

Decision

Diary no

2020-06-15

DI-2018-14593

BRF Gårdsbjörken

BRF Gårdsbjörken - Supervision according to

data protection regulation

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The Swedish Data Protection Authority's decision

The Data Inspectorate notes that BRF Gårdsbjörken in Halmstad, org. no

769620-6528 (BRF Gårdsbjörken) by camera surveillance stairwell, entrance

and basement storage as well as recording sound at all these locations have dealt with

personal data in violation of

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Article 5 of the Data Protection Regulation¹ by processing them

registered personal data, with both image and sound recording, on

a more invasive way for personal integrity, and covered

more personal data than is necessary, for the specified

the purpose,

Article 6 by processing personal data in image and sound for one

interest that does not outweigh the interests of the data subjects, and

Article 13 by providing insufficient information to them

registered.

The Swedish Data Protection Authority decides with the support of Article 58.2 and Article 83 i

data protection regulation that BRF Gårdsbjörken for the violations of article

5, article 6 and article 13 of the data protection regulation must pay a

administrative sanction fee of SEK 20,000.

Datainspektionen orders with the support of article 58.2 f i

data protection regulation BRF Gårdsbjörken to cease

the camera surveillance in picture regarding cameras 1-3, which monitor stairwells

and entrance, as well as ceasing audio recording for all cameras.

Datainspektionen orders with the support of article 58.2 d i

data protection regulation BRF Gårdsbjörken to limit camera surveillance

in picture regarding camera 4, which monitors the association's electrical center, so that it does not

guards the association's basement storage and does not record sound.

REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016

on the protection of natural persons with regard to the processing of personal data and on that

free flow of such data and on the repeal of Directive 95/46/EC (general

data protection regulation).

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Account of the supervisory matter

After receiving complaints that BRF

Gårdsbjörken (the association) conducts camera surveillance of the stairwell in its

residential building initiated supervision with the aim of investigating the extent of the association's

surveillance and whether that surveillance is compatible with the rules in

data protection regulation.

BRF Gårdsbjörken has essentially stated the following.

The association has set up a total of four cameras. Its location and

catchment area is as follows.

Camera 1 and 2 – stairwell

The cameras are placed in each of the association's two stairwells on street numbers

11A and 11B. Copies of screenshots from the cameras show that their catchment area includes the stairwell as well as some of the residents apartment doors on the respective floors that the cameras monitor.

Camera 3 – entrance to stairwell 11A

A camera is placed at the entrance to the association's property. Of copy on screenshot from the camera shows that its coverage area includes a shorter walk to the house's courtyard and the area just outside the entrance door to the rise for the residents at address 11A.

Camera 4 – electrical central in basement storage

A camera is placed next to an electrical switchboard in the association's storage room. Of copy on the screen shot from the camera it appears that its coverage area includes the power station and part of the storage room.

Statement in general

The cameras were probably set up during April and July 2018.

The association has stated that no one can get to any of the association's apartments without being filmed by the association's cameras. The cameras are recording images and sounds every day of the week around the clock and stores recorded material in ten days. In the event that there are events that are deemed important by the association saves clips from such events for a longer period of time.

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The association informs about the surveillance through signage at the gate to the property and at both of the association's front doors to the respective stairwells.

The sign shows a silhouette of a surveillance camera and the text "TV/VIDEO".

The association has had problems with vandalism and some other crime on several occasions from November 2017 through August 2018.

The association's entrance door at address 11A has been attacked on several occasions damage due to glue and wood chips being introduced into the lock whereby the lock destroyed, the association's code lock has also been destroyed. Furthermore, cables are connected to the internet/electricity center in the basement cut off on two occasions and the heat shut off in parts of the house. Someone has also broken the lock the basement storage. On one occasion, slippery liquid was poured into one stairwell and at on another occasion, paint was sprayed onto one of the security camera's camera lenses. The association has further stated that vandalism has been targeted on 10-15 occasions towards an apartment door in the stairwell at street number 11A. The apartment door leads to the association's chairman's apartment. According to the association, the damage consisted of sniffing, as well as something described as corrosive liquid and other liquids were thrown on the apartment door. Furthermore, have cigarette butts and snuff were thrown on the doormat next to the apartment door. By one On one occasion, residents of the apartment were called obscene words by a neighbor. The cost of all the damage is estimated to amount to approximately SEK 60,000.

The residents have not been asked about the camera surveillance. The reason is that the association's board suspected residents in the association of having caused the damage. The decision to install the cameras was made unanimously the board. At the time of the decisions, the board consisted of nine people, which made up more than half of the residents in the association.

Justification of decisions

What rules apply to the association's camera surveillance?

Camera surveillance with audio recording is a form of personal data processing. How and to what extent it is permitted to camera surveillance is regulated in the data protection regulation and the Camera Surveillance Act (2018:1200) which supplements

data protection regulation.

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Does the camera surveillance law apply?

Section 4 of the Camera Surveillance Act states that the law applies to camera surveillance

according to § 3 takes place with equipment located in Sweden. Of § 3 § 1 p

The Camera Surveillance Act states that camera surveillance includes that a television camera, another optical-electronic instrument or a comparable

equipment, without being operated on site is used in such a way as

means permanent or regularly repeated personal surveillance.

The camera surveillance that the association operates is not operated at the site

and involves permanent surveillance of the residents of the house and others

visitors. The Camera Surveillance Act therefore applies to the association's surveillance.

Housing associations are not subject to the permit requirement

The Camera Surveillance Act contains provisions on when permission is required for

to camera surveillance. Section 7 of the Camera Surveillance Act states that permission is required by

a place to which the public has access if the surveillance is carried out by one

authority or someone other than an authority when making a task

of public interest that follows from law or other constitution, collective agreement

or decisions announced in support of law or other constitution.

A condominium association does not need a permit for camera surveillance because

they do not perform a task of public interest.

In addition to the provision on permits, there are other rules in

the CCTV Act, e.g. confidentiality regarding the recorded

the material and certain requirements for information that may be relevant in

camera surveillance.

Does the data protection regulation apply?

If a surveillance camera captures an identifiable person or someone else personal data in an image, the rules in the data protection regulation must be followed. This appears from Article 2.1 of the data protection regulation.

Because the association films, and records audio from, identifiable people with the cameras, the data protection regulation applies.

Is the association's camera surveillance legal according to the data protection regulation?

The Data Protection Regulation contains a large number of rules that must be followed

Processing of personal data. Within the framework of this supervisory matter

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the Data Inspectorate does not deal with all the rules and issues that can be actualized in the event of such personal data processing as the current one the camera surveillance means. The test is limited to whether the association has a legal basis for conducting the current camera surveillance, if the association lives up to the basic principles for treatment of personal data and whether the association has provided that information to them registered as required by the data protection regulation.

Basic principles for processing personal data (Article 5)

Article 5.1 of the data protection regulation states, among other things, that personal data which processed must be adequate, relevant and not too extensive in relation to the purposes for which they are processed (data minimization). Furthermore, it appears that the personal data must be collected for special, explicitly stated and legitimate purposes and not later processed in a way that is incompatible

with these purposes (purpose limitation). In conclusion follows from article

5.2 that the personal data controller² must be responsible for and be able to demonstrate that they principles that follow from Article 5.1 are complied with (responsibility).

According to the association, the purpose of the camera surveillance is to get things right with the damage that occurred in the association's property. The Swedish Data Protection Authority believes that it is a legitimate purpose and that the association, based on what revealed by the investigation, complies with the principle of purpose limitation.

The assessment of whether the association processes personal data in violation of the principle of data minimization will take place in connection with the assessment of whether the association had a legal basis for its camera surveillance.

Legal basis for the monitoring (Article 6)

In order for the camera surveillance carried out by the association to be legal, it is required that there is a legal basis for the processing of personal data in accordance with Article 6 in the data protection regulation. The legal basis that is relevant in this matter is balancing of interests according to Article 6.1 f of the data protection regulation. It means that the association must demonstrate that the surveillance at each location is necessary for one purposes relating to a legitimate interest for the association and that this interest

Personal data controller is the natural or legal person, public authority, institution or other body that alone or together with others decides the purposes and means for the processing of personal data (see article 4.1 p. 7 i data protection regulation).

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outweighs the interests or fundamental rights and freedoms of those

people who are being monitored.

The cameras that the association has set up monitor various places there the interest in privacy weighs differently. The Swedish Data Protection Authority therefore comes in the assessment divides the places that are subject to surveillance separately and test whether the association follows the principle of data minimization according to article 5 and if the association has a legal basis according to article 6 below.

Furthermore, the Swedish Data Protection Authority will divide the assessment into first intended camera surveillance in pictures and then make a collective assessment of all of them cameras sound recording.

Camera 1 and 2 – The association's stairwell

The association guards the first floor of each stairwell. Of copies on screenshots from the cameras show that the cameras' recording area includes the stairwell as well as some of the residents' apartment doors on them respective floor plan.

Privacy interest camera 1 and 2

Camera surveillance that takes place in residential buildings is considered as a starting point very sensitive to privacy (see the court case HFD 2011 ref. 77). Current the surveillance means that the residents are filmed every time they come home or leaving their homes. Also other people who intend to visit the homes must pass the surveillance cameras. Such monitoring enables a survey of the residents' habits, visits and social circle. Already that the fact that the monitoring concerns the residents and their home environment therefore implies that very strong reasons are required for the surveillance to be permitted.

Surveillance interest camera 1 – stairwell 11A

The incidents reported by the association are almost exclusively targeted against an individual resident and his apartment door. The incidents have i

mainly consisted of soiling the apartment door and that living in

the apartment on one occasion have also been subjected to obscenities. Association

has stated that there is a connection with the fact that a resident of the apartment was

chairman of the board in the association and the incidents directed at him.

The association has also reported on an incident where someone poured slippery liquid in

the stairwell.

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The Swedish Data Protection Authority considers, overall, that the surveillance interest has relative weight

heavy because it is a question of recurring incidents that have been specifically targeted

against one of the residents. That the incidents mainly consist of different forms of

soiling lowers the monitoring interest somewhat.

Assessment camera 1 – stairwell 11A

The incidents that the association has reported on have mainly been directed at one

certain apartment. The resident of the apartment has at the time of the incidents

was chairman of the association's board. The association has stated that there is

a connection between the incidents and that the resident of the apartment was

chairman of the association's board.

The Swedish Data Protection Authority considers that a condominium association under special

circumstances can be considered to have a tangible need to monitor one

stairwell and aim the camera at a particular resident's front door. A circumstance

which can speak for such surveillance being permitted is if

the apartment owner is exposed to crime due to his position as

elected representative in the association. In order for such surveillance to be permitted, it is required

however, that the surveillance interest weighs very heavily.

In the present case, the incidents mainly consisted of soiling of the apartment door and litter on the associated doormat. At one point the residents of the apartment have been accused of harassment. Against this one background and taking into account the weighty privacy interest on the location, the Data Inspection Authority assesses that the association's interest in camera surveillance does not outweigh the data subjects' interest in not becoming watched.

The Swedish Data Protection Authority therefore states that the association has no legal basis for the surveillance with image recording of the association's stairwell on number 11A.

Surveillance interest camera 2 – stairwell 11B

According to the association, the code lock to the entrance door leading to the stairwell has destroyed on one or two occasions. Furthermore, the association has stated that it happened vandalism in the basement, which can be reached from the stairwell. Of screenshot on the camera's recording area appears to be neither the front door nor the basement visible in the camera's recording area.

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The Swedish Data Protection Authority considers, overall, that the surveillance interest is not weighty particularly heavy as there were no incidents within the camera catchment area.

Assessment camera 2 – stairwell 11B

In light of the incidents that occurred in stairwell 11B assessed that the surveillance interest at the site is not particularly important heavy. Against this background and taking into account the weighty

the privacy interest at the site, the Data Inspectorate assesses that the association's interest in camera surveillance does not outweigh the interest of the data subjects not to be watched.

The Swedish Data Protection Authority therefore considers that the association has no legal basis for the surveillance with image recording of the association's stairwell at number 11B.

Camera 3 – Entrance to 11A

The association monitors the entrance to its property with cameras. Of copy on screenshot from the camera it appears that its recording area covers a shorter corridor to the courtyard of the house and the area just outside the entrance door to the staircase for the residents at address 11A.

Privacy interest camera 3 - entrance to 11A

In this case, it is a question of a condominium association that monitors the cameras the entrance to a residential building and the passage to the courtyard. Also camera surveillance that takes place in connection with entrances to residential buildings is considered starting point be very sensitive to privacy (see the court case HFD 2011 ref. 77).

The current monitoring means that the residents are filmed every time they coming home or leaving their homes. Also other people who intend to visit the residences must pass the surveillance cameras. Such monitoring enables mapping of the residents' habits, visits and social circle. Already the fact that the surveillance concerns the residents and their home environment therefore means that it requires weighty reasons to the surveillance must be permitted.

Surveillance interest camera 3 – entrance to 11A

The association has stated that someone has destroyed the lock on one of the entrance doors by pouring glue into the lock or pushing wood chips into the lock on four occasions.

Furthermore, someone has destroyed adjacent code locks to the same entrance door at two

occasions. The damage has been going on for a period of two months.

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The association has not stated that they have taken alternative measures to the camera surveillance.

The Swedish Data Protection Authority states that the crime that took place in the present case cases have been of an almost systematic nature. Of the police reports that reported by the association, it appears that the association has not had problems with vandalism to front door since January 24, 2018. Camera on the front door was installed in May 2018.

The Swedish Data Protection Authority considers the interest in the surveillance as a starting point weighs heavily in the present case, especially since it is a systematic and recurring damage.

In an examination of the legitimate interest in monitoring, it is required that the security interest can actually be considered to exist at the time of the surveillance. The security interest cannot thus be hypothetical the time of the surveillance.³

Does the association have an actual security interest at the time of the surveillance?

In the present case, the surveillance was prompted by vandalism that occurred within a two-month period. According to the association, no one has been hurt crime since August 2018, and no damage has been done to the entrance door, which is now subject to surveillance, since January 2018.

An examination must be made of all the circumstances in order to assess whether the interest in guarding may be deemed to actually exist at the time of

coverage.

According to the Swedish Data Protection Authority's opinion, the person in charge of personal data must at a such examination also takes into account whether there is a risk of crime occurring due to the nature of the place, and also take into account the previous occurrence crime entails a risk of crime occurring again.

A place may, by its nature, entail an actual security interest to monitor even if no crime took place at the scene. That may be the case then

The judgment of the European Court of Justice in case C-708/18, TK v. Asociația de Proprietari bloc M5A-ScaraA, point 44.

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there is a threat to the place in question, which is likely to be the case in e.g. banks that handle cash in large quantities.

Furthermore, the fact that the crime has been committed at a place that normally not exposed to crime speak for an actual surveillance interest. When guarding of such locations, the data controller must be able to demonstrate that the guarding interest actually exists even at the time of guarding.

In the present case, the monitoring concerns an entrance door to an apartment building. One such a place is not by its very nature prone to crime, which is why it as a starting point it is required that the person in charge of personal data show that there is an actual interest in guarding the location at the time of guarding.

From trade associations' guidance for camera surveillance in multi-family buildings it is recommended that a renewed assessment of the surveillance interest be made half-yearly or if there is a special reason for reconsideration of decisions

to monitor cameras. 4 The Swedish Data Protection Authority considers that such a re-examination deadline is reasonable and that the association should at least reconsider its starting point need to conduct camera surveillance every six months from that the surveillance began.

In the present case, there has been no crime against the front door since January 2018 and no crime has occurred at the association's property since August 2018. Furthermore, the Swedish Data Protection Authority notes that neither of the investigation other circumstances emerged in the case that suggest that the association's interest in camera surveillance is actual and exists at the time of this decision. The Swedish Data Protection Authority therefore considers that the association at least from and with 10 December 2019 can no longer be considered to have an actual interest in monitor.

Summary assessment camera 3 – entrance to 11A

In summary, the Data Inspectorate considers that the association's interest in recording footage outweighed the residents' interest in not staying guarded at the time of when guarding began, but that the interest in in which case can no longer be considered to be actual at the time of the association last opinion on 10 December 2019. The association's opinion shows that

Camera surveillance - guidance for the processing of personal data, p. 10. The guidance is produced by SABO, the Real Estate Owners and the Tenants Association.

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no incidents have occurred at the location in question since August 2018.

The Swedish Data Protection Authority therefore notes that the association no longer has legal status

basis for the surveillance with image recording of the association's entrance.

Camera 4 – Electrical central in basement storage

The association monitors the power plant located on the basement level next to the association's basement storage. From a copy of the screen shot from the camera, it appears that its catchment area includes electrical center and part of basement storage.

Privacy interest camera 4 – basement storage

The monitoring takes place of a common space in a multi-family property.

The Data Inspection Authority considers that camera surveillance of such spaces generally seen means an intrusion into the residents' privacy. The breach of privacy is reinforced further by the fact that images are recorded and that the surveillance is ongoing around the clock. However, the Data Inspection Authority believes that there are also circumstances that speak for it that the breach of privacy is reduced. Of copy on screen from camera's recording area shows that the camera mainly films the electrical center, although a certain part of the cellar storage is included. Furthermore consider Datainspektionen that a basement storage room is such a place where the residents move around limited scope and only stays for shorter periods of time.

This suggests that the interest in privacy weighs relatively lightly in connection with the power station.

Surveillance interest camera 4 – basement storage

The association has stated that it has repeatedly had problems with damage to the power plant in the basement and that the power to the association's the chairman's apartment has been closed off. Furthermore, also have internet cables that are in connection to the electrical center exposed to vandalism. The association has established several police reports due to the incidents that took place in the basement.

Summary assessment camera 4 – basement storage

The association has stated that the damage has been carried out by someone who likely had a key to the basement storage because the door lacked break marks or others

damage that indicates that someone outside has entered the basement storage.

According to the Swedish Data Protection Authority's opinion, this suggests that the camera surveillance has been necessary to achieve the purpose.

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The Swedish Data Protection Authority states that the association's interest in recording visual material outweighs the residents' interest in not being guarded against background that the association has had extensive problems with damage to the power plant itself.

A prerequisite for the association to continue to be able to conduct surveillance is, however, that the association itself assesses that their interest in conducting the monitoring actually exists. This means that the association running itself must make an examination of all the circumstances of the interest of carrying out the monitoring is current and real when the monitoring is carried out.

However, the camera's recording area also includes parts of the basement storage.

Because the purpose of the camera surveillance was to prevent vandalism at the power station, it is not compatible with the principle of task minimization to also film parts of the association's basement storage.

The association must therefore limit the monitoring so that it does not monitor the association's basement storage.

Sound recording at all cameras

In the present case, the association's surveillance also includes audio recording at all cameras. Audio recording is particularly privacy sensitive and should be subject to a careful examination in the individual case (prop. 2017/18:231 p.

67). The fact that it involves audio recording in a residential building increases the risk of

breach of privacy further.

The association has stated that in the incidents that have occurred, statements have been made
insults and foul words. However, according to the Swedish Data Protection Authority, the association has
not shown why audio recording would be necessary to achieve
the purpose of the monitoring.

According to the Swedish Data Protection Authority's opinion, in the present case it is a type of
crime which by its nature rarely necessitates audio recording and that
the residents' interest in not being eavesdropped at all locations
coverage outweighs the association's interest in recording sound.

The audio recording involves an extremely serious breach of privacy which is
too extensive in relation to the association's interest in the sound recording.

The Swedish Data Inspection Authority considers that the association's audio recording is lacking
legal basis and contravenes the principle of data minimization.

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Information to data subjects (Article 13)

Article 13 of the data protection regulation states which information must
provided if personal data is collected from the data subject. Of

Article 13 states i.a. that information about identity and contact details for
the personal data controller, the purposes of the processing for which
the personal data is intended, as well as the legal basis and the period
during which the personal data will be stored must be provided.

Article 12 of the data protection regulation states that the person in charge of personal data
shall take appropriate measures to provide the data subject with all
information referred to in Article 13, and that such information shall

provided in a concise, clear, understandable and easily accessible form.

The person in charge of personal data can e.g. leave information in different layers, where a sign can be the first layer and information on website or

information in a brochure can form the second layer of information. The

the most important information should generally be given in the first layer.⁵

It further follows from § 15, paragraph two of the Camera Surveillance Act that if sound can be intercepted or picked up during surveillance, a special statement must be provided about this.

The association has stated that they inform about the surveillance through signage at the entrance gate to the property and at the entrance door to the respective stairwell.

The association has also sent in pictures of the signs. The pictures show that the signs show a silhouette of a surveillance camera and the text "TV/VIDEO".

The Swedish Data Protection Authority states that the information provided by the association certainly provides information that camera surveillance is conducted, but that the information on the sign is not sufficient to meet the requirements according to article 13 of the data protection regulation. The sign lacks i.a. information about who conducts the monitoring and where the data subject can turn to get more information. The Swedish Data Protection Authority further notes that the association does not inform about the processing that takes place regarding sound recording, which is a particularly serious deficiency.

Article 29 Working Party, Guidelines on transparency under Regulation (EU) 2016/679, para 38.

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The Swedish Data Protection Authority notes that the information provided by the association does not meet the requirements of Article 13 of the Data Protection Regulation.

Choice of intervention

In article 58 of the data protection regulation, all powers are specified as

The Swedish Data Protection Authority has According to Article 58.2, the Data Inspectorate has a number of corrective powers, i.e. a. warnings, reprimands or restrictions of treatment.

According to Article 58.2 (i) of the data protection regulation, it appears that the supervisory authority shall impose administrative penalty fees in accordance with Article 83. According to Article 83.2, administrative penalty fees, depending on the circumstances of the individual case, imposed in addition to or in instead of the measures referred to in article 58.2 a–h and j. Furthermore, it appears from article 83.2 n which factors must be taken into account when deciding on administrative penalty fees at all shall be imposed and upon determination of the amount of the fee

Instead of penalty fees, in certain cases according to reason 148 to data protection regulation a reprimand is issued instead of penalty fees if it is a question of a minor violation. Consideration must be given in the assessment are taken into account such as the nature of the violation, degree of severity and duration.

Penalty fee and injunction

The Swedish Data Protection Authority has assessed above that the association through its camera surveillance with audio recording of stairwells, basement storage and entrances violated articles 5 and 6 of the data protection regulation and through its insufficient information to the registered violated article 13 i data protection regulation.

In light of the fact that large parts of the personal data processing like this supervision includes has meant illegal camera surveillance with both image and sound, concerning living in their home environment, it is not a question of a smaller one violation. In this context, the Data Inspection Authority wishes to emphasize that the association's recording and storage of sound from large parts of the house is particularly serious and that due to the sound recording it does not exist reason to replace the penalty fee with a reprimand.

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No other corrective action is applicable for that treatment either that happened. The association must therefore be charged an administrative sanction fee.

Determining the size of the sanction amount

According to Article 83.1 of the Data Protection Regulation, each supervisory authority must ensure that the imposition of administrative penalty charges in each individual case is effective, proportionate and dissuasive.

According to Article 83.3, the administrative sanction fee may not exceed the amount of the most serious violation if it is one or the same data processing or connected data processing.

In article 83. 2 of the data protection regulation, all factors that must taken into account when determining the size of the penalty fee. At the assessment of the size of the sanction fee must, among other things, a. Article 83.2 a. is taken into account (nature, severity and duration of the offence), b (intent or negligence), g (categories of personal data), h (how the breach came about Datainspektionen's knowledge) and k (other aggravating or mitigating factor such as direct or indirect financial gain)

data protection regulation.

In Datainspektionen's assessment of the amount of the penalty fee, take into account

taken to mean that there have been violations concerning several articles in

data protection regulation and that violation of articles 5, 6 and 13 is that

assess as more serious and are subject to the higher penalty fee.

Furthermore, it has been taken into account that the violation has been going on for a long time, that

the violation came to the Datainspektionen's attention through a complaint

and that the camera surveillance of the association's members took place in their

home environment. In conclusion, the Swedish Data Protection Authority has taken particular account of the fact that

sound recording has taken place with the cameras. These circumstances are

aggravating.

As mitigating circumstances, it is taken into account that the association lacks

profit interest and is run on a non-profit basis by private individuals. It is also in certain

extent the same persons affected by the imposition of

the penalty fee incurred by the violation. In addition, the association has i

to some extent informed about the camera surveillance, although not completely in accordance with

data protection regulation. Furthermore, the association has also had a legitimate

interest in their coverage, even if they made a wrong balance between their

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legitimate interest and the interests and fundamentals of the data subjects

rights and freedoms in their living environment. Finally, it is also assessed

meaning that it is an association whose turnover in 2018 amounted to 821,389

kroner and which only consists of 15 apartments.

The Swedish Data Protection Authority assesses based on an overall assessment that the association must

pay an administrative sanction fee of SEK 20,000.

Order to cease surveillance

Because the Swedish Data Protection Authority found that parts of the surveillance are illegal shall the association be ordered to cease it. The Swedish Data Protection Authority orders therefore the association according to article 58.2 f of the data protection regulation to cease with the camera surveillance in picture regarding the cameras 1-3, which are monitoring stairwell and entrance, as well as ceasing audio recording for all of them cameras.

The Swedish Data Protection Authority further instructs the association to restrict the camera surveillance in the picture regarding camera 4, which monitors the association's power station, so that it does not monitor the association's basement storage and does not record sound.

This decision has been made by the director general Lena Lindgren Schelin after presentation by lawyer Nils Henckel. At the final processing has also chief legal officer Hans-Olof Lindblom, unit manager Charlotte Waller Dahlberg and the lawyer Jeanette Bladh Gustafson participated.

Lena Lindgren Schelin, 2020-06-15 (This is an electronic signature)

Appendix

Appendix 1 – How to pay penalty fee

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How to appeal

If you want to appeal the decision, you must write to the Swedish Data Protection Authority. Enter in the letter which decision you are appealing and the change you are requesting.

The appeal must have been received by the Swedish Data Protection Authority no later than three weeks from the day you were informed of the decision. If the appeal has been received in time

the Swedish Data Protection Authority forwards it to the Administrative Court in Stockholm for examination.

You can e-mail the appeal to the Swedish Data Protection Authority if it does not contain any privacy-sensitive personal data or information that may be covered by secrecy. The authority's contact details appear on the first page of the decision.