

The state representative for

privacy and

Freedom of Information

PRESS RELEASE

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Hanseatic city

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LfDI imposes a GDPR fine on BREBAU GmbH

Today the State Commissioner for Data Protection and Freedom of Information (LfDI) as

data protection supervisory authority BREBAU GmbH with a fine under Article 83

General Data Protection Regulation (GDPR).

BREBAU GmbH has processed more than 9,500 pieces of data on prospective tenants without it

there was a legal basis for this. For example, information about hairstyles, body

rich and personal appearance are not required for the conclusion of tenancies.

In more than half of the cases, it was also about data that was processed under the GDPR

are specially protected. Information about the color of the skin was also processed unlawfully,

ethnic origin, religious affiliation, sexual orientation and health

state of health. BREBAU GmbH has also received requests from affected parties for transparency about the processing

processing of their data is deliberately thwarted.

The fine imposed under Article 83 GDPR amounts to around 1.9 million euros. the au-

Extraordinary depth of the violation of the fundamental right to data protection would be significantly greater

fine was reasonable. Because the BREBAU GmbH in the data protection supervisory

Drive extensively cooperated to mitigate damage, own clarification of the facts

and endeavored to ensure that such violations are not repeated, the amount of the

fine can be significantly reduced.

On the occasion of this supervisory procedure, the State Commissioner for Data Protection and Information

onsfreiheit, Dr. Imke Sommer: "In connection with the public discussion about the case

This data protection supervisory procedure is based on, I have often been asked whether

the GDPR prohibits discrimination. The answer to this question is complicated because the

DSGVO looks at facts in a specific way. According to the GDPR, it is only in a few

cases permitted at all, data on skin colour, ethnic origin, religious affiliation,

to process sexual orientation and health status. The GDPR thus ensures

for the fact that in the vast majority of cases this specially protected data is not even collected in the first place

may be saved. Uncollected data cannot be misused. In this

The GDPR also protects against discrimination."

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