

Summary Final Decision Art 60

Complaint

Compliance order

Background information

Date of final decision:	3 December 2019
LSA:	LV
CSAs:	DE-Berlin, DE-Hesse, DE-Rhineland-Palatinate, DK, FR, IE, IT, PL, NO
Legal Reference:	Lawfulness of processing (Article 6), Right to erasure (Article 17), Right to be informed (Article 15)
Decision:	Infringement of the GDPR, Order to comply
Key words:	Right to erasure, Right to be informed, Blacklisted email

Summary of the Decision

Origin of the case

The complainant alleged that their request for deletion of their personal data had not been complied with.

Findings

After an investigation, the LSA found that after accidentally signing up to the controller's services, the complainant had contacted the controller to ask for the deletion of two accounts made in his name. The controller responded the next day that this would not be possible. The controller also blacklisted the complainant's email address, thereby blocking reception of its emails.

Decision

The LSA found that the controller did not have a legal basis to continue processing and storing the complainant's personal data on a blacklist. An administrative act was issued by the LSA, with the order for the controller to delete the complainant's personal data from the blacklist or from any storage site or filing system by 20 December 2019. In addition, the controller was given an order to assess the degree of risk to the rights and freedoms of natural persons, taking into account the nature, extent, context, purposes and technical and organizational measures taken to protect personal data and prevent their possible unlawful processing was issued, and to provide a mechanism to prevent such

situations from happening in the future. The controller was asked to inform the LSA of the execution of the order by 20 December 2019.