



OFFICE OF THE INFORMATION  
AND PRIVACY COMMISSIONER  
NEWFOUNDLAND AND LABRADOR

## Report P-2026-002

June 16, 2026

### Municipal Assessment Agency

**Summary:**

The Complainant made a privacy complaint to this Office under the **Access to Information and Protection of Privacy Act, 2015** alleging the Municipal Assessment Agency had breached their privacy by utilizing aerial photography to capture photos of their property. The Commissioner, having reviewed the specific records at issue in this matter, concluded that no personal information was collected, and therefore no breach occurred.

**Statutes Cited:**

[Access to Information and Protection of Privacy Act, 2015](#), SNL 2015, c A-1.2, section 2(u), and 73.

**Authorities Relied On:** NL OIPC Reports [A-2025-020](#).

Ontario Order [M0-4108](#)

## BACKGROUND

- [1] The Complainant made a privacy complaint to this Office under the **Access to Information and Protection of Privacy Act, 2015** (the “Act”) alleging the Municipal Assessment Agency (“MAA”) had breached their privacy by utilizing aerial photography to capture photos of their property.
- [2] As informal resolution was unsuccessful, the complaint proceeded to formal investigation in accordance with section 74(2) of the Act.

## PUBLIC BODY’S POSITION

- [3] The Municipal Assessment Agency asserts that under the Assessment Act, 2006 section 7(1) they are authorized to collect information.
- [4] The public body states that client municipalities were informed of the aerial photography initiative with EagleView in 2023. The use of aerial imagery was also published to the public through their 2023-2026 Business Plan.

## COMPLAINANT’S POSITION

- [5] The Complainant asserts that the Municipal Assessment Agency had taken aerial photographs of their property via a third-party contractor (EagleView) and failed to notify them of the collection of their personal information.

## DECISION

### Determination of Privacy Breach

- [6] The issue that must be assessed in this report is whether the actions of the Municipal Assessment Agency constitute a privacy breach. According to section 73 of the Act, for a privacy breach to have occurred the public body must have collected, used, or disclosed personal information in contravention of the Act.

[7] The Act defines personal information in section 2(u) as recorded information about an identifiable individual, including the individual's name, age, contact information, health care status, and employment status. While the definition of personal information at section 2 of the Act is not exhaustive, to qualify as personal information the information must be able to reasonably identify an individual through disclosure of the information.

[8] The aerial photos captured by the MAA for property assessment purposes produced 7.5 cm to 15 cm oblique and orthogonal frame images. The photos show the outside of a property and do not provide access to specific details such as identifying features of people, or license plates on vehicles. The imagery provides the ability to measure outside features of a property only. The issue in this matter is if the specific images referenced by the complainant captured any information that would constitute personal information as defined by the Act. If it were concluded that the information collected was personal information, then it would have to be determined whether the collection was in accordance with ATIPPA, 2015 or not.

[9] In Order [MO-4108](#), the Ontario Information and Privacy Commissioner considered a similar issue of whether the floor plans of a home qualified as personal information and concluded the following:

The city submits that the records consist of architectural drawings containing detailed layouts of all access points to the property, as well as clear depictions as to where each room and bedroom is located. . . I have carefully reviewed the records at issue. For the reasons that follow, I have concluded that information contained in the records is not "personal information" as defined by section 2(1) of the Act but rather that it is information about a property. A long line of past IPC Orders have found that building plans, including residential plans, do not qualify as personal information as defined by section 2(1) the Act, because they reveal only information about a property, and do not represent recorded information about an identifiable individual, unless there is personal information in them such as the property owner's name and telephone number.

[10] Report [A-2025-020](#) by this Office has also found that floor plans of a home do not qualify as personal information.

[11] In this case the specific aerial photos of the Complainant's property do not include any information that could be considered personal information. There are no individuals present

in the photos and the resolution of the photos is not high enough that details such as license plates could be read. As such, the photos only reveal information about a property, and do not represent recorded information about an identifiable individual.

[12] Based on the conclusion that the aerial photos specific to this complaint do not constitute personal information, this Office finds that the public body did not collect personal information and therefore a privacy breach could not have occurred under section 73 of the Act.

[13] While the Act does mandate that a public body shall tell an individual from whom it collects personal information; because MAA did not collect personal information in this instance, there is no requirement under the Act for the public body to notify the Complainant.

## RECOMMENDATIONS

[14] Under the authority of section 76 of the Act, I make no recommendations on this matter.

[15] As set out in section 49(1)(b) of the **Access to Information and Protection of Privacy Act, 2015**, the head of the Municipal Assessment Agency must give written notice of his or her decision with respect to these recommendations to the Commissioner and any person who was sent a copy of this Report within 10 business days of receiving this Report.

[16] Dated at St. John's, in the Province of Newfoundland and Labrador, this 16<sup>th</sup> day of June 2026.



Kerry Hatfield  
Information and Privacy Commissioner  
Newfoundland and Labrador