

Litigation Chamber

Decision on the merits 124/2021 of 10 November 2021

File number: DOS-2018-05039 and DOS-2018-05524

Subject: Sharing of personal data concerning tenants of accommodation

social as part of a heritage survey

The Litigation Chamber of the Data Protection Authority, made up of Mr. Hielke Hijmans,

Chairman, and Messrs. Frank De Smet and Romain Robert;

Having regard to Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016 relating to the protection

of natural persons with regard to the processing of personal data and to the free movement

of this data, and repealing Directive 95/46/EC (General Data Protection Regulation),

hereinafter "GDPR";

Having regard to the Law of 3 December 2017 establishing the Data Protection Authority, hereinafter "LCA";

Having regard to the internal regulations as approved by the House of Representatives on December 20, 2018

and published in the Belgian Official Gazette on January 15, 2019;

Considering the documents in the file;

made the following decision regarding:

The complainants: Mrs. and Mr. X1, represented by Mr. Özgür Balci (hereinafter: 'complainant 1'), and

Mrs and Mr X2, represented by Mr Özgür Balci (hereinafter: 'complainant 2'),

hereinafter jointly referred to as "the plaintiffs".

The defendant :

Y, represented by Me Kris De Sager, hereinafter "the defendant".

Decision on the merits 124/2021 - 2/12

I. Facts and procedure

1. Complainant 1 and Complainant 2 complained to the Data Protection Authority

against the defendant, respectively on September 17, 2018 and September 26, 2018.

The subject of the complaints concerns the communication to third parties of personal data

concerning tenants of social housing as part of a heritage survey.

2. On October 5, 2018 and October 15, 2018 respectively, the complaints were declared admissible by

Front Line Service under Sections 58 and 60 of the ACL and complaints are forwarded

to the Litigation Division under Article 62, § 1 of the LCA. The Litigation Chamber deals

the two cases in a single decision since the subject matter of the complaint is comparable.

3. On October 18, 2018, in accordance with Article 96, § 1 of the LCA, the Chamber's request

Litigation to proceed with an investigation is forwarded to the Inspection Department, as well as the

complaints and parts inventory.

4. On October 21, 2019, the investigation by the Inspection Service is closed, the report is attached to the file and

this is forwarded by the Inspector General to the President of the Litigation Chamber (art. 91, § 1)

and § 2 of the LCA).

The report includes findings relating to the subject matter of the complaint and concludes that:

- 

the defendant failed to comply with the obligations imposed by Articles 5 and 6 of the

GDPR; (principles relating to the processing of personal data and

lawfulness of processing)

- 

the defendant has not complied with the obligations imposed by Article 12, paragraph 1

and Articles 13 and 14 of the GDPR;

(transparency of information and communications and procedures for exercising

of the rights of data subjects, and concerning the information to be provided)

- 

the defendant failed to comply with the obligations imposed by articles 44 and 49 of the

GDPR.

(general principle applicable to transfers and derogations for situations

specific)□

5.□

The report also includes findings beyond the scope of the complaint and concludes that:□

- 

the defendant has not complied with the obligations imposed by Article 30, paragraph 1□

GDPR;□

(log of processing activities)□

- 

the defendant has not complied with the obligations imposed by Article 31 of the GDPR;□

Decision on the merits 124/2021 - 3/12□

(cooperation with the supervisory authority)□

- 

the defendant did not comply□

the obligations□

imposed by□

section 37,□

paragraphs 5 and 7 of the GDPR and by article 38, paragraph 1 of the GDPR.□

(designation of the data protection officer and his position)□

6.□

In its report, the Inspection Service makes an additional consideration concerning□

the temporal application of the GDPR to the aforementioned facts. He refers in this respect to the fact that by letter□

of April 11, 2018, the defendant asked the plaintiffs to "leave no later than October 31, 2018□

[...] the accommodation and the garage and to make them freely available to Y". The Inspection Service□

indicates that the GDPR applies to the aforementioned facts given that the time limit for leaving the accommodation□

and the garage expires on October 31, 2018, and therefore after the implementation of the GDPR on□

May 25, 2018.□

7.□

Furthermore, the Inspection Service states that the GDPR already entered into force on May 24, 2016,□  
pursuant to Article 99(1) GDPR, and therefore the defendant should have already□  
take the necessary steps to put the processing of personal data□  
staff in compliance with the GDPR.□

8.□

On January 14, 2020, the Litigation Chamber decides, pursuant to Article 95, § 1, 1° and Article 98□  
of the ACL, that the case can be dealt with on the merits.□

9.□

Based on the report of the Inspection Service, the Litigation Chamber decides to split the□  
file in two distinct parts.□

10. On January 14, 2020, the parties concerned are informed by registered letter of the provisions□  
as set out in article 95, § 2 as well as in article 98 of the LCA. They are also informed□  
under Article 99 of the LCA, deadlines for transmitting their conclusions.□

For findings relating to the subject of the complaint, the deadline for receipt of□  
submissions in response from the complainants was set for January 28, 2020, that for submissions in□  
Respondent's Reply dated February 11, 2020. With respect to findings going beyond□  
subject of the complaint, the deadline for receipt of the defendant's submissions in response was□  
set for January 28, 2020.□

11.□

At the defendant's request, the Litigation Chamber decided to grant, exceptionally, a□  
extension of deadlines for conclusions. As regards the findings as to the object□  
of the complaint (art. 98, 1° of the LCA), the deadline for the submissions of the complainants was set at□  
January 31, 2020 and that for the defendant's reply submissions to February 14, 2020. With regard to□  
1 Article 99(2) GDPR.□

Decision on the merits 124/2021 - 4/12□

concerns findings going beyond the subject of the complaint, the deadline for receipt of the

defendant's conclusions was set for January 31, 2020.

12.

On January 14, 2020, the defendant requests a copy of the file (art. 95, § 2, 3° of the LCA), which

was transmitted on January 22, 2020.

13.

On January 29, 2020, the plaintiffs file their reply conclusions, which contain

three ways:

- In the first plea, the plaintiffs claim a violation of Articles 5 and 6

of the GDPR. The defendant does not justify the legal basis on which he

communicated the data of the complainants to Z. There is no document indicating that the

complainants have given their consent for the communication of data to

personal character to Z.

- In the second plea, the plaintiffs claim a violation of Articles 12, 13

and 14 GDPR. The information provided on the defendant's website is not

not transparent, coherent and understandable for the persons concerned.

- In the third plea, the plaintiffs claim a violation of Articles 44 and

49 GDPR. With regard to the inspection report, the conditions of article 49 are not

not respected.

14. On January 31, 2020, the Litigation Chamber receives the submissions in response from the defendant

regarding findings that go beyond the subject matter of the complaint. In these findings, the

Defendant wishes to assert its defenses in the case with respect to the

findings which have been made by the Inspection Service outside the framework of the complaint (art. 92,

3° of the LCA) as well as about the offenses to which the latter considers it necessary to conclude on the

basis of these findings.

- With regard to the findings regarding the record of processing activities, the

defendant considers that he has in any case always been transparent in all his

communications with the Inspection Service and that it has complied with all its obligations.

The Respondent asserts that, therefore, it cannot be concluded that he committed a breach of

Article 30(1) GDPR.

- With regard to the finding relating to cooperation with the supervisory authority, the

defendant considers that he never deliberately failed to fulfill his obligations in

under Article XX? of the GDPR and that he has therefore not committed a violation of Article 31 of the

GDPR.

- With regard to the findings relating to the appointment of the Data Protection Officer

of the data and to its position, the defendant believes that all requirements have always been

Decision on the merits 124/2021 - 5/12

respected and that the professional qualities and specialized knowledge in

matters of data protection are beyond doubt.

According to the defendant, no violation of Articles 37 and 38 of the GDPR has therefore been committed.

15. On February 14, 2020, the Litigation Chamber received the respondent's submissions in

regarding the findings in the context of the complaint. In its first plea, the defendant

affirms that only actions taken from the date on which the GDPR entered into force

can pass the GDPR test. No action under discussion would have been taken from

of May 25, 2018.

In its second plea, the Respondent states that the obligations imposed by Articles 5 and

6 have been met. The respondent asserts in this regard that it is a social housing company

approved by

the government

Flemish and by

the Vlaamse Huisvestingsmaatschappij

(Flemish Housing Company) whose specific objective is to improve living conditions

housing (for the poorest and isolated people) by ensuring a sufficient supply of social housing for sale or rental. In his action, he is bound by the legal framework relating to social rental. The defendant further argues that the processing of personal data personal must comply with the GDPR, but that this processing is based on the consent of the complainants, which is also provided for in the decree of the Flemish Government of 12 October 2007 regulating the social rental scheme and implementing Title VII of the Flemish Housing Code (hereafter referred to as the “social rental framework decree”). Furthermore, the defendant refers to recital 47 of the GDPR which provides that the processing of personal data strictly necessary for the purposes of fraud prevention also constitutes an interest legitimacy of the controller. The defendant also asserts that the lack of detailed procedure concerning the control of the condition of ownership abroad and the exchanges of this information does not mean that one cannot seek and obtain information in another way.

With respect to Articles 13 and 14 of the GDPR, the Respondent submits that the GDPR was not still applicable.

With regard to the privacy statement, the Respondent asserts, referring to its letter response of October 1, 2019, that it was drawn up on the advice of the Data Protection Officer data and that it still needs to be revised and reworked.

As regards the wording, the respondent indicates that the text is clear and that the abbreviations are also clear when read in context.

Decision on the merits 124/2021 - 6/12

## II. Motivation

### II.1. Jurisdiction of the Litigation Chamber

16. On the basis of the information currently available to the Litigation Chamber, and in particular in view of the fact that the disputed processing operations were carried out on a date prior to the implementation application of the GDPR, the Litigation Chamber considers itself incompetent *ratione temporis* to

deal with this complaint on the merits and therefore decides to close it without further action under Article 95,

§ 1, 3° of the LCA.

17. For the Litigation Chamber to be competent, it is necessary that the GDPR applies to

processing of personal data that is the subject of the complaint. According to article 4,

paragraph 2 of the GDPR, the processing of personal data is: "any operation or

any set of operations whether or not carried out using automated processes and applied to

personal data or sets of personal data, such as

collection,

the recording, organization, structuring, storage, adaptation or modification,

the extraction, consultation, use, communication by transmission, dissemination or any

any other form of provision, reconciliation or interconnection, limitation, erasure

or destruction."

The treatments in this case and their date of incidence can be summarized as follows:

the verification mission entrusted to the Dutch company Z dates from March 7, 2018.

Company Z's investigation was closed and a report was written on March 28, 2018. Then, by

letter of April 11, 2018, the rental agreement was terminated and the complainants were asked to leave

housing and garage no later than October 31, 2018.

In the defendant's letter, a period of time is granted to the plaintiffs to leave the accommodation and the

garage. This period expires on October 31, 2018, so after the application of the GDPR on

May 25, 2018<sup>2</sup>. The defendant argues in its submissions that the processing of data in

question took place before May 25, 2018, so the GDPR does not apply in this case.

The Inspection Service argues in its report that the GDPR does indeed apply because the deadline

mentioned above expires on October 31, 2018, therefore after the application of the GDPR. In addition,

According to the Inspection Service, the GDPR already entered into force on May 24, 2016, in accordance

to Article 99(1) GDPR, so that the defendant should already have undertaken the

necessary steps to ensure that the processing complies with the GDPR.



18. The Litigation Chamber finds that the aforementioned processing of personal data took place before the application of the GDPR on May 25, 2018. Although the deadline granted to plaintiffs to leave the accommodation and the garage expires on October 31, 2021, the processing operations that are the subject of this case did not take place during this period. The 2 Article 99, paragraph 2 of the GDPR.

Decision on the merits 124/2021 - 7/12

The Litigation Chamber is therefore not authorized to know about it. Indeed, the Litigation Chamber finds the legal basis of its jurisdiction in the law of 3 December 2017 creating the Data Protection Authority (LCA) whose entry into force has been set, with some exceptions, at the date of May 25, 2018 (Article 110 of the LCA). Although the Litigation Chamber is competent for data processing which certainly began before May 25, 2018 but which ended subsequently prosecuted<sup>3</sup>, it is not competent for single processing operations that would have taken place before May 25, 2018 or for multiple treatments that ended before May 25, 2018. 4

The Litigation Division cannot establish that the processing to which this case relates reports still took place after May 25, 2018.

19. In view of the foregoing, the Litigation Division proceeds to a dismissal for technical reason<sup>5</sup> and as a result, no follow-up is given to this complaint, given the absence of violation of the GDPR.

II.2. Legislative framework: relationship between the processing of personal data and the conditions admission in the context of social renting

20. For the sake of completeness, the Litigation Chamber wishes to draw attention to the problem broader context related to the complaint, namely the processing of personal data for the purpose of control of the conditions of registration and admission within the framework of social renting.

21. In this context, the Litigation Chamber emphasizes above all that under Article 13.1.c) of the GDPR, the controller must, upon collection of personal data about a data subject, inform this data subject in particular of the purposes of the processing

for which the personal data is intended, as well as the legal basis of the treatment<sup>6</sup>. The data controller must therefore, prior to the processing, define the basis legal in a transparent manner. There is no possibility of a cascade system during the determination of the legal basis of the applicable processing, where the controller designates alternative legal bases, since different obligations on the part of the controller are linked to each legal basis.

22. At the time of the events in question, the conditions of registration and admission under the social rental have been defined by the social rental framework decree. Article 3.1 of the framework decree

3 See point 3.1.A.4 of the dismissal policy of the Litigation Chamber, published on its website on June 16, 2021, (<https://www.autoriteprotectiondonnees.be/publications/politique-de-classement-sans-suite-de-la-chambre-contentieuse.pdf>).

4 Decision on the merits 19/2020 of 29 April 2020: <https://www.autoriteprotectiondonnees.be/publications/decision-quant-au-fon-n-19-2020.pdf>

5 See point 3.1.A.4 of the dismissal policy of the Litigation Chamber, published on its website on June 16, 2021, (<https://www.autoriteprotectiondonnees.be/publications/politique-de-classement-sans-suite-de-la-chambre-contentieuse.pdf>).

6 See Article 13.1.c) of the GDPR.

Decision on the merits 124/2021 - 8/12

provides that a natural person may be registered in the register referred to in Article 77, if he meets various conditions, including the following:

"3° [the (candidate) tenant] and the members of the household do not have full ownership or usufruct of a dwelling or plot intended for the construction of dwellings in Belgium or for abroad, unless it is a camping residence located in the Flemish Region".

23. Pursuant to Article 52, § 1 of the Framework Decree, the lessee gives the lessor, by his request registration in the register, registration as a candidate tenant or tenant, the consent to obtain from the competent authorities and bodies and local administrations, the necessary documents or data relating to the conditions and obligations imposed by this decree.<sup>8</sup>

These competent authorities and bodies are set out in a non-exhaustive manner in § 2 of the same

article, as follows<sup>9</sup>:

1° the National Register of natural persons, referred to in the law of 8 August 1983 organizing a national register of natural persons;

2° the social security institutions mentioned in Articles 1 and 2, first paragraph, 2°

of the law of 15 January 1990 on the establishment and organization of a Crossroads Bank

of social security and people to whom the social security network has been extended

pursuant to Article 18 of the same law;

3° the Federal Public Finance Service;

4° the Crossroads Bank for Civic Integration;

5° the "Huizen van het Nederlands" (Dutch Houses);

6° reception desks;

7 "Each tenant keeps a register in which candidate tenants are listed in the order in which the application is submitted.

of registration, with mention of any priority rules [...]" (art. 7 of the Social Rental Framework Order).

8 Art. 52, § 1: By his application for registration in the register, registration as a candidate tenant or tenant, the person of

reference authorizes the lessor to obtain from the authorities, competent bodies and local administrations, the documents or

necessary data relating to the conditions and obligations imposed by this decree, with continued application of the

provisions of the law of 8 December 1992 on the protection of privacy with regard to the processing of personal data

staff, its implementing decrees and any other provision for the protection of privacy set by or under a law, a decree

or a decree.

9 Art. 52, § 2: With a view to the execution of the provisions of this decree, the lessor uses the information provided to him by

electronically by the competent authorities or bodies or by other donors. If no information or insufficient

data cannot be obtained in this way, the candidate tenant or tenant is asked to provide the data

required. When it emerges from the information obtained from the competent authorities or bodies or from other donors that the

tenant or tenant does not meet or no longer meets the conditions and obligations of this order, this finding is

communicated to the candidate tenant or tenant who can then react in the week following this communication. By authorities

and competent authorities referred to in §§ 1 and 2, first paragraph, it is necessary to include among others: 1° the National Reg

natural persons, referred to in the law of 8 August 1983 organizing a National Register of natural persons; 2° security institutions social security, referred to in Articles 1 and 2, first paragraph, 2° of the law of 15 January 1990 relating to the establishment and Crossroads Bank for Social Security and the persons ensuring the expansion of the social security network pursuant to Article 18 of the same law; 3° the Federal Public Finance Service; 4° the Crossroads Bank for Civic Integration; 5° the "Huizen van het Nederlands" (Dutch Houses); 6° the reception desks; 7° the Flemish "E-government" coordination unit; 8° the organizations and institutions, referred to in Article 4, paragraph 1, including the policy area education and training of the Flemish community.

Decision on the merits 124/2021 - 9/12

7° the Flemish "E-government" coordination unit;

8° the organizations and institutions, referred to in Article 4, first paragraph, including the field education and training policy of the Flemish community.

24. These sources can easily be consulted for real estate in Belgium.

Investigations of real estate in EU countries or outside the EU are, however, less obvious. The defendant points out that at the material time, no procedure concerning investigations in countries outside the EU was foreseen, but that this does not exclude to be able to call upon private investigation offices in order to respect the obligation of control regarding the aforementioned condition of ownership.

25. Framework Order

social rental has been repealed by

the decree of the Flemish Government of

September 11, 2020 implementing the Flemish Housing Code. Article 52, §§ 1 and 2 cited above

of the social rental framework decree has been incorporated in full in article 5.246, § 1 of this decree of

Flemish Government of September 11, 2020. Social landlords can therefore still

investigate real estate via the same sources set out above in a manner not

limiting. To respond to the lack of an effective procedure for property investigations

real estate abroad, the Vlaamse Maatschappij voor Sociaal Wonen (Flemish Society of

social housing, hereinafter: "VMSW") has concluded a framework contract with private investigation offices specializing in overseas real estate investigations. Social landlords can appeal to these investigation offices when there is a risk of the existence of real estate properties in the assets of (candidate) tenants.

26. In its pleadings, the defendant refers to the fact that it is an approved social housing company by the Flemish Government and by the Vlaamse Huisvestingsmaatschappij whose objective is, through the rental or sale of social housing, to improve the housing conditions of families in need of housing and isolated people, especially the most needy of them, by ensuring a sufficient supply of social housing for sale or rental. This social housing company achieves this in particular by controlling the conditions of registration (as explained above).

27. When processing is carried out in accordance with a legal obligation to which the controller of the processing is subject<sup>10</sup> or when it is necessary for the performance of a task in the public interest or subject to the exercise of official authority<sup>11</sup>, the processing should have a basis in law of the Union or in the law of a Member State.<sup>12</sup>

28. In accordance with Article 6.3 of the GDPR, "The purposes of the processing are defined in this database legal or, with regard to the processing referred to in paragraph 1, point e), are necessary to

<sup>10</sup> Article 6.1.c) of the GDPR.

<sup>11</sup> Article 6.1.e) of the GDPR.

<sup>12</sup> Article 6.3 of the GDPR.

Decision on the merits 124/2021 - 10/12

the performance of a task in the public interest or in the exercise of official authority vested in the controller". Furthermore, under the terms of Article 6.3 of the GDPR, the basis legal may also "contain specific provisions to adapt the application of the rules of the this regulation, among others: the general conditions governing the lawfulness of the processing by the controller; the types of data that are subject to processing; the people

concerned; the entities to which the personal data may be communicated□

and the purposes for which they may be used; purpose limitation; the durations of□

conservation ; and processing operations and procedures (...)"□

29. The Litigation Chamber underlines in this regard that in accordance with Article 6.3 of the aforementioned GDPR,□

read in conjunction with Section 22 of the Constitution, and in light of Sections 7 and 8 of the Charter□

fundamental rights of□

the European Union, a standard□

legislative must define□

them□

essential characteristics of data processing, necessary for the performance of a mission□

in the public interest or falling within the exercise of official authority vested in the person responsible for the□

processing.<sup>13</sup> The Litigation Chamber emphasizes that the processing in question must be framed□

by a sufficiently clear and precise standard, the application of which must be foreseeable for□

persons concerned. In accordance with Article 6.3 of the GDPR, the specific purpose(s) of the□

processing must be included in the legal standard itself. Additionally, the elements□

must be foreseeable: the identity of the controller(s); the categories□

data processed, it being understood that these must prove – in accordance with article 5.1 of the□

GDPR, "adequate, relevant and limited to what is necessary in relation to the purposes for□

which they are processed"; the categories of data subjects whose data will be□

processed; the data retention period; the recipients or categories of recipients□

to whom their data is communicated and the circumstances in which and the reasons for□

which they will be communicated as well as the possible limitation of the obligations and/or□

rights referred to in Articles 5, 12 to 22 inclusive and 34 of the GDPR.□

30. In this regard, the Litigation Chamber emphasizes, however, that the missions of public interest or□

in the exercise of official authority vested in controllers□

are often not based on precisely circumscribed legislative obligations or standards□

meeting the requirements mentioned in point 28, more specifically□

the definition of□

essential characteristics of data processing. Treatments instead take place on the basis□

a more general authorization to act, such as is necessary for the accomplishment of the□

assignment. As a result, in practice, the legal basis in question often contains no□

provision specifically describing the necessary data processing. Those responsible for□

processing who wish to invoke Article 6.1.e) of the GDPR on the basis of such a legal basis must□

13 See also ODA Knowledge Center opinions n° 36/2020, 42/2020, 44/2020, 46/2020, 52/2020 and 64/2020□

([https://www.auditoriteprotectiondonnees.be/citoyen/chercher?q=&search\\_category%5B%5D=taxonomy%3Apublications&search\\_type%5B%5D=advice&s=recent&l=25](https://www.auditoriteprotectiondonnees.be/citoyen/chercher?q=&search_category%5B%5D=taxonomy%3Apublications&search_type%5B%5D=advice&s=recent&l=25))□

Decision on the merits 124/2021 - 11/12□

then carry out a weighing themselves between the necessity of the processing for the mission□

public interest and the interests of data subjects.□

31. The defendant also refers to recital 47 of the GDPR which provides that the processing of□

personal data strictly necessary for the purposes of fraud prevention□

also constitute a legitimate interest of the controller. The Litigation Chamber□

points out that the legal basis 'legitimate interest' as provided for in Article 6.1.f) of the GDPR does not□

does not apply to processing carried out by bodies having a function under public law in□

in the performance of their duties.14□

32. Finally, the Respondent argues that the processing in question is based on the□

consent of the complainants and that the processing is therefore lawful under Article 6.1.a) of the□

GDPR. This consent would result from the signing of a sworn statement in which□

the tenant confirms that he does not own any real estate. This statement, which was written by the□

VMSW, specifically provides the following:□

"This declaration on honor serves to verify whether the condition of ownership imposed is□

respected. The statement made will be checked by the competent public service."□

carried out by the General Secretariat of the Data Protection Authority, in the absence of  
official translation].

33. The Litigation Division affirms that consent can certainly constitute a lawful basis  
for processing, as defined in Article 6.1.a) of the GDPR, but adds that from the moment the  
processing is based on the consent of the person concerned, several conditions  
apply to this consent. Consent must be free, specific, informed and finally  
unequivocal<sup>15</sup>. In this context, recital 43 of the GDPR provides that there is no question of a  
free consent in the event of a manifest imbalance between the parties or if the fact of not giving  
his consent generates a clear disadvantage for the data subjects. In this case, there  
has a clear imbalance between the data subject and the social housing company with a  
specific status under public law as controller. In addition, the (candidate)  
social tenant does not really have the choice to refuse without suffering negative consequences. In case  
refusal, it is no longer eligible for social housing. Bedroom  
Litigation points out that legally required consent cannot constitute  
lawful basis for the processing, in accordance with Article 6.1.a) of the GDPR given that it cannot  
not be freely given by the person concerned.

34. In view of the foregoing, the Litigation Division finds that consent cannot constitute  
the basis of lawfulness for the processing operations in question.

14 Recital 47 GDPR.

15 EDPB Guidelines 05/2020 on consent within the meaning of Regulation 2016/679, p. 7-8.

Decision on the merits 124/2021 - 12/12

35. In this decision, the Litigation Division limits itself to these general considerations to  
about the legal basis. The Litigation Chamber observed this social problem  
and will analyze it further when it is seized of other proceedings on this subject.

III. Publication of the decision

36. Seen



the importance of□

transparency regarding□

the decision-making process of□

bedroom□

Litigation, this decision is published on the website of the Authority for the protection of□

data. However, it is not necessary for this purpose that the identification data of the parties□

are communicated directly.□

FOR THESE REASONS,□

the Litigation Chamber of the Data Protection Authority decides, after deliberation, in□

pursuant to Article 100, § 1, 1° of the LCA, to close the present complaint without further action.□

Pursuant to Article 108, § 1 of the LCA, this decision may be appealed to the□

Court of Markets within thirty days of its notification, with the Authority of□

data protection as defendant.□

(Sr.) Hielke Hijmans□

President of the Litigation Chamber□