

Federal Court



Cour fédérale

Date: 20250127

Docket: IMM-12084-23

Citation: 2025 FC 168

Vancouver, British Columbia, January 27, 2025

PRESENT: Mr. Justice Sébastien Grammond

BETWEEN:

**VINA RIVAZ AND
SINA RIVAZ**

Applicants

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS

(Delivered from the bench in Vancouver, British Columbia, on January 27, 2025)

[1] The Applicants, who are minor citizens of Iran, are seeking judicial review of the refusal of a permit to study in Grade 1 and Grade 9, respectively, in schools in Toronto. A visa officer refused their application because they had weak ties to their country of origin, their study plan was vague and they did not have sufficient financial resources to support their long-term plan. I note that the Applicants' parents also applied for visitor visas in order to accompany their

children for the initial portion of their studies, but the parents are not parties to the present application.

[2] I am dismissing the application. My reasons follow.

[3] On judicial review, the Court's role is not to reweigh the evidence. Rather, the Court's role is to decide whether the officer's decision was reasonable, in light of the record. Officers are not required to provide lengthy or detailed reasons, as long as the Court can understand why the decision was made.

[4] The Applicants first argue that the officer unreasonably found that they do not have sufficient family ties outside Canada, overlooking their father's employment and other ties to Iran and the fact their extended family still resides in Iran. I disagree. A visa officer may consider the fact that an applicant will travel with their immediate family, in spite of the fact that their extended family will remain in their country of origin: *Nourani v Canada (Citizenship and Immigration)*, 2023 FC 732 at paragraphs 23–26. Here, the officer could reasonably find that because the family unit would travel together, their ties to Iran would be weakened. In my view, the fact that the parents applied for a visitor visa and did not intend to remain in Canada for the full duration of their children's studies is immaterial. This supports the officer's overall conclusion that they were not convinced that the Applicants would leave Canada at the end of their authorized stay.

[5] Next, the Applicants argue that the officer unreasonably found that they have not shown how the proposed studies would be of benefit to them. I disagree. It is certainly reasonable for a visa officer to inquire as to the benefits that the proposed program of study would bring to the applicant: *Ali v Canada (Citizenship and Immigration)*, 2023 FC 608 at paragraph 13; *Rajabi v Canada (Citizenship and Immigration)*, 2024 FC 371 at paragraph 12. Here, the officer's finding was reasonable. The Applicants provided a study plan consisting mainly of generic statements about the high quality of the Canadian education system. While the Applicants stated their wish to continue studying in Canada at the university level, they did not provide details in this regard. The officer could reasonably find that this is more consistent with a desire to remain in Canada indefinitely.

[6] Lastly, the Applicants argue that the officer unreasonably found that they lacked the financial resources necessary to pay for their studies. Again, I disagree. The Applicants have stated that their intention is to remain in Canada until they graduate from university. The officer was entitled to inquire as to whether they had resources to support this long-term plan. While the Applicants' father has shown that he has about \$60,000 of savings, this is well short of the amount needed to support the Applicants until they are in university. The application did not explain how other assets would be used for this purpose.

[7] For these reasons, the application for judicial review will be dismissed.

JUDGMENT in IMM-12084-23

THIS COURT’S JUDGMENT is that

1. The application for judicial review is dismissed.
2. There is no question of general importance for certification.

“Sébastien Grammond”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-12084-23

STYLE OF CAUSE: VINA RIVAZ and SINA RIVAZ v THE MINISTER OF
CITIZENSHIP AND IMMIGRATION

PLACE OF HEARING: BY VIDEOCONFERENCE

DATE OF HEARING: JANUARY 27, 2025

JUDGMENT AND REASONS: GRAMMOND J.

DATED: JANUARY 27, 2025

APPEARANCES:

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Charles J. Jubenville	FOR THE RESPONDENT

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