



## Landlord's Self-Help Centre PRIVACY POLICY

Landlord's Self-Help Centre (**LSHC**) is a non-profit and independent community legal clinic that has been serving the community since 1975. **LSHC** receives its funding from Legal Aid Ontario (LAO). We provide free information, referral and summary advice services to Ontario's small landlord community. **LSHC** operates with the following mandate: *TO provide information and support services for landlords and homeowners on a nonprofit basis and to educate members of the community in landlord and tenant relations and to assist such persons in their dealings at various governmental levels.*

**LSHC** recognizes the importance of privacy and the sensitivity of personal information. As legal service providers we have a professional obligation to keep confidential all information we receive within a paralegal-client relationship. We are committed to protecting any personal information we hold. This Privacy Policy outlines how we manage your personal information and safeguard your privacy.

### **Your Privacy Rights**

From January 1, 2004, all businesses engaged in commercial activities must comply with the *Personal Information Protection and Electronic Documents Act*, and the *Canadian Standards Association Model Code for the Protection of Personal Information*, which it incorporates. These obligations extend to legal service providers, including community legal clinics like **LSHC**. The Act gives you rights concerning the privacy of your personal information.

**LSHC** is responsible for the personal information we collect and hold. To ensure this accountability, we have developed this Privacy Policy, and trained our staff about our policies and practices.

### **What is Personal Information?**

Personal information is any information that identifies you, or by which your identity could be deduced.

### **Why Does LSHC Need Personal Information?**

**LSHC** is funded by Legal Aid Ontario (LAO). Our funding agreement with LAO, as well as policies put in place by our Board of Directors, require the collection of some personal information from our clients, including for the purpose of assessing eligibility for our services.

As legal professionals, we are also governed by the Law Society of Upper Canada's *Paralegal Rules of Conduct*. These Rules also requires the collection of some personal information from our clients. This also helps ensure that we are avoiding all conflicts of interest as far as possible.

We may also otherwise be legally required to collect personal information about our clients. For

example, the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* requires us to confirm the identity of all new clients.

If we did not collect and use your personal information, we could not provide you with any legal services.

### **What personal information do we collect?**

The basic personal information that we require from each client includes a legal name, address, contact information such as telephone, cellular phone or email (if any). In some cases we may be required to collect additional information such as details about the value of property you own and the amount of money you owe.

In the course of providing you with legal services we may collect or obtain additional personal information about you through court documents or from third parties involved in your legal matter. This information will vary from case to case.

### **How do we collect your personal information?**

We collect information only by lawful and fair means, and not in an unreasonably intrusive way. Wherever possible we collect your personal information directly from you, both at the start of providing you legal services, and in the course of providing you with those services.

### **Consent**

In most cases, we shall ask you to specifically consent, if we collect, use, or disclose your personal information. Normally, we ask for your consent in writing, but in some circumstances, we may accept your oral consent. Your consent will often be implied through your conduct with us.

### **Use of Your Information**

We use your personal information to provide legal advice and services to you, to administer our files (time docketing etc.) and to fulfil our reporting obligation to LAO, our funder.

We will never sell or otherwise provide any of your personal information to any third parties for marketing purposes.

### **Disclosure of your Personal Information**

Under certain circumstances, **LSHC** will disclose your personal information:

- when we are required or authorized by law to do so, for example if we are ordered to do so by a competent court or tribunal;
- when you have consented to the disclosure;
- if we engage a third party to provide administrative services to us (like computer back-up services or archival file storage) and the third party is bound by our Privacy Policy;
- if we engage expert witnesses on your behalf;
- if the information is Publicly Available Personal Information, as it is defined under the *Personal Information Protection and Electronic Documents Act*;

- to satisfy our obligations to LAO, our funder, we report your case and all our other client's cases as an anonymous statistic. Sometimes, we may also be called upon to report your financial circumstances to enable LAO to determine whether you are financially eligible for our services.

In all the above circumstances, we will not release any more information than is necessary.

### **Updating Your Information**

Since we use your personal information to provide legal services to you, it is important that the information be accurate and up-to-date.

If any of your information changes during the course of the work we are doing for you, please inform us so that we can make any necessary changes.

### **Is My Personal Information Secure?**

**LSHC** takes all reasonable precautions to ensure that your personal information is kept safe from loss, unauthorized access, modification or disclosure. Among the steps taken to protect your information are:

- securing our office space and physical premises against unauthorized entry and theft;
- restricting file access to personal information;
- deploying technological safeguards like security software and firewalls to prevent hacking or unauthorized computer access;
- internal password and security policies.

### **Access to Your Personal Information**

You may ask for access to any personal information we hold about you.

Summary information is available on request. Access to your physical files is restricted to your case workers and the provision of any information contained on your physical files may be subject to your case worker's availability. More detailed requests which require archive or other retrieval costs may be subject to you covering our costs

### **Correcting Errors**

If **LSHC** holds information about you and you can establish that it is not accurate, complete and up-to-date, **LSHC** will take reasonable steps to correct it.

### **Can I be denied access to my Personal Information?**

Your rights to access your personal information are not absolute. **LSHC** may deny access when:

- it is required or authorized by law (for example, when a record containing personal information about you is protected by solicitor-client privilege);
- to do so would reveal confidential information about others, and the personal information

cannot be severed from the record;

- to do so could reasonably be expected to threaten the life or security of another individual, and the personal information cannot be severed from the record; or
- the information was generated in the course of a formal dispute resolution process;
- the information was generated by your case worker in the course of working on your case (e.g. memos and notes).

If we deny your request for access to, or refuse a request to correct information, we shall explain why. **LSHC** does not use your Social Insurance Number as a way of identifying or organizing the information we hold on you.

### **Can I request receiving legal services anonymously?**

No, we can not provide any legal advice or services to anonymous persons. The *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* requires us to confirm the identity of all new clients. It may also require us disclose information to FINTRAC in relation to certain large cash transactions.

However, we may be able to provide you with a referral, and/or direct you to general legal information, such as pamphlets, brochures and our website without you providing us with personal information.

### **Credit Bureaus**

To help us make credit decisions about clients, prevent fraud, check the identity of new clients and prevent money-laundering, we may – with your consent – request information about you from the files of consumer reporting agencies.

### **Communicating with Us**

You should be aware that e-mail is not a 100% secure medium, and you should be aware of this when contacting us to send personal or confidential information. **LSHC** does not guarantee the confidentiality of any email transmission.

You should also be aware that viewing this website or contacting **LSHC** (including any staff, students or volunteers) through this website, by email, telephone and/or fax does not create a paralegal-client relationship and does not mean that we are going to act for you. Persons do not become **LSHC's** clients unless and until we agree to act for you and confirm the same in a retainer agreement. Unless you are an existing client, information provided through this website, by email, telephone and/or fax will not be considered confidential, and no information should be sent to us without prior agreement.

### **Changes to this Privacy Policy**

Since **LSHC** regularly reviews all of its policies and procedures, we may change our Privacy Policy from time to time.

**Requests for Access**

If you have any questions, or wish to access your personal information, please speak to our reception professional at 416-504-5190. Please note that our reception professional may not be able to address all your queries or requests and may have to forward them to our Clinic Director for follow-up. Such follow-up will take place within a reasonable period of time and may be subject to the availability of the Clinic Director.

**Employment Inquiries**

If you apply to **LSHC** for a job, we need to consider your personal information as part of our review process. We normally retain information from candidates after a decision has been made, unless you ask us not to retain the information. If we offer you a job, which you accept, the information will be retained in accordance with our procedures for employee records.

**Web Site**

Our website ([www.landlordselfhelp.com](http://www.landlordselfhelp.com) and [www.secondsuites.info](http://www.secondsuites.info) ) contains links to other sites, which are not governed by this Privacy Policy.

Certain links on our website lead to documents or websites maintained by other persons and organizations. Inclusion of these links on this website does not signify **LSHC's** endorsement of the form or content of any of those documents or websites, and **LSHC** makes no representation as to the security of those documents or websites, or the accuracy of the information contained in them.

On our website, like most other websites, we may monitor traffic patterns, site usage and related site information in order to optimize our web service. We may provide aggregated information to third parties, but these statistics do not include any identifiable personal information.