

Federal Court



Cour fédérale

Date: 20250915

Docket: T-703-25

Citation: 2025 FC 1522

Ottawa, Ontario, September 15, 2025

PRESENT: Mr. Justice Sébastien Grammond

BETWEEN:

ESRAA ABOUAMIN

Applicant

and

ATTORNEY GENERAL OF CANADA

Respondent

JUDGMENT AND REASONS

[1] Ms. Abouamin is seeking judicial review of a decision of the Canada Revenue Agency [CRA] finding her ineligible for both the Canada Emergency Response Benefit [CERB] and the Canada Recovery Benefit [CRB] because she did not earn at least \$5,000 in self-employment income in 2019. I am dismissing her application, because the CRA officer reasonably determined that she had not provided sufficient evidence of her alleged self-employment income.

[2] Given that significant amounts have been paid in respect of the CERB and the CRB, Canadian taxpayers must be reassured that these benefits go to those who satisfy the criteria set out in the legislation, including the \$5,000 threshold. This is why, without showing disrespect to any particular benefit recipient, the CRA is not taking recipients' word as to their earnings but insists on receiving acceptable documentary proof.

[3] It is the role of the CRA officer to determine whether the evidence before them is sufficient to support the claim. Benefit recipients must provide adequate evidence, and the officer may request additional documents or information to verify their eligibility. On judicial review, the role of the Court is not to substitute itself for the officer or to redo the assessment afresh. Rather, its role is to review the reasons given by the officer and to determine whether the decision is based on "an internally coherent and rational chain of analysis" and 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 paragraph 85.

[4] Here, after reviewing Ms. Abouamin's documents and submissions, the officer concluded that she did not earn \$5,000 in self-employment income in 2019, 2020, or in the 12 months prior to applying for CERB and CRB, because the documents Ms. Abouamin provided were insufficient to prove the alleged income. To assess the reasonableness of this finding, one must review the evidence available to the officer:

- Ms. Abouamin is self-employed as a consultant, operating through a Canadian registered corporation named "NL ISO & Management Mentor Limited."

- In April 2019, Ms. Abouamin travelled to Egypt for personal reasons. She stated that in July 2019, she decided to extend her stay until September after securing a consulting contract with Alexandria Marine Design International, for which she was paid the equivalent of \$6,072 in cash, as allegedly evidenced by the accepted service proposal and invoice she provided.
- Ms. Abouamin provided the CRA with various documents, such as a service proposal allegedly signed by the client, an invoice confirming the contract amount and method of payment, a reassessed 2019 tax return, her business's registration documents, as well as travel records from her 2019 trip to Egypt.
- Between September 2019 and March 2020, Ms. Abouamin actively sought new clients but did not secure any work, reportedly due in part to business closures caused by snowstorms and blizzards in Newfoundland in early 2020.
- In her initial tax return for 2019, Ms. Abouamin declared a negative self-employment income of \$3,645. In February 2023, after being informed of her ineligibility for the CERB and CRB. Ms. Abouamin amended her 2019 income tax return, stating that she had used an incorrect exchange rate to convert Egyptian pounds to Canadian dollars. In addition, to meet the \$5,000 eligibility threshold, she removed previously claimed business expenses and chose not to claim work-related expenses, because her travel to Egypt was for personal reasons and had been fully paid prior to securing the consulting contract. These changes resulted in an adjusted net income of \$5,102 for 2019.

[5] Ms. Abouamin contends that the officer's conclusion was unreasonable, because she provided the kind of documents listed in a checklist published on the CRA's website, the documents clearly establish her income and the officer considered an irrelevant factor, namely, the fact that she was unable to find work in late 2019 and 2020.

[6] I disagree. Rather, I find the officer's decision reasonable. Given that Ms. Abouamin's declared income was exclusively paid in cash, the officer followed the CRA's internal guidelines designed to facilitate proof of employment or self-employment income. I further note that the officer's conclusion is consistent with the case law of our Court, which allows officers to require independent documentary evidence when the person is paid in cash. While cash payments may be accepted, the benefit recipient must "submit sufficient and convincing documentation or records to substantiate their earnings," which may take various forms, such as depositing the earnings in a bank account, keeping records of hours worked or showing a list of expenses. This Court has found that decisions made according to these guidelines were reasonable: see, for example, *Mathelier-Jeanty v Canada (Attorney General)*, 2022 FC 1188 at paragraph 24; *Attara v Canada (Attorney General)*, 2022 FC 1323; *He v Canada (Attorney General)*, 2022 FC 1503 at paragraphs 29, 33; *Sjogren v Canada (Attorney General)*, 2023 FC 24 at paragraphs 17–19, 33–48; *Singh v Canada (Attorney General)*, 2024 FC 51 at paragraph 38; *Li v Canada (Attorney General)*, 2025 FC 346 at paragraph 18. Here, Ms. Abouamin was unable to provide additional documents corroborating her income. Moreover, an income tax return does not constitute sufficient proof of income for the purposes of the CERB and CRB, especially where the return was amended after the taxpayer was notified of concerns regarding their eligibility for the benefits: *Drinkwalter v Canada (Attorney General)*, 2025 FC 913 at paragraph 8.

[7] It was also reasonable to consider the fact that Ms. Abouamin did not work in the latter part of 2019 or in 2020. Of course, the issue remains whether Ms. Abouamin earned at least \$5,000 in self-employment income in 2019. Nevertheless, if she had engaged in similar work before and after the contract at issue, this would make her assertion more plausible. Conversely, the fact that she did not do so makes it less plausible that she earned the asserted income. It was reasonable to rely on such a factor.

[8] Ms. Abouamin also argues that the process leading to the decision was unfair. She first stated that the eligibility checklists for the CERB and CRB that the CRA published on its website — which outlined the income requirements and acceptable forms of proof for self-employed applicants — created a legitimate expectation that her documents would be accepted. It is important to understand that those checklists do not predetermine the weight that a CRA officer must assign to each document listed as acceptable proof of income when an applicant submits them. Rather, they serve to inform them of the types of documents that may be considered in support of their claim. The assessment of each document's probative value remains at the discretion of the officer, based on the specific circumstances of the case. Here, the officer reviewed Ms. Abouamin's documents but reasonably found that they were insufficient to prove her alleged income.

[9] Ms. Abouamin also argues that the officer made an improper demand for confidential client work products, such as training manuals. However, the officer was attempting to help Ms. Abouamin by suggesting additional categories of documents she might submit to bolster her case, as the documents she had already provided were insufficient. The officer's notes indicate

that he did not treat her refusal to provide such documents as the basis for finding her ineligible. Rather, the issue was the overall insufficiency of evidence, and it was specifically on that basis that the officer concluded she did not meet the eligibility requirements for both the CERB and CRB. There was no breach of procedural fairness.

[10] For these reasons, Ms. Abouamin's application for judicial review will be dismissed. Given the circumstances of the case, no costs will be awarded.

JUDGMENT in T-703-25

THIS COURT'S JUDGMENT is that

1. The application for judicial review is dismissed.
2. No costs are awarded.

"Sébastien Grammond"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: T-703-25

STYLE OF CAUSE: ESRAA ABOUAMIN v ATTORNEY GENERAL OF CANADA

PLACE OF HEARING: BY VIDEOCONFERENCE

DATE OF HEARING: SEPTEMBER 11, 2025

JUDGMENT AND REASONS: GRAMMOND J.

DATED: SEPTEMBER 15, 2025

APPEARANCES:

Esraa Abouamin	ON HER OWN BEHALF
Maeve Baird	FOR THE RESPONDENT

SOLICITORS OF RECORD:

Attorney General of Canada Ottawa, Ontario	FOR THE RESPONDENT
---	--------------------