Federal Court Cour fédérale

Date: 20250813

Docket: IMM-9811-25

Citation: 2025 FC 1374

Ottawa, Ontario, August 13, 2025

PRESENT: The Honourable Mr. Justice Régimbald

BETWEEN:

CHIDERA GIFT ILOH

Applicant

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

JUDGMENT AND REASONS

(Simplified Procedure-Study Permit Pilot Project)

[1] Ms. Chidera Gift Iloh [Applicant] seeks judicial review of a Visa Officer's [Officer] refusal to grant her a student visa. She is a Nigerian citizen who intended to enroll in Saskatchewan Polytechnic in order to pursue studies in a BioScience Technology program. Her parents, who agreed to sponsor her studies, work in Canada on temporary work permits that are valid until 2027.

[2] The principal reasons for the Officer's refusal are that:

- The Applicant's studies are supported by her parents, who hold temporary work permits in Canada until 2027. Considering the parents' legal status in Canada, the Officer has concerns as to whether the sponsors' financial situation can support the Applicant;
- The Applicant does not have a reliable source of funds to pay the tuition fees for the program of studies and to pay for living expenses for the duration of the entire academic program;
- The Applicant does not have significant family ties outside of Canada.

[3] The sole question in this case is whether the Officer's decision is reasonable. 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 that constrain the decision maker" (*Canada (Minister of Citizenship and Immigration*) *v Vavilov*, 2019 SCC 65 at para 85 [*Vavilov*]*; Mason v Canada (Citizenship and Immigration),* 2023 SCC 21 at para 8 [*Mason*]). To avoid judicial intervention, the decision must bear the hallmarks of reasonableness, namely justification, transparency and intelligibility (*Vavilov* at para 99; *Mason* at para 59). A decision may be unreasonable if the decision maker misapprehended the evidence before it (*Vavilov* at paras 125–126; *Mason* at para 73).

[4] In this case, the Applicant submits that the Officer failed to consider relevant evidence that she is fully sponsored by her parents who are in Canada living under a work permit expiring only in 2027. The evidence also demonstrates that a tuition deposit for the first year of study was made, and that the Applicant's parents earn collectively about $139,000 CAD, which is enough to support her during the entirety of her studies.

[5] For the reasons outlined below, I agree with the Applicant.

[6] While visa officers are not required to provide exhaustive reasons on each factor, this does not relieve them from the need to address evidence that contradicts important aspects of their decision (*Mahdavi v Canada (Citizenship and Immigration)*, 2024 FC 629 at para 19; *Cepeda-Gutierrez v Canada (Minister of Citizenship and Immigration)*, 1998 CanLII 8667 (FC), [1998] FCJ No 1425; *Rezaei v Canada (Citizenship and Immigration)*, 2025 FC 462 at para 9).

[7] In this case, the Applicant submitted evidence of her parents' Canada Revenue Agency income tax returns demonstrating a total cumulative annual income of about $139,000 CAD. However, despite acknowledging the Applicant's parents' support and commitment to cover her tuition fees and living expenses, the Officer failed to consider the parents' annual income and assess whether that income was sufficient to support the Applicant throughout her studies in Canada.

[8] The Officer provided no reasoning to justify why that evidence was not sufficient for the Applicant to discharge her burden to demonstrate that she had sufficient funds or why her sponsors' financial situation was nevertheless a cause of concern. By failing to explain why the Applicant did not meet the burden of establishing that she had sufficient funds, the Officer failed to account for the evidence presented and therefore made an unreasonable decision (*Vavilov* at para 126).

[9] For the reasons stated, the Applicant's application for judicial review is granted.

[10] There is no question of general importance for certification.

JUDGMENT in IMM-9811-25

THIS COURT'S JUDGMENT is that:

1. Leave to bring the application for judicial review is granted;
2. The application for judicial review is granted;
3. The decision is quashed and set aside, and the matter is remitted back for reconsideration by a different Officer;
4. There is no question of general importance for certification.

"Guy Régimbald"
Judge

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET:	IMM-9811-25
STYLE OF CAUSE:	CHIDERA GIFT ILOH v THE MINISTER OF CITIZENSHIP AND IMMIGRATION

SUBMISSIONS ON STUDY PERMIT PERFECTED LEAVE APPLICATION CONSIDERED AT OTTAWA, ONTARIO PURSUANT TO SECTION 72 OF THE *IMMIGRATION AND REFUGEE PROTECTION ACT*

JUDGMENT AND REASONS:	RÉGIMBALD J.
DATED:	AUGUST 13, 2025

WRITTEN REPRESENTATIONS BY:

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