

Federal Court



Cour fédérale

**Date: 20250401**

**Docket: IMM-10115-24**

**Citation: 2025 FC 588**

**Toronto, Ontario, April 1, 2025**

**PRESENT: The Honourable Justice Battista**

**BETWEEN:**

**SAIRA YOUSUF**

**Applicant**

**and**

**THE MINISTER OF CITIZENSHIP AND  
IMMIGRATION**

**Respondent**

**JUDGMENT AND REASONS**  
**(delivered orally from the Bench on March 31, 2025)**

[1] The Applicant is a candidate under the Start-Up Visa Business Class. Paragraph 205(a) of the *Immigration and Refugee Protection Regulations*, SOR/2002-227 (IRPR), and Immigration, Refugees and Citizenship Canada’s (IRCC) policy allow candidates in this class to apply for a work permit while their permanent residence application is in process. Such applications are subject to criteria under section 200 of the IRPR, including a prohibition on the issuance of a work permit if “there are reasonable grounds to believe that the foreign national is unable to perform the work sought”.

[2] IRCC's policy instructs work permit applicants in this category to provide "sufficient proof of their education and work experience that satisfies the officer that the applicant will be able to perform the work sought" (*Employer-specific work permit applications for start-up business class permanent residence applicants received before October 3, 2024*: [www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/provincial-nominees-permanent-resident-applicants/work-permits-start-business-class-permanent-resident-visa-applicants.html](https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/provincial-nominees-permanent-resident-applicants/work-permits-start-business-class-permanent-resident-visa-applicants.html)).

[3] The Applicant's work permit application was refused because the Officer found that no financial or verifiable documents were submitted in support of the Applicant's work experience between 2005-2015 or 2015-2023.

[4] In fact, the Applicant submitted only one employment reference letter to establish her previous work experience between 2005-2015, which did not include any financial documentation to substantiate this work experience. At the hearing of this matter, counsel for the Applicant conceded that the work experience listed on the Applicant's resume from 2015-2023 was an error. Counsel for the Applicant also abandoned the previously raised procedural fairness arguments.

[5] The Officer reasonably determined that there was insufficient evidence of the Applicant's work experience, which the Officer had been led to believe existed between 2015-2023. The Officer also reasonably found that there was no financial or verifiable documents to establish that the Applicant had worked as a freelance nutritionist from 2005-2015.

[6] The Officer's decision is reasonable in relation to the evidence, and the application for judicial review is dismissed.

**JUDGMENT in IMM-10115-24**

**THIS COURT'S JUDGMENT is that:**

1. The application for judicial review is dismissed.
2. There is no question for certification and no order regarding costs.

**"Michael Battista"**

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**Judge**

**FEDERAL COURT**  
**SOLICITORS OF RECORD**

**DOCKET:** IMM-10115-24

**STYLE OF CAUSE:** SAIRA YOUSUF v THE MINISTER OF  
CITIZENSHIP AND IMMIGRATION

**PLACE OF HEARING:** TORONTO, ONTARIO

**DATE OF HEARING:** MARCH 31, 2025

**JUDGMENT AND REASONS:** BATTISTA J.

**DATED:** APRIL 1, 2025

**APPEARANCES:**

Nora Eze	FOR THE APPLICANT
Jake Boughs	FOR THE RESPONDENT

**SOLICITORS OF RECORD:**

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