Federal Court Cour fédérale

Date: 20250715

Docket: IMM-13937-23

Citation: 2025 FC 1240

Toronto, Ontario, July 15, 2025

PRESENT: Mr. Justice Brouwer

BETWEEN:

MEHRNOOSH PARHAM

Applicant

and

MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

JUDGMENT AND REASONS

[1] Mehrnoosh Parham applied to come to Canada as a student. A 37-year old Iranian citizen working full-time in Tehran, her employer had offered her a promotion to the role of Director General of International Affairs upon completion of a Master of Global Management degree at Royal Roads University in British Columbia. This would be her second graduate degree – she had earned a Master of Industrial Management Operations Research at Islamic Azad University some eight years earlier.

[2] In support of her application for a study permit, Ms. Parham explained that her choice of academic program reflected her recognition that Canadian education emphasizes practical and multicultural applications of Global Management in a manner that is not offered in Iran. She observed that management practices in Iran were inadequate. She stated that she intended to return to Tehran upon completion of the degree to take up a new role with her employer and to resume contributing to the care of her mother, who has multiple sclerosis.

[3] Ms. Parham provided documentation to corroborate her educational and training background, her offer of acceptance from Royal Roads, her employment and promotion offer, her mother's diagnosis, and her financial resources for the period of her planned studies, which amounted to approximately $63,000 CAD.

[4] By letter dated September 10, 2023, an Officer with Immigration, Refugees and Citizenship Canada ("IRCC") advised Ms. Parham that her study permit application had been denied because the Officer was not satisfied that Ms. Parham would leave Canada at the end of her stay as required by paragraph 216(1)(b) of the *Immigration and Refugee Protection Regulations, SOR/2002-227* (IRPR). The Officer based this determination on three findings: a) that Ms. Parham's assets and financial situation were insufficient to support her stated purpose of travel, b) that Ms. Parham lacks significant family ties outside of Canada, and c) that the purpose of Ms. Parham's visit was not consistent with a temporary stay. In the Officer's notes, posted to the Global Case Management System ("GCMS") and adduced by the Tribunal as further reasons for refusal, the Officer stated:

> [T]he documentation provided in support of the applicant's financial situation does not demonstrate that the applicant/parents is [sic] sufficiently established that the proposed visit would be a reasonable or affordable expense. …
>
> [T]he applicant does not have significant family ties outside Canada. …The client is single, mobile, and has no dependents….
>
> The client has previous studies at the same academic level as the proposed studies in Canada. Previous university studies in Master of Industrial Management. Currently employed as a Project manager. Client's explanation letter reviewed. PA does not demonstrate to my satisfaction reasons for which the international educational program would be of benefit. Given the PA's previous education and work history, their motivation to pursue studies in Canada at this point does not seem reasonable.

I. ISSUES

[5] The decision under review raises the following issues:

1. Whether the decision was reasonable in light of the evidence before the Officer;
2. If not, what is the appropriate remedy?

II. STANDARD OF REVIEW

[6] The parties submit that the standard of review generally applicable to the Decision is reasonableness. I agree. A reasonable decision is one that is based on an internally coherent and rational chain of analysis and that is justified in relation to the facts and law bearing upon it (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 [*Vavilov*] at para 85). The hallmarks of reasonableness are justification, intelligibility and transparency (*Vavilov* at paras 15, 100). The principle at the heart of this standard is “responsive justification” (*Mason v Canada (Citizenship and Immigration),* 2023 SCC 21, at para 10).

[7] Ms. Parham asserts that the Officer's alleged failure to address key evidence does not attract judicial deference and should be reviewed for correctness, citing *Alahaiyah v Canada (Citizenship and Immigration)*, 2015 FC 726 at para 16, *Esmaili v Canada (Citizenship and Immigration)*, 2013 FC 1161 at para 15 and *Uluk v Canada (Citizenship and Immigration)*, 2009 FC 122 at para 22. I disagree. In *Vavilov*, which post-dates the authorities relied on by Ms. Parham, the Supreme Court of Canada established a rebuttable presumption of reasonableness review (paras 10 and 25). Ms. Parham has neither suggested nor shown that the presumption is rebutted in this case. I am bound to follow *Vavilov*.

III. ANALYSIS

[8] Justice Denis Gascon recently summarized the principles that guide judicial review of study permit refusals. As he explained in *Taghizadeh v Canada (Citizenship and Immigration)*, 2025 FC 809:

> [18] It is not disputed that study permit applicants bear the burden of satisfying visa officers that they will leave Canada at the end of their authorized stay (Khoshfam at para 24; Penez at para 10). To this effect, visa officers have a high level of expertise and a wide discretion in assessing the evidence to determine whether this requirement is met, and their decisions are entitled to deference (Khoshfam at para 24; Nimely v Canada (Minister of Citizenship and Immigration), 2020 FC 282 at para 7 [Nimely]; Penez at para 10).
>
> [19] Moreover, visa officers are not required to provide extensive reasons for their decision in view of the large number of decisions they are required to process (Khoshfam at para 25; Afuah v Canada (Citizenship and Immigration), 2021 FC 596 at paras 10–11; Nimely at para 7).
>
> [20] That said, while visa officers need not spell out each of the details and facets of an issue when making their decision, they cannot act without regard to the evidence. Consequently, a blanket statement that a decision maker has considered all the evidence will not suffice when the evidence omitted from the discussion in

> their reasons appears to squarely contradict their finding (*Kapenda v Canada (Citizenship and Immigration*), 2024 FC 821 at para 24 [*Kapenda*]; *Kavugho-Mission* at para 23; *Cepeda-Gutierrez v Canada (Minister of Citizenship and Immigration)*, 1998 CanLII 8667 (FC), [1998] FCJ No 1425 (QL) at para 17).

[9] Applying these principles, I find the decision to be unreasonable.

[10] The Officer's finding regarding the sufficiency of Ms. Parham's financial resources for her course of studies – characterized in the GCMS notes as a concern about whether the expenses constitute "a reasonable or affordable expense" – lacks a rational chain of reasoning, or indeed any reasoning at all. Ms. Parham had provided detailed evidence of her resources, including cash and continuing income and support from multiple sources. The Officer did not address any of this evidence; instead, they simply pronounced without explanation that the evidence does not demonstrate that "the applicant/parents [sic] is sufficiently established that the proposed visit would be a reasonable or affordable expense."

[11] The Respondent maintains that the Officer's finding is reasonable because Ms. Parham did not adduce all the evidence listed in the applicable visa post instructions, for example providing four months of bank statements rather than six; however, there is nothing in the Officer's decision to suggest that this was the Officer's concern. Nor am I able to discern whether, even if this was the concern, the Officer considered this possible evidentiary deficiency in the context of the full record of available financial support adduced by Ms. Parham (*Rezaei v Canada (Citizenship and Immigration)*, 2025 FC 462 at para 15). The finding thus fails to reflect the record and falls short of the standard of responsive justification.

[12] The Officer's finding that Ms. Parham is unlikely to leave Canada at the end of her course of study because she lacks significant family ties in Iran ignores entirely the uncontradicted evidence that her parents and brother, with whom she shares a residence, remain there, and that her mother – who is elderly and contending with multiple sclerosis – is dependent on Ms. Parham's return and resumption of caregiving. The Respondent's counsel's assertion that the Officer reasonably discounted Ms. Parham's obligations to her mother because Ms. Parham elected to study in Canada for approximately 18 months is yet more speculation by counsel and cannot fill a gap in the Officer's reasoning (*Ali v Canada (Citizenship and Immigration)*, 2025 FC 865 at para 35, citing *Vavilov* at para 97; *Sedki v Canada (Citizenship and Immigration)*, 2021 FC 1071 at paras 25-26).

[13] Finally, I find that the Officer's assessment of Ms. Parham's decision to undertake a second master's degree in the field of management to be unreasonable. In her study plan, Ms. Parham explained how her proposed course of study differed from her previous education, emphasizing the practical focus and "global mindset" of the Royal Roads University Master's of Global Management, and adduced a letter from her employer confirming the career advance that she would enjoy upon completion of the program. While the Officer had significant discretion to determine whether the proposed educational program was reasonable for Ms. Parham, this determination still needed to be justified in relation to the record; it was not open to the Officer to simply reject it as unreasonable without addressing the explanation and evidence provided by Ms. Parham (*Vavilov* at para 126).

[14] For all of these reasons, I find that the decision of the Officer was unreasonable and must be set aside.

IV. REMEDY

[15] Ms. Parham requests an order requiring the visa office to issue her a study permit or in the alternative requiring that the matter be redetermined within 30 days of the issuance of this Court's decision. However, no arguments or evidence have been provided to justify either a directed verdict or the imposition of an explicit timeline for redetermination. As such, and because it is my understanding and expectation that the Respondent prioritizes Court-ordered redeterminations, I will simply order that the decision be set aside and that the application be redetermined by a different officer in accordance with these reasons.

[16] The parties have not proposed a question of general importance for certification and I agree that none arises.

JUDGMENT in IMM-13937-23

THIS COURT'S JUDGMENT is that:

1. The application is granted.

2. The decision of the visa post dated September 10, 2023, is set aside and the matter is returned for redetermination by a different officer in accordance with these reasons

3. No question is general importance is certified.

"Andrew J. Brouwer"
Judge

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET:	IMM-13937-23
STYLE OF CAUSE:	MEHRNOOSH PARHAM v MINISTER OF CITIZENSHIP AND IMMIGRATION
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