and the resulting debt to the Province is secured by a registered lien and charge on the property. The debt must be repaid before the property can be sold or otherwise transferred. Participation in the program must be renewed annually.

To participate in the program, property owners must have a minimum amount of equity in their home (25% for the regular program, 15% for the “families with children” program). The Ministry of Finance (FIN) checks that property owners meet the equity requirements both at the time that they enter into the deferment program and with each annual renewal application.

If the property owner has a Canada Revenue Agency (CRA) judgment registered on title to the property, the FIN needs to know the current value of the judgment debt to determine whether the owner has sufficient remaining equity to defer his or her current year property taxes. In previous years, FIN has requested this information from the property owner. Under this initiative, the property tax deferment program will provide the CRA with personal information of the property owner so that the CRA can confirm the current balance of the debt, rather than requiring the property owner obtain and submit to it to FIN.

2. Scope of this PIA

This PIA covers the disclosure of personal information collected under the *Land Tax Deferment Act* (LTDA) to the CRA for the purpose of determining the current balance of a CRA judgment debt. As well, this PIA covers the collection and use of personal information, including taxpayer information, by FIN from the CRA.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

3. Related Privacy Impact Assessments

None.

4. Elements of Information or Data

Each February FIN will run a power query through the property tax deferment application (TDA) database looking for judgments registered on deferment properties. If a judgment is registered in the name of "The Crown in Right of Canada" by the CRA, then the judgment will be entered into a spreadsheet by FIN with the following columns:

- AGREEMENT NUMBER
- REGISTERED OWNERS ON LTO [Land Title Office]
- PID # [Parcel Identification Number]
- OWNER OF THE JUDGMENT
- TYPE OF JUDGMENT
- REGISTRATION NUMBER OF THE JUDGMENT
- DATE OF THE REGISTERED CHARGE
- AMOUNT INDICATED ON REGISTERED DOCUMENT
- WHO THE INTEREST OF THE CHARGE IS FOR
- FIN COMMENTS

FIN will then encrypt the spreadsheet and disclose it to the CRA.

The CRA will add two additional columns to the spreadsheet with the headings:

- CURRENT BALANCE OF DEBT
- CRA COMMENTS

The CRA will then encrypt the updated spreadsheet and disclose it to FIN. FIN will use the information in its determination of whether the owner is eligible to defer their annual property taxes.

If personal information is involved in your initiative, please continue to the next page to complete your PIA.

If **no** personal information is involved, please submit Parts 1, 6, and 7 unsigned to PLB at pia.intake@gov.bc.ca. A privacy advisor will be assigned to your file and will guide you through the completion of your PIA.



Privacy Impact Assessment for *Property Tax Deferral and Canada Revenue Agency information*

PIA# FIN16016

Part 2 – Protection of Personal Information

5. Storage or Access outside Canada

The data is stored within Canada at the BC Government Data Centre and accessible only within Canada.

6. Data-linking Initiative*

In FOIPPA, "data linking" and "data-linking initiative" are strictly defined. Answer the following questions to determine whether your initiative qualifies as a "data-linking initiative" under the Act. If you answer "yes" to all 3 questions, your initiative may be a data linking initiative. If so, you will need to comply with specific requirements under the Act related to data-linking initiatives.

1. Personal information from one database is linked or combined with personal information from another database;	yes
2. The purpose for the linkage is different from those for which the personal information in each database was originally obtained or compiled;	no
3. The data linking is occurring between either (1) two or more public bodies or (2) one or more public bodies and one or more agencies.	no
If you have answered "yes" to all three questions, please contact a PLB Privacy Advisor to discuss the requirements of a data-linking initiative.	n/a



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

7. Common or Integrated Program or Activity*

<p>In FOIPPA, “common or integrated program or activity” is strictly defined. Answer the following questions to determine whether your initiative qualifies as “a common or integrated program or activity” under the Act. If you answer “yes” to all 3 of these questions, you must comply with requirements under the Act for common or integrated programs and activities.</p>	
<p>1. This initiative involves a program or activity that provides a service (or services);</p>	yes
<p>2. Those services are provided through: (a) a public body and at least one other public body or agency working collaboratively to provide that service; or (b) one public body working on behalf of one or more other public bodies or agencies;</p>	no
<p>3. The common or integrated program/activity is confirmed by written documentation that meets the requirements set out in the FOIPP regulation.</p>	no
<p>Please check this box if this program involves a common or integrated program or activity based on your answers to the three questions above.</p>	n/a

*** Please note: If your initiative involves a “data-linking initiative” or a “common or integrated program or activity”, consultation on this PIA must take place with the Office of the Information and Privacy Commissioner (OIPC). PLB will facilitate the consultation with the OIPC.**

For future reference, ministries are required to notify the OIPC of a “data-linking initiative” or a “common or integrated program or activity” in the early stages of developing the initiative, program or activity. PLB will help facilitate this notification.

8. Personal Information Flow Diagram and/or Personal Information Flow Table

Personal Information Flow Table			
	Description/Purpose	Type	FOIPPA Authority
1.	Owner provides personal information including his or her name on the property tax deferment application or renewal application.	Direct Collection	26(a) [expressly authorized by section 13(a) LTDA]
2.	CRA judgment charge number is collected from	Indirect	26(c) [necessary for



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

	land title office records.	Collection	program] 27(b)[33.1(1)(i.1)]
3.	FIN transmits personal information to CRA.	Disclosure	33.1(1)(c) [disclosure is authorized to administer the Act under s.13.1(2)(a) LTDA] 33.1(1)(i.1) [to make a deferment payment]
4.	CRA transmits current balance of judgment debt to the ministry	Indirect Collection	26(c) [necessary for program] 27(1)(c)(iii)
5.	FIN uses information provided by CRA to confirm equity in property and so eligibility to participate in the deferment program.	Use	32(a)

9. Risk Mitigation Table

Risk Mitigation Table				
	Risk	Mitigation Strategy	Likelihood	Impact
1.	Employees could access personal information and use or disclose it for unauthorized purposes	Oath of Employment. Income Tax Branch employees re-affirm understanding of Standards of Conduct and privacy protocols on an annual basis via a Policy Acceptance Tool.	Low	High
2.	Owner's personal information is compromised when transferred to and from CRA.	The list of accounts requiring confirmation by CRA will be sent as an encrypted file (the ministry has the ability to encrypt to CRA specific certificates). The file	Low	High



Privacy Impact Assessment for Property Tax Deferral and Canada Revenue Agency information

PIA# FIN16016

		returned by CRA will also be encrypted. Encrypted files are transmitted over a secure line.		
--	--	---------------------------------------------------------------------------------------------	--	--

10. Collection Notice

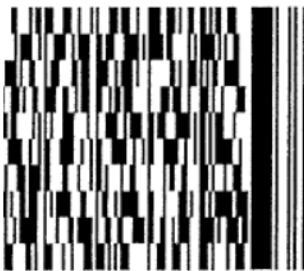
The judgment information is not collected directly from the individual; however, the property tax deferral application contains the following collection notice:

a/propertytaxdeferral

PROPERTY TAX DEFERRAL PROGRAM APPLICATION

under the *Land Tax Deferral Act*

FORM 1



Freedom of Information and Protection of Privacy Act (FOIPPA)

The personal information on this form is collected for the purpose of administering the *Land Tax Deferral Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferral, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, the *Property Transfer Tax Act* and the *Taxation (Rural Area) Act*.

The annual renewal application has a similar collection notice:

The information provided on this form may be shared for the purposes of administering the *Home Owner Grant Act*, *Property Transfer Tax Act* and *Taxation (Rural Area) Act*.

Freedom of Information and Protection of Privacy Act (FOIPPA)

The personal information on this form is collected for the purpose of administering the *Land Tax Deferral Act* under the authority of section 26(a) of the FOIPPA. Questions about the collection or use of this information can be directed to the Director, Property Tax Deferral, PO Box 9475 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: Victoria at 250 356-8121 or toll-free at 1 800 663-7867 and ask to be re-directed).

As well, all registered owners authorize the Province to obtain the value of any charges registered against the title on the property in order to verify the minimum equity requirements for tax deferral. The deferral agreement provides:



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information* PIA# FIN16016

I/We, as the owner/owners of the property identified in the application (the Property), agree with Her Majesty the Queen in right of British Columbia (the Province) as represented by the minister responsible for the administration of the *Land Tax Deferment Act*, to defer property taxes on the Property as follows:

- I/We authorize the Province:
 - to obtain the Parcel Identifier (P.I.D.) Number(s), registered owner information and legal description of the Property, or the details of the manufactured home that correspond with the Property, and to endorse that information on this agreement with the intent that the endorsement will form part of this agreement, and in the case of the manufactured home, endorse the information on the financing statement;
 - to obtain the value of any charges registered against the title on the Property from the registered chargeholders in order to verify the minimum equity requirements for tax deferment;
 - to verify the information provided by accessing relevant records held by the Insurance Corporation of British Columbia, Home Owner Grant Administration, Land Title and Survey Authority, Personal Property Registry, Manufactured Home Registry, BC Assessment and other sources as required; and

Part 3 – Security of Personal Information

If this PIA involves an information system, or if it is otherwise deemed necessary to do so, please consult with your Ministry Information Security Officer (MISO) when filling out this section. Your MISO will also be able to tell you whether you will need to complete a separate assessment called a Security Threat and Risk Assessment (STRA) for this initiative.

11. Please describe the physical security measures related to the initiative (if applicable).

N/A - disclosure will be electronic. Personal information collected from CRA is stored in a FIN secure system, i.e. the local area network, and is accessed through password protected computer terminals.

12. Please describe the technical security measures related to the initiative (if applicable).

Data file will be encrypted based using CRA-specific certificates and transmitted over a secure line.

Encryption software being used is Entrust which is required and provided by CRA to use as file exchanged mechanism.

13. Does your branch rely on security policies other than the Information Security Policy?

No.



Privacy Impact Assessment for

Property Tax Deferment and Canada

Revenue Agency information

PIA# FIN16016

14. Please describe any access controls and/or ways in which you will limit or restrict unauthorized changes (such as additions or deletions) to personal information.

FIN users must be approved for role-based access to the FIN systems on a need-to-know basis. As well, external access to the personal information is restricted by government firewalls.

15. Please describe how you track who has access to the personal information.

Access must be requested from the supervisor of the program area for staff. In the situation for staff outside of the program area, Manager approval is needed. Access is arranged through FIN's contractor HP Advanced Solutions (HPAS). HPAS keeps an inventory of staff with access that can be requested by FIN when needed. Access is removed on request by the supervisor.

Part 4 – Accuracy/Correction/Retention of Personal Information

16. How is an individual's information updated or corrected? If information is not updated or corrected (for physical, procedural or other reasons) please explain how it will be annotated? If personal information will be disclosed to others, how will the ministry notify them of the update, correction or annotation?

A property owner, including an individual, may contact FIN in order to correct or update their personal information under the custody of FIN. Additionally, if FIN staff becomes aware that a property owner's may be incorrect, FIN staff will contact the property owner by telephone in order to verify the accuracy of the information currently in its custody.

17. Does your initiative use personal information to make decisions that directly affect an individual(s)? If yes, please explain.

Yes. The current amount of the CRA debt may affect the owner's ability to defer property taxes.

18. If you answered "yes" to question 17, please explain the efforts that will be made to ensure that the personal information is accurate and complete.

Receiving updated balance confirmation directly from CRA helps ensure accuracy for administration of the tax deferment program.



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

19. If you answered “yes” to question 17, do you have approved records retention and disposition schedule that will ensure that personal information is kept for at least one year after it is used in making a decision directly affecting an individual?

Yes. Records are retained in accordance with approved ARCS/ORCS schedules and LTDA. Property tax deferment images and data are retained for three years after the deferment loan is no longer active (i.e. after the loan is paid back in full). If the deferment application is not accepted, the retention period is 7 years.

Part 5 – Further Information

20. Does the initiative involve systematic disclosures of personal information? If yes, please explain.

Yes, there is a systematic disclosure as it is occurring at least once a year on a regular basis.

Please check this box if the related Information Sharing Agreement (ISA) has been prepared. If you have general questions about preparing an ISA, please contact the Privacy and Access Helpline.

N/A*

*While there is no Information Sharing Agreement specifically for this initiative, the exchange of information between FIN and the CRA will follow existing protocols. The CRA does not require an Information Sharing Agreement to be in place for this initiative because confirmation of a judgement balance is released by the CRA to any party that has a financial interest in a property, including financial institutions and mortgage brokers.

21. Does the program involve access to personally identifiable information for research or statistical purposes? If yes, please explain.

No.

Please check this box if the related Research Agreement (RA) is attached. If you require assistance completing an RA please contact a PLB advisor.

N/A

22. Will a personal information bank (PIB) result from this initiative?

No. The information from the CRA would be added to the already existing tax deferment application (TDA) database. PIBS_FIN_295 covers data collected for the Property Tax Deferment program.



Privacy Impact Assessment for Property Tax Deferment and Canada Revenue Agency information

PIA# FIN16016

Please ensure Parts 6 and 7 are attached unsigned to your submitted PIA.

Part 6 – PCTB Comments and Signatures

This PIA is based on a review of the material provided to PCTB as of the date below. If, in future any substantive changes are made to the scope of this PIA, the ministry will have to complete a PIA Update and submit it to PCTB.

PCTB would recommend that FIN have an ISA in place that covers the systematic exchange occurring at least once a year between CRA and FIN as part of this initiative but acknowledges the Ministry's position on this matter.

Alan Arslan

April 26, 2016

Privacy Analyst
Privacy, Compliance and Training
Branch
Corporate Information and Records
Management Office
Ministry of Finance

Signature

Date

Eileen Padgett

April 29, 2016

Senior Privacy Advisor
Privacy, Compliance and Training
Branch
Corporate Information and Records
Management Office
Ministry of Finance

Signature

Date



Privacy Impact Assessment for *Property Tax Deferment and Canada Revenue Agency information*

PIA# FIN16016

Part 7 – Program Area Comments and Signatures

Liam Vearer
Manager, Property Tax Deferment Administration
Property Taxation Branch
Ministry of Finance

Date

Richard Barlow
MISO and MPO
Ministry of Finance

Date

Paula Harper
Executive Director
Income Taxation Branch
Ministry of Finance

Date

Steven Emery
Executive Director
Property Taxation Branch
Ministry of Finance

Date

Elan Symes
Assistant Deputy Minister Revenue Division
Ministry of Finance

Date



Privacy Impact Assessment for

Property Tax Deferment and Canada

Revenue Agency information

PIA# FIN16016

A final copy of this PIA (with all applicable signatures and attachments) must be provided to PCTB for its records to complete the process. PCTB is the designated office of primary responsibility for PIAs under ARCS 293-60.

PCTB will publish the ministry name, business contact details and a brief summary of the PIA to the Personal Information Directory (PID) as required by section 69(2) of FOIPPA. If you have any questions, please contact your privacy advisor at PCTB or call the Privacy and Access Helpline at 250 356-1851.