

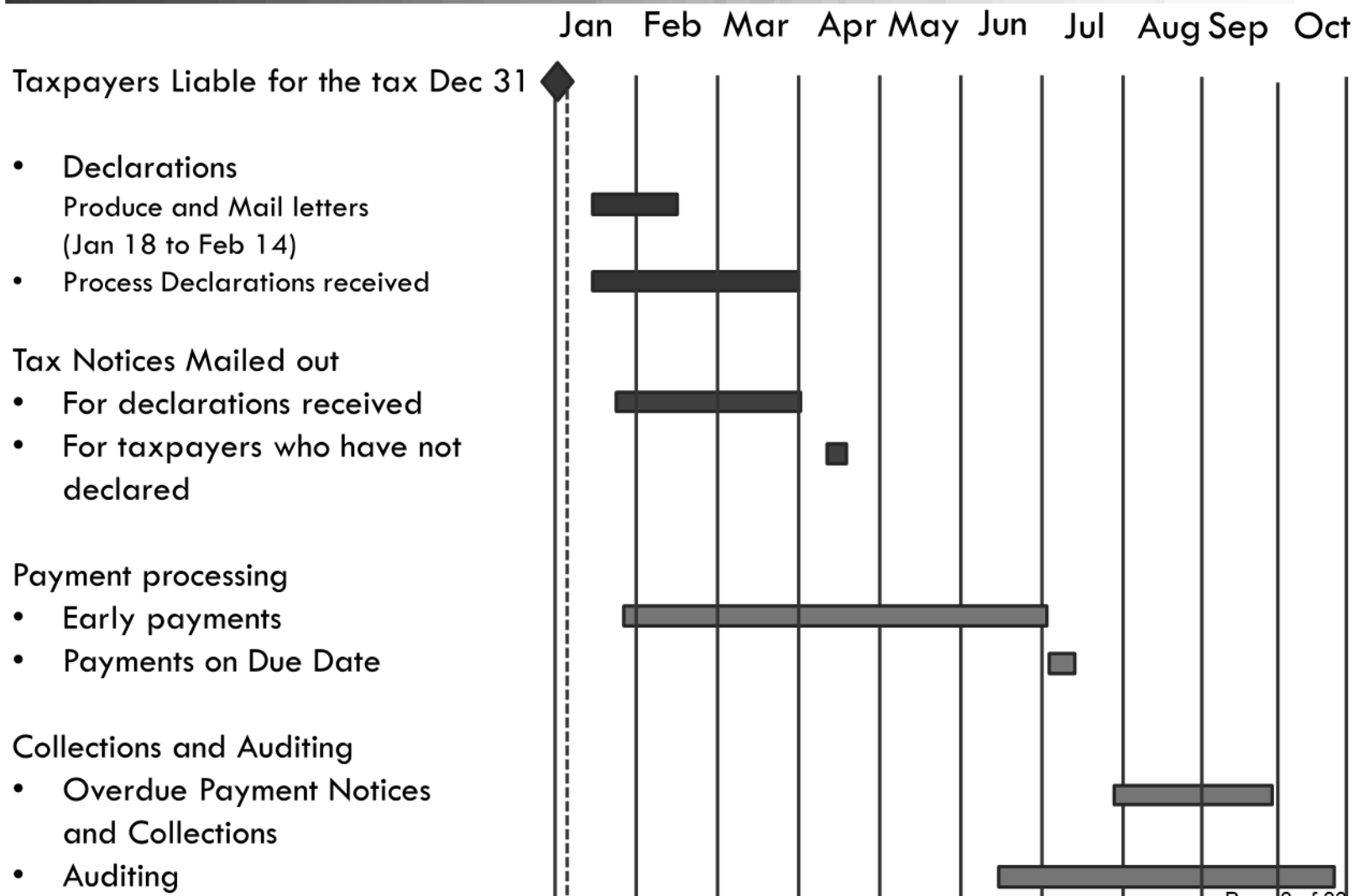
# SPECULATION TAX ONLINE DECLARATION

# Agenda



- ☐ Timelines
- ☐ eTax overview
- ☐ Speculation Tax Functional Testing
- ☐ Usability
- ☐ Security
- ☐ Performance/Load testing
- ☐ Demo Scenarios
- ☐ Questions

# Timeline



# eTax Overview

- Implementation of Fast's TAP product. In BC we call it eTax
- TAP is in use in over 50 jurisdictions in North America, Europe and Asia
- First implemented in BC in 2012 during the return to PST
- Since then 41 programs have been added to eTax
- 136,000 online accounts
- On average 64,000 returns filed in eTax each month
- Used for the Temporary Education Support Payment (TESP) program rollout to 250,000 BC parents

# Speculation Tax Functional Testing



- ❑ eTax Declaration - over 606 test scenarios executed.
- ❑ In total 2540 test scenarios have been executed.
- ❑ Project team conducted QA reviews of requirements and test scenario coverage
- ❑ No outstanding failed test scenarios
- ❑ Financial Risk and Controls Review completed with no issues raised by the auditors.

# Usability Testing



- Online Declaration was tested for usability on Nov 19<sup>th</sup>.
- The testing highlighted difficulties in understanding applicable exemptions and definition of a foreign untaxed owners
- Staff with Public Information and Corporate Services Branch, Property Tax Branch and Tax Policy Branch have worked to improve guidance language on the declaration

# eTax Security

- Ministry previously hired independent security experts to test and evaluate eTax security vulnerabilities
- Results
  - No security vulnerabilities in eTax
  - Uniquely architected in the opinion of the experts and did not provide any avenues for hackers to break the security and compromise data or performance
- For this project, Fast Solution Centre in Denver reviewed coding and configuration for the declaration to ensure that it complies with all FAST standards and programing methods

# eTax Load/Performance Testing



- ❑ 1.6 M declarations will need to be completed between January 21<sup>st</sup> and March 31<sup>st</sup>
- ❑ Various scenarios considered to understand the load placed on eTax
- ❑ Numbers of servers were increased and infrastructure was upgraded to maximize capacity
- ❑ Load testing confirmed the new capacity
- ❑ Addition capacity can be added as necessary.



# Questions





# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

## **Part 1 – General**

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### **1. Description of the Initiative**

In Budget 2018, the government announced that it would introduce legislation in 2018 to implement a new tax (known as the speculation and vacancy tax) effective for the 2018 calendar year.

The *Budget Measures Implementation (Speculation and Vacancy Tax) Act*, which enacted the Speculation and Vacancy Tax (SVT), was introduced on October 16, 2018. As a component of the government's 30-point housing plan, the SVT encourages a more efficient use of housing by discouraging housing speculation and vacancy. It does so by levying an annual tax on property owners whose property is left vacant or not used for residential purposes. For the 2018 calendar year, the tax rate is the same for all taxable property owners. Starting in 2019, the tax rate will vary depending on the owner's tax residency and whether the owner is a Canadian citizen or permanent resident of Canada, or a member of a satellite family. The highest tax rate will be levied on foreign owners and satellite families (those who earn a majority of income outside the province and pay little to no income tax in B.C.).

The Property Taxation Branch (PTB) of the Ministry of Finance (Finance) is responsible for administering the tax. This includes determining the property owners that are subject to the tax, providing notice to those property owners, calculating the tax liability amount, determining any tax credits available to the property owners, accepting payments, providing refunds and responding to questions.

### **2. Scope of this PIA**

The SVT operational PIA will be completed in two phases. This PIA covers the following exchanges of information:

- 1) BC Assessment file that determines the property owners in the SVT region;
- 2) Declaration process and returned mail;



# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

- 3) Land Title data scrub that is required to determine ownership percentage when multiple owners are on title;
- 4) Notice of Assessment/Statement of Account, and
- 5) SVT tax credit based on income.

A subsequent PIA will be completed to cover the payment receipt, collection process, refund process and the back-end audit function.

### 3. Related Privacy Impact Assessments

FIN 13029 -TACS V9 Upgrade  
FIN 18067 - Speculation and Vacancy Tax Update PIA  
FIN 18049 - Maximus Canada Tier 1-level Call Centre  
FIN 16057 – Rural Property Tax Collection  
FIN 18055L – Speculation and Vacancy Tax Legislation

### 4. Elements of Information or Data

#### **BC Assessment File (Indirect Collection):**

Under the legislation, only residential properties in prescribed areas are subject to the speculation tax. To ensure only property owners that own properties in the SVT regions receive the notice to declare, BC Assessment will include a flag on an existing file that is sent (made available) to PTB. The existing file is currently used to assist in calculating School Tax, Police Tax, Rural Property Tax and aspects of the Home Owner Grant. The new flag will be used to identify properties that are subject to the SVT based on the filtering requirements set by PTB. PTB will extract the appropriate properties and mail the declaration notice to the appropriate property owners. The file will be required in January to capture owners on title as of December 31. However, test files will also be required prior to that date. Supplemental files will be used to capture change in address, assessment values and changes in ownership to ensure data integrity.

The following information will be included in the BC Assessment SVT file:

Data	Description
First Name	First name of property owner
Middle Name and Initial	Middle name and middle initial of property owner
Company or Last Name	The last name or the company name of a property owner
Sequence ID	Aids in sorting owners within an ownership pair.



# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

Equity Type code	Identifies type of ownership of the land based on BCA's interpretation of data provided from the Land Titles and Survey Authority.
Equity type Description	Corresponding Description of the Equity Type Code. For example, "Owner".
Mailing Address for Owner(s)	Formatted based on Canada Post standards
Mailing Address Attention	The designated recipient receiving the mail on behalf of the intended recipient.
Location of property	Identifies where the folio is located.
Property Class	Description of property class code, for example, "residential, major industry, business, farm"
Property Tenure Code	Description of how the property is held, for example, fee simple or a crown land lease.
Use Code of Property	Describes how the property is used, for example, seasonal dwellings.
Land Value	Gross and net land value for taxation purpose.
Improvement Value	Gross and net improvement value for taxation purpose.
Assessment Notice Return Flag	Identifies if Notice of Assessment was returned as undeliverable.
Property ID number (PID)	Unique number used by Land Title and Survey Authority
Folio Number	Unique number for each parcel assessed by BCA.
Folio Description	Codes that are used to describe the land. For example, primary purpose the folio is used for, if it's vacant, if it's a parking area etc.
Sale information	Date sold
Name of historical property owners	Ownership changes

The information in this file will be used for two purposes:

- 1) To send out the declaration letter.
- 2) To determine the amount of SVT liability.

## **Declaration:**

Every property owner that owns property based on the extracted information from the BC Assessment file will be sent a letter notifying them that they need to declare their ownership and use of the property. One declaration letter will be sent to the property owner with all the properties listed they are on title for. The letter will include information on how to declare, what is required to



# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

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declare and the declaration due date. The letter will also include two codes that will be required for the online declaration to be completed. The declaration process will be completed annually.

Some property owners may want to declare before they receive their declaration letter. The codes required for the declaration process are created at the time the declaration letter is created. All letters and all required declaration codes will be created and mailed by mid February each year. If a property owner is unable to wait until mid February for their declaration codes, PTB will collect the required personal information in advance over the phone from the property owner. PTB will temporarily record the information on either a paper form or an electronic fillable PDF form. Paper forms will be stored in a locked filing cabinet and PDF forms will be housed on the restricted section of the PTB LAN. After mid February when all declaration codes are available, PTB will complete the online declaration on the property owner's behalf as an agent. If an email address was provided by the property owner, a confirmation email will be sent to them once it has been entered. Declarations that are completed by someone other than the owner are identified as part of the declaration process.

There is a large volume of returned mail anticipated due to the amount of declaration letters that will be mailed out (approximately 1.6 million). Transunion will be working on behalf of the ministry of Finance to complete a scrub and provide updated address information for declaration letters that are returned due to an invalid address. This will ensure property owners in the SVT region will receive their declaration letter.

The declaration letter will include the following personal information:

- Name – from BC Assessment file
- Mailing Address – from BC Assessment file
- Property Address – from BC Assessment file

The property owner will follow the instructions to declare online or by phone. A paper form will be available, however will not be advertised. It will only be offered to an individual if they refuse to declare online or by phone.

The following information will be collected directly from the property owner through the declaration process:

- Name
- Address
- Age
- Email (optional)



# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

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- Social Insurance Number (SIN) (if an individual)
- Foreign Driver's License number or any other Foreign ID (if no SIN)
- Business Info – for example Business ID and corporation ID, charity number
- If the property owner was tax resident in BC for income tax purposes on December 31 of the tax year
- If at least 50% of their total household income was reported on Canadian income tax returns. Yes/No. No amounts are requested.

This information will be collected in order to generate tax notices, and for verification and auditing purposes. SIN was chosen as the least privacy invasive way of determining and verifying a property owner's tax residency (i.e. do they pay BC income tax) by linking to the income tax data housed by Finance; their eligibility for certain exemptions; and their eligibility for the BC resident credit and the speculation and vacancy tax credit based on their income. Without the collection of SIN, Income Tax Notices of Assessment or tax filing records would have to be collected directly. These contain significantly more information than what is required for the administration of the SVT. Contact information is required should the property owner need to be contacted upon audit or to fix any discrepancies on their declaration.

If someone other than the property owner on title completes the declaration they must provide their name, relationship to the owner, email address and phone number. The FIN146 – Authorization or Cancellation of a Representative Form will be required to be completed and submitted to Finance. This form is currently used in the Revenue Division. There will be no change in process or collection of information.

The property owner will choose the applicable exemption by self declaration and will not be required to submit documentation to support the exemption reason. Supporting documentation requirements will be described in the Phase 2 PIA as part of the audit information. A summary of all the exemptions, and who they are applicable to, are listed below. If a property owner chooses an exemption, the reason will be collected and used to exempt the property owner from the SVT for the applicable speculation and vacancy tax year.

The following exemptions will be available to property owners who are individuals and who are BC residents, Canadian citizens or permanent residents, non-Canadians, (foreigner owners) and untaxed worldwide income earners (satellite families). If one of the options is applicable, the individual will be exempt from speculation tax. The individual completing the declaration will be required to provide their name, relationship to the property owner (if they are not the owner), email address and phone number.

## Available Exemptions



# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

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- If their home was occupied by a tenant
- If their home was principal residence of an individual with disabilities
- If their home was used for a licenced child daycare
- If their home can not be occupied due to construction, renovation, conservation of heritage property.
- If their property is vacant due to a phased development or is new inventory.
- If there was a recent breakdown of marriage
- If the property is hazardous or damaged.
- If there was a death of an owner
- If the person holds ownership as trustee as a bankruptcy or a trustee of a trust for the benefit of an Indigenous Nation.
- If there is a bankruptcy
- If the owner is holding the property in a testamentary trust for a minor child.
- If the property was acquired in the tax year.
- For 2018 only, no residence on the property.
- For 2018 and 2019 only, restricted from renting.
- For 2018 and 2019 only, strata accommodation.

The following exemption options will be available to BC residents only. In order to qualify as a BC resident for the purposes of the SVT, a property owner must be a Canadian citizen or permanent resident and was tax resident in BC for income tax purposes on December 31 of the tax year.

- If their home is their principal residence
- If their residence was their principal residence prior to going into residential care
- If their residence was their principal residence prior to an extended absence due to medical treatment.
- If their residence was periodically lived in due to it being near a medical treatment centre where treatment was required.
- If their residence was the spouse's principal residence due to work or medical reasons.

The following exemption options will be available to partnerships, corporations and trusts. If one of the options is applicable, the partnership, corporation or trust will be exempt from the speculation tax.

- Principal residence (if every partner/corporate interest holder/beneficial owner is a resident of BC)
- If the home was occupied by tenant



# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

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- If the property was the principal residence of an individual with disabilities
- If the property was used for child daycare
- If the property was their principal residence prior to going into residential care (if every partner/corporate interest holder/beneficial owner is a resident of BC)
- If the property was their principal residence prior to an extended absence due to medical treatment (if every member is a resident of BC).
- If the property was the spouse's principal residence due to work or medical reasons.
- If the 2018 property can not be occupied due to construction, renovation, conservation of heritage property.
- If the property is vacant due to a phased development or is new inventory. (If owner is the developer)
- If there was a recent breakdown of marriage
- If the property is hazardous or damaged
- If there was a death of an owner
- For 2018 only, no residence on the property.
- For 2018 and 2019 only, restricted from renting.
- For 2018 and 2019 only, strata accommodation.
- If the property was acquired in the tax year.

Under the *Speculation and Vacancy Tax Act (SVTA)*, the exemptions that are related to medical reasons require medical practitioner certification. A physician certification form will be required to be completed by the medical practitioner and the individual. The following personal information will be collected on the form:

- Taxpayer name (Patient Name)
- Address
- Phone Number
- Declaration Number
- Applicable Exemption (that the individual chose)
- Physician Name
- Physician Address
- Yes/No box for physician to confirm health condition exists and (if applicable) if treatment is required

## **Land Title Data Scrub (Indirect Collection):**





# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

To calculate the SVT liability, the ownership percentage on title is required. The SVT determines tax liability based on what percentage of ownership the owner has in the property. To obtain this information the Land Title and Survey Authority (LTSA) will provide ownership information for all properties that are in the approximate geographic area of speculation tax, based on 'taxing authority' (municipality). If ownership percentage is not available from LTSA, the percentage will be split evenly between all owners.

The following data elements will be collected from LTSA.

File	Purpose
Title	Base (limited) data regarding Titles selected
Parcel	Legal description, tax authority
Title Parcel	Land title district, Property Identification Number
Parcel Pending App	Pending Applications regarding a Parcel
Title Owner	Interest, given name, last name, occupation, incorporation number, address, city, province, country, postal code
Title Charge	Charge number, charge type, charge application date, district code. Charge types examples include: Lease, sublease, right to purchase, agreement for sale etc.
Title Charge Owner	Charge number, district, owner group #, interest, given name, last name, incorporation number

## **Notice of Assessment and Statement of Account**

Once ownership percentage has been received, a Notice of Assessment (NOFA) and Statement of Account (SOFA) are sent out to those who are not exempt from speculation tax based on the information they submitted on their declaration. The NOFA and SOFA advise how much SVT a property owner is required to pay, details on payment options, how to pay and due date. A property owner will receive a separate NOFA for each of their properties and one SOFA will be sent for all properties. The NOFA(s) and SOFA will be sent in one envelope to the property owner. If a declaration is not completed by March 31, a NOFA and SOFA will be sent to the property owner using the highest tax rate to calculate the tax liability.

The following information is included on the NOFA:



# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

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- Account Number (for SVT)
- Name
- Address
- Property Location Details
- Assessed Value
- Ownership %
- Tax Rate (from SVTA)
- BC Resident Credit (if applicable – this is automatic upon declaration as a BC resident.)
- SVT credit based on income (an individual is required to apply for this.)
- Tax Balance

The following information is included on the SOFA:

- Name
- Account Number
- Statement Date
- Letter Identification
- Tax Payable
- Tax Year
- Penalty/Fees
- Interest
- Credits
- Balance Owing

An account remittance slip is included at the bottom of the SOFA to be used if payment will be mailed in.

## **SVT Credit Based on Income**

A non- BC resident that has BC income can apply for an SVT credit through e-TaxBC. To apply for an SVT credit the individual must enter their BC income amount into e-TaxBC. The amount of income credit an individual can use towards the speculation tax will be calculated based on their BC income and the tax rate that applies to them. SIN will be used to match the property owner's declared BC Income with their actual BC Income already housed by the Income Tax Branch of the Ministry of Finance.

A spouse, that also has BC income, may choose to transfer their tax credit to the property owner that is responsible for the SVT. Through this process the property owner will enter their spouse's BC



# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

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income amount, name, social insurance number, phone number or email address, and date of birth and attach an authorization form from the spouse which will contain the same personal information and require the spouse to sign and date the form. It is necessary to collect this information from the spouse to ensure the spouses' declared BC Income matches their actual BC Income and to prevent the double claiming of BC Income by spouses. The spouse will also be required to submit a copy of their federal notice of assessment with the application for spouse transfer. This process is completed by the property owner (the individual) through e-TaxBC.

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 PCT at [pia.intake@gov.bc.ca](mailto: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 *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

## **Part 2 – Protection of Personal Information**

### **5. Storage or Access outside Canada**

Information collected under the Act will be stored by FIN in the TACS system, which is retained within the British Columbia government servers. Individuals may access their information via eTaxBC, a web page application. The information may be accessed outside Canada by an individual (the taxpayer).

### **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.	YES
<b>If you have answered "yes" to all three questions, please contact a PCT Privacy Advisor to discuss the requirements of a data-linking initiative.</b>	



# Privacy Impact Assessment for Speculation and Vacancy Tax – Operational Phase 1

PIA#FIN18061

## 7. Common or Integrated Program or Activity\*

<p><b>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.</b></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
<p><b>Please check this box if this program involves a common or integrated program or activity based on your answers to the three questions above.</b></p>	

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

Personal Information Flow Table – BC Assessment File -Test File			
	Description/Purpose	Type	FOIPPA Authority
1.	BC Assessment (BCA) provides test file to Finance based on Finance requirements. File is sent via the BCA data delivery website; a secure site which uses https transfer protocol (an encrypted process). The business area must log on via their IDIR account to obtain the file.	Disclosure by BCA	33.2(l)
2.	File received from BCA for test purposes containing required speculation tax data.	Indirect Collection	26(c) 27(1)(b) [33.2(l)]
3.	Speculation Tax System Testing – data in file is reviewed for	Use	32(c) per



# Privacy Impact Assessment for Speculation and Vacancy Tax – Operational Phase 1

PIA#FIN18061

	accuracy based on requirements sent to BCA.		33.1(1)(e) and 33.1(1)(e.1) 32(a)
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Personal Information Flow Table – Land Title File – Test File			
	Description/Purpose	Type	FOIPPA Authority
1.	LTSA provides test file, based on PTB requirements, to PTB via test SFTP server.	Disclosure by LTSA	33.2(l)
2.	File received from LTSA for test purposes containing required speculation tax information. Used to determine title ownership information.	Indirect Collection	26(c) 27(1)(b) [33.2(l)]
3.	Speculation Tax System Testing – data in file is reviewed for accuracy based on requirements sent to LTSA.	Use	32(c) per 33.1(1)(e) and 33.1(1)(e.1) 32(a)

Personal Information Flow Table – BC Assessment File			
	Description/Purpose	Type	FOIPPA Authority
1.	File received from BC Assessment (BCA) for other property taxation purposes. Out of scope. Covered in PIA FIN16057. Note: Section 128(a) of the SVTA authorizes the collection of data from BCA to administer and enforce the SVTA.	Indirect Collection	26(a), 27(1)(a)(iii) per s. 128(a) of the SVTA.
2.	Extract speculation tax properties from BCA file to be able to send communication to individuals.	Use	32 (a) and 32(c) per 33.1(1)(c) [s. 120(2)(c) of the SVTA.
3.	Assessed value in data used to determine tax owed. (See “Notice of Assessment and Statement of Account” table.)	Use	32(a)
4.	Property information used to determine if located in speculation tax region and declaration required. (See	Use	32(a)



# Privacy Impact Assessment for Speculation and Vacancy Tax – Operational Phase 1 PIA#FIN18061

	"Declaration" table.)		
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Personal Information Flow Table – Land Title File			
	Description/Purpose	Type	FOIPPA Authority
1.	File received from LTSA through SFTP of those files that are in the speculation tax region.	Indirect Collection	26(a) 27(1)(a)(iii) [s.128(b) of the SVTA]
2.	LTSA data is used to determine percent ownership. Ownership percentage is used to determine speculation tax amount. See "Notice of Assessment and Statement of Account table."	Use	32(a)

Personal Information Flow Table – Declaration			
	Description/Purpose	Type	FOIPPA Authority
1.	File sent to BC Mail Plus via SFTP for all declarations to be printed and mailed as determined by BC Assessment File.	Disclosure	33.2(d) as part of BC Mail Plus Ministerial Order (Out of Scope)
2.	Declaration letter mailed to individuals on title based on filtered report from BCA. If the individual is on title for more than one property in the tax region they will receive one declaration with all properties listed.	Disclosure by BC Mail Plus	Out of Scope
3a).	Individual completes declaration online through eTaxBC (see TACS PIA) or by phone. To complete the declaration, the letter ID and declaration code found on the declaration letter is required. Individuals (not corporations, a trust, partnership) are required to provide SIN and date of birth to enable identification, verification and audit. An executor/administrator of a deceased owner's estate is required to provide the deceased SIN,	Direct Collection	26(a) [s.62 and s.64 of the SVTA] and 26(c)



# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

	date of birth and date of death. During this process the individuals, corporations, trusts and partnerships can claim any applicable exemption. Information submitted in declaration is stored in TACS.		
<b>b)</b>	If requested, PTB will collect information directly from an individual property owner over the phone and complete a paper declaration or an electronic fillable PDF form with the information that is provided. The paper declaration will be stored in a locked cabinet, and PDF forms will be housed on the restricted section of the PTB LAN, until it can be entered into the system (once declaration codes are available). Once completed, if an email address has been provided, a confirmation email will be sent.	Collect Use Disclosure	26(a), 26(c) 32(a) 33.2(a)
<b>c)</b>	If declaration not received by March 31, property owner will be subject to SVT at the highest rate and will be sent a notice of assessment requesting payment. ( <i>see Notice of Assessment and Statement of Account table</i> )	N/A	
<b>d)</b>	Property owner has the option to amend the declaration they already submitted.	Direct Collection	26(a) [s.62 of the SVTA] and 26(c)
<b>4.</b>	Finance (via TACS system rules) determines if the property owner is subject to SVT based on the information provided on the declaration. ( <i>See Notice of Assessment and Statement of Account.</i> )	Use	32 (a) and 32(c) per 33.1(1)(c) [s. 66 of the SVTA]
<b>5.a)</b>	<b>Returned Mail</b> - mail that is returned due to undeliverable goes to ESIT Advanced Solutions where it is opened and imaged into TACS. This service is provided under the existing contract Finance has with ESIT Advanced Solutions.	Collection	26(c)
<b>5.b)</b>	Finance will pull a report of returned mail from TACS and sends it to Transunion for an address scrub. The report will include name and complete address (street, city, postal code). File will be sent via SFTP.	Disclosure	33.1(1)(c) [s. 120(5)(a) of the SVTA]
<b>c)</b>	Transunion sends up to date address information back to	Indirect	26(c)





# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

	Finance via SFTP.	Collection	27(1)(c)(iii)
d)	Finance sends file through a shared drive on the LAN to ESIT-AS (Finance's service provider) for ESIT-AS to complete data entry of new address information and resend letter. New address information is not stored.	Disclosure to ESIT-AS	33.1(1)(e.1) 33.1(1)(c) [s. 120(5)(a) of the SVTA]
		Use by ESIT-AS	32(a)

**Personal Information Flow Table – Notice of Assessment and Statement of Account**

	Description/Purpose	Type	FOIPPA Authority
1.	Property owners s that owe SVT will have the amount owed calculated based on system rules in TACS as programmed by Finance. The calculation uses ownership percentage information from the LTSA file and assessed value from the BCA file as well as the applicable tax rate as prescribed under the SVTA.	Use	32 (a) and 32(c) per 33.1(1)(c) [s. 14 of the SVTA.
2.	File will be created to send to BC Mail Plus for all NOFAs and SOFAs.	Use	32 (a)
3.	File sent to BC Mail Plus via SFTP for all NOFAs and SOFAs to be printed and mailed.	Disclosure	33.2(d) as part of BC Mail Plus Ministerial Order (Out of Scope)

**Personal Information Flow Table – Tax Credit (Income Based)**

	Description/Purpose	Type	FOIPPA Authority
1.	Property owners can log into their e-TaxBC account and enter their BC income information to apply for a tax credit. They will submit their tax credit application through eTaxBC.	Collection	26(a) [s.61 of the SVTA] and 26(c)
2.	Finance (via TACS) will calculate the amount of income credit the property owner is entitled for based on a calculation in the SVTA.	Use	32 (a)



# Privacy Impact Assessment for Speculation and Vacancy Tax – Operational Phase 1 PIA#FIN18061

3.	The spouse of the property owner can also transfer their BC income to the property owner to be used towards the tax credit. Spouse completes consent form and submits with property owner's tax credit application. Spouse federal Notice of Assessment must also be included with the tax credit application. Includes name, SIN, DOB, email address, phone number and income information.	Direct Collection (from property owner) and Indirect collection from spouse	26(a) [s.58 of the SVTA] and 26(c)  27(1)(a)(i)
4.	Income credit amount is reduced from SVT amount and included in the NOFA and SOFA. (See Notice of Assessment and Statement of Account table.)	N/A	

## 9. Risk Mitigation Table

Risk Mitigation Table				
	Risk	Mitigation Strategy	Likelihood	Impact
1.	Finance employees and agents of Finance (e.g., contractors) could access personal information and use or disclose it for personal purposes	Oath of Employment, annual confirmation of standards of conduct by employees and training.	Low	High
2.	Property owner's could receive a declaration notice for a property they are not on title for.	Information is collected directly from BC Assessment and the Land Title Office. Matches that do not meet the agreed-on standards are manually checked for decision.	Low	Low
3.	Information could be compromised during data transfer between BCA and PTB.	Most data received from BCA is available to the public through eValueBC or Land Title Survey Authority. The data feed is valuable primarily because it delivers the information in bulk form.	Low	Low
4.	Returned mail process for declaration could result in	ESIT-AS hires people with accurate keying skills and are closely	Low	Low



# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

keying errors due to manual data entry.	supervised for quality control.		
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## 10. Collection Notice

A collection notice is included on the online declaration and income credit application through eTaxBC:

### Freedom of Information and Protection of Privacy Act (FOIPPA)

The personal information collected by this system is collected by the Ministry of Finance ("Ministry") for the purpose of administering the Speculation and Vacancy Tax and the regulations thereunder under the authority of section 26(a) and 26(c) of the *Freedom of Information and Protection of Privacy Act (FOIPPA)*. The Ministry may use and disclose this information in accordance with the provisions of Part 3 of *FOIPPA* and Part 8 of the *Speculation and Vacancy Tax Act* including disclosure to the City of Vancouver for the purposes of administration or enforcement of the vacancy tax as defined under 615 of the *Vancouver Charter*. For information about the collection, use and disclosure practices, please contact Ministry of Finance Privacy Officer at 778 698-3044, Ministry of Finance, Corporate Services Division, PO BOX 9415, STN PROV GOVT Victoria BC V8W 2B7 CANADA.

The collection notice below is included on the Spouse Transfer of Income Authorization form.

***Freedom of Information and Protection of Privacy Act (FOIPPA)*** – The personal information on this form is collected for the purpose of administering the *Speculation and Vacancy Tax Act*, under the authority of section 26(a), 26(c) and 27(1)(a) of the *FOIPPA*. Questions about the collection or use of this information can be directed to the Director, Annual Property Tax, Ministry of Finance, PO Box 9472 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: toll-free at 1 833 554-2323).

The collection notice below is included on the Physician Certification form.

***Freedom of Information and Protection of Privacy Act (FOIPPA)*** – The personal information on this form is collected for the purpose of administering the *Speculation and Vacancy Tax Act*, under the authority of section 26(a), 26(c) of the *FOIPPA*. Questions about the collection or use of this information can be directed to the Director, Annual Property Tax, Ministry of Finance, PO Box 9472 Stn Prov Govt, Victoria BC V8W 9W6 (telephone: toll-free at 1 833 554-2323).

## **Part 3 – Security of Personal Information**

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

Locked cabinets, securely stored laptops, key card access to the building, only approved staff has access to physical files.



# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

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

TACS is housed within the government LAN and benefits from standard and approved network, security and hosting infrastructure. Access controls including IDIR IDs, strong passwords, and role-based permissions are in place to limit access to only authorized individuals.

Data received from BC Assessment will be downloaded from BCA's secure data delivery site. The BCA data delivery website is a secure site that uses https transfer protocol. This is an encrypted process. The business area must log on via their IDIR account to obtain the file.

Data received from LTSA will be transferred via the Government's Secure File Transfer Protocol.

**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.**

TACS has user profiles assigned on a need to know basis and controls and procedures exist for the authority to add, change or delete personal information.

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

TACS has users assigned to security groups. These security groups are groups of users with access to data and functionality within TACS. TACS provides auditable user tracking for all user access, including users that have read-only (unable to edit or change data) access. Reports will be developed that provide information to Managers on users' access to various information. These reports will be reviewed on a regular basis (quarterly at a minimum) to identify potential issues. Shared folder that is accessed between ESIT-AS and Finance for the returned mail process is restricted access to only those employees that require access.

## **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?**

Property owners have the option to amend the declaration they already submitted through eTaxBC.



# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

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

Yes, personal information is used to calculate tax liability as per the *Speculation and Vacancy Tax Act*.

**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.**

Information is housed in the TACS system and treated as highly sensitive information. The property owner may contact PTB to correct any inaccuracies.

**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, Ministry of Finance has extensive ARCS and ORCS plans that are followed by all program areas. It is expected that this initiative would follow under the existing rules and it is expected that these records would fall under the Information Schedules for unscheduled records.

## **Part 5 – Further Information**

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

Yes, PTB has a regular exchange of information with BCA and LTSA. The information received will be used for determining the speculation tax liability amount. A Service Schedule documenting the information flow from LTSA to FIN is currently under development. An information sharing agreement between BCA and FIN is also currently under development.

***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.***

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# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

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

No

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

Personal information is stored in TACS. A PIB has already been established for TACS and a future initiative update will speak to any TACS updates made for SVTA purposes.

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



# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

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## **Part 6 – PCT Comments and Signatures**

*This PIA is based on a review of the material provided to PCT 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 PCT.*

Section 69 (3)(b) of FOIPPA requires that a summary of information-sharing agreements into which each ministry of the government of BC has entered must be included in the personal information directory. PCT recommends that FIN ensure their information sharing agreement with BCA is recorded in the personal information directory when it's complete.

Dwayne McCowan

Manager, Privacy Operations  
Corporate Information and  
Records Management Office  
Privacy, Compliance and Training  
Branch  
Ministry of Citizens' Services

Signature

January 21, 2019

Date

Quinn Fletcher

Director, Operations and Privacy  
Management  
Privacy, Compliance and Training  
Branch  
Corporate Information and  
Records Management Office  
Ministry of Citizens' Services

Signature

January 21, 2019

Date



# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1*

PIA#FIN18061

## Part 7 – Program Area Comments and Signatures

Kally Khaira

Director, Annual Property Tax  
Property Taxation Branch  
Ministry of Finance

Signature

January 21 2019

Date

Richard Barlow

Director of Information Security and  
Privacy  
Information Management Branch  
Ministry of Finance

Signature

January 21 2019

Date

Jordan Goss

Assistant Deputy Minister  
Revenue Division  
Ministry of Finance

Signature

January 21, 2019

Date

Steven Emery

Executive Director  
Property Taxation Branch  
Ministry of Finance

Signature

January 21 2019

Date

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

***PCT 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***





# Privacy Impact Assessment for *Speculation and Vacancy Tax – Operational Phase 1* PIA#FIN18061

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*have any questions, please contact your privacy advisor at PCT or call the Privacy and Access Helpline at 250 356-1851.*