

Information and Privacy Commissioner,
Ontario, Canada



Commissaire à l'information et à la protection de la vie privée,
Ontario, Canada

ORDER MO-4776

Appeal MA23-00792

Corporation of the City of Orillia

March 9, 2026

Summary: An individual made a request to the Corporation of the City of Orillia under the *Municipal Freedom of Information and Protection of Privacy Act* for the names and contact information of the property owners contained in building and property standards documents. The city denied access to this information claiming it was exempt by reason of the mandatory personal privacy exemption in section 14(1) of the *Act*.

In this order, the adjudicator determines that the information at issue is not personal information and, therefore, is not exempt under section 14(1). She orders the city to disclose the information.

Statutes Considered: *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, sections 2(1) (definition of personal information), 2(2.1), and 2(2.2).

Orders Considered: Order MO-3407.

OVERVIEW:

[1] This order considers whether the names and contact information of property owners in building and property standards documents are personal information.

[2] The Corporation of the City of Orillia (the city) received an access request under the *Municipal Freedom of Information and Protection of Privacy Act* (the *Act*) for building applications, permits, construction drawings, inspection reports, emails, and property standards orders for a specific property for the years 2016 to 2023.

[3] In response, the city issued an access decision, granting partial access to some records and denying access to other records in full. Access to the withheld information was denied under sections 8(1) (law enforcement investigation) and 14(1) (personal privacy) of the *Act*.

[4] The requester, now the appellant, appealed the city's decision to the Information and Privacy Commissioner of Ontario (the IPC).

[5] During mediation, the city located additional responsive records and issued a revised decision granting partial access to some of these records, while denying other records in their entirety.

[6] Later, the city issued a second revised decision granting access to further information in the records.

[7] The city agreed to conduct an additional search and located two additional responsive records. It issued a second supplemental decision granting access to those records in part.

[8] As the parties did not reach a mediated resolution, the appeal moved to the adjudication stage where an adjudicator may conduct an inquiry. I sought the city's representations initially, which the city provided along with an access decision disclosing additional information from the records.

[9] I shared the city's non-confidential representations with the appellant, who provided representations in response. The appellant narrowed the information that they sought to the name and contact information of the owners of the property in records 1, 2, and 4.

[10] I also sought the representations of the property owners whose names and contact information is being sought by the appellant. The property owners objected to disclosure of their information.

[11] In this order, I find that the names and contact information of the property owners is not personal information and, therefore, the personal privacy exemption at section 14(1) cannot apply to it. I order the city to disclose the information to the appellant and dismiss the appeal.

RECORDS:

[12] At issue are the names and contact information of the owners of the property contained in two records entitled "Order to Remedy Violation of Standards of Maintenance and Occupancy" (records 1 and 2) and an "Application for a Permit to Construct or Demolish" (record 4).

DISCUSSION:

[13] The first issue I must determine in this appeal is whether the information sought by the appellant, the names and contact information of the owners of the property as they appear in the records at issue, is the personal information of these individuals. If it is not personal information, then the personal privacy exemption in section 14(1) cannot apply.

[14] Section 2(1) of the *Act* defines "personal information" as "recorded information about an identifiable individual."¹

Section 2(1) of the *Act* gives a list of examples of personal information:

"personal information" means recorded information about an identifiable individual, including,

(a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,

(b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,

(c) any identifying number, symbol or other particular assigned to the individual,

(d) the address, telephone number, fingerprints or blood type of the individual,

(e) the personal opinions or views of the individual except if they relate to another individual,

(f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,

(g) the views or opinions of another individual about the individual, and

¹ "Recorded information" is information recorded in any format, such as paper records, electronic records, digital photographs, videos, or maps See the definition of "record" in section 2(1).

(h) the individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

[15] The list of examples of personal information under section 2(1) is not a complete list. This means that other kinds of information could also be "personal information."²

[16] Information is "about" the individual when it refers to them in their personal capacity, which means that it reveals something of a personal nature about the individual. Generally, information about an individual in their professional, official, or business capacity is not considered to be "about" the individual.³

Representations

[17] The city submits that the names and contact information of the owners of the property, is their personal information.

[18] The city states that records 1 and 2 contain the names and contact information of the individuals that the Orders related to Property Standards By-law violations were issued to. In support of its position, it refers to Order M-176 where information about individuals alleged to have committed infractions against the *Weed Control Act* was found to be personal information.

[19] In support of its position that the names and contact information in record 4, the Application for a Permit to Construct or Demolish, is personal information, the city relies on Order M-138, where the names and home addresses of individual property owners applying for building permits were found to be personal information and were not ordered disclosed.

[20] The city submits that there is no evidence before it to suggest that the names and contact information of the property owners appears in a professional, official, or business capacity. Therefore, it is the city's position that this information is about the property owners in a personal capacity.

[21] The appellant submits that the names and contact information appear in the records in a business, not a personal, capacity. Due to their previous interactions with the owners of the property, they state that the owners of the property act as the landlords of the property and the address at issue in the records is where the owners carry out business responsibilities and where the tenants send notices and/or other documents to.

[22] In support of the argument that names and contact information at issue relate to the property owners in a business capacity, the appellant refers to information in the

² Order 11.

³ Orders P-257, P-427, P-1412, P-1621, R-980015, MO-1550-F and PO-2225.

portions of the records that were disclosed to them that indicate that a building permit was being applied for the property to be converted from a two unit building to a four unit building. The appellant submits that the names and contact information that they seek access to do not reveal something of a personal nature about the property owners.

[23] The appellant submits that sections 2(2.1) and (2.2) of the *Act* exclude the information at issue from the definition of personal information. Those sections state:

(2.1) Personal information does not include the name, title, contact information or designation of an individual that identifies the individual in a business, professional or official capacity.

(2.2) For greater certainty, subsection (2.1) applies even if an individual carries out business, professional or official responsibilities from their dwelling and the contact information for the individual relates to that dwelling.

[24] The property owners, whose name and contact information is at issue in the records, provided representations objecting to the disclosure of their names and contact information in the records. They also provided two Orders from the Landlord and Tenant Board that identify them as the landlords of the property.

Analysis and findings

[25] The names and contact information at issue in the records are that of the owners of the property, who are also the landlords of the property. The property is a multi-unit residential building. The address for the owners in the records is not that of the property identified in the request.

[26] From all of the evidence, including my review of the records and the representations submitted by the parties, as well as the documents provided by the property owners, it is clear that the names and contact information of the property owners appear in their business capacity in the records. All of the evidence supports a finding that the property owners were operating the property as a business, acting as landlords, and not acting in their personal capacity in their dealings with the property.

[27] Accordingly, I find that the information at issue falls within the exceptions to the definition of personal information set out in sections 2(2.1) and 2(2.2) which state that personal information does not include the name, title and contact information that identifies individuals in a business capacity.

[28] Records 1 and 2 are two documents entitled "Order to Remedy Violation of Standards of Maintenance and Occupancy" issued by the city to the property owners arising from complaints about the condition of the property. These orders provide the property owners with an opportunity to remedy the condition of the property.

[29] Records 1 and 2 are similar to the records considered in Order MO-3407, which related to a complaint about a specified rental property and included property standard inspection reports and orders. The adjudicator in that order found that the name and address of the property owner in those records appeared in the property owner's business capacity as landlord and therefore, in accordance with sections 2(2.1) and 2(2.2), was not personal information. The adjudicator further considered and found that the disclosure of the landlord's name and address would not reveal other personal information about him.⁴

[30] I agree with this reasoning in Order MO-3407 and adopt it in the current appeal with respect to the names and contact information of the property owners as they appear in records 1 and 2. These records relate to a complaint about the property and are about property standards issues related to the property. The names and contact information of the property owners in the records appear in the property owners' business capacity. Disclosure would not reveal other personal information about them.

[31] Record 4 is a building permit application. Previous orders have found that the information in such applications is about the property and not "about" the property owners.⁵ These orders determined that the names and contact information of the property owners in the building permit applications fall within the exceptions in sections 2(2.1) and 2(2.2) and do not reveal anything of a personal nature about them.

[32] I agree and adopt the reasoning in these orders concerning record 4 and find that the names and contact information of the property owners in this record fall within the exceptions in sections 2(2.1) and 2(2.2) and do not reveal anything of a personal nature about the property owners.

[33] Based on my review of records 1, 2, and 4, I find that the names and contact information of the owners of the property, as they appear in the records at issue, is not their personal information. The owners of the property are operating a business, the operation of a multi-unit residential building, and the records relate to their operation of that business. Therefore, the exceptions in sections 2(2.1) and 2(2.2) apply because the names and contact information of the property owners appears in a business context, in their capacity as landlords and owners of the property.

[34] In finding that the names and contact information of the property owners is not personal information, I have also considered that in some situations, even if information relates to an individual in a professional, official or business capacity, it may still be "personal information" if it reveals something of a personal nature about the individual⁶ or, put another way, if the information has a personal dimension to it.⁷ Having considered all the evidence before me, I find that disclosure of the names and contact

⁴ See also Order MO-4317.

⁵ See for example Order MO-4302.

⁶ Orders P-1409, R-980015, PO-2225 and MO-2344.

⁷ See for example Orders MO-2053, MO-4161, and PO-3656.

information of the property owners in the context of these records do not reveal something of a personal nature about them.

[35] As I have found that the information at issue is not personal information, the personal privacy exemption in section 14(1) cannot not apply. As no other exemptions have been claimed for this information, I will order the city to disclose it to the appellant.

ORDER:

1. I order the city to disclose the names and contact information of the property owners in records 1, 2, and 4 to the appellant **by April 17, 2026 but not before April 13, 2026.**
2. In order to verify compliance with this order, I reserve the right to require the city to provide me with a copy of the records disclosed to the appellant.

Original Signed by: _____
Diane Smith
Adjudicator

_____ March 9, 2026