

Federal Court



Cour fédérale

**Date: 20250918**

**Docket: IMM-16174-24**

**Citation: 2025 FC 1534**

**Ottawa, Ontario, September 18, 2025**

**PRESENT: The Honourable Mr. Justice Fothergill**

**BETWEEN:**

**AMIRPURYA CHAVOSHY**

**Applicant**

**and**

**THE MINISTER OF CITIZENSHIP  
AND IMMIGRATION**

**Respondent**

**JUDGMENT AND REASONS**

**I. Overview**

[1] Amirpurya Chavoshy is a citizen of Iran. He seeks judicial review of a decision by a visa officer [Officer] to refuse his application for a temporary resident visa [TRV]. The Officer was not satisfied that Dr. Chavoshy would leave Canada at the end of his authorized stay, as required by s 179(b) of the *Immigration and Refugee Protection Regulations*, SOR/2002-227.

[2] For the reasons that follow, the Officer's decision was unreasonable. The application for judicial review is allowed.

## II. Background

[3] Dr. Chavoshy applied for a TRV on June 6, 2024. He stated in his application that he wished to enter Canada on August 15, 2024 for two weeks in order to visit his friend Pejman Najmi, a Canadian permanent resident living in Vancouver.

[4] Dr. Chavoshy's application included a letter of invitation from Mr. Najmi, who said he would be responsible for Dr. Chavoshy's expenses during his visit. Mr. Najmi's letter attached copies of his permanent residence card, recent bank statements, and proof of property ownership. The bank statements indicated a balance of \$73,544.

[5] Dr. Chavoshy's application also included copies of his recent bank statements and documentation confirming property ownership. The bank statements indicated a balance of \$34,002. Copies of prepaid return tickets and proof of medical insurance were also provided, together with a letter from Dr. Chavoshy's employer confirming that he had been granted a leave of absence for the trip. The application was supported by an affidavit sworn by Dr. Chavoshy confirming that his mother, father, sister and brother all live in Iran.

[6] The Officer refused Dr. Chavoshy's application for a TRV on July 5, 2024. The Officer's notes in the Global Case Management System, which form a part of the decision under review, read as follows:

I have reviewed the application. I have considered the following factors in my decision. The applicant does not have significant family ties outside Canada. The purpose of the applicant's visit to Canada is not consistent with a temporary stay given the details provided in the application. The applicant's purpose of visit appears vague and poorly documented. There is an absence in details. Information on host is insufficient. Weighing the factors in this application, I am not satisfied that the applicant will depart Canada at the end of the period authorized for their stay. For the reasons above, I have refused this application.

### III. Issue

[7] The sole issue raised by this application for judicial review is whether the Officer's decision was reasonable.

### IV. Analysis

[8] The Officer's decision is subject to review by this Court against the standard of reasonableness (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 [Vavilov] at para 10). The Court will intervene only where "there are sufficiently serious shortcomings in the decision such that it cannot be said to exhibit the requisite degree of justification, intelligibility and transparency" (*Vavilov* at para 100).

[9] The criteria of “justification, intelligibility and transparency” are met if the reasons allow the Court to understand why the decision was made, and determine whether the decision falls within the range of acceptable outcomes defensible in respect of the facts and law (*Vavilov* at paras 85-86, citing *Dunsmuir v New Brunswick*, 2008 SCC 9 at para 47).

[10] The Officer refused Dr. Chavoshy’s application for a TRV for three reasons: (1) the purpose of the visit was vague and poorly documented; (2) the information regarding Dr. Chavoshy’s host was insufficient; and (3) Dr. Chavoshy did not have significant family ties outside Canada. Dr. Chavoshy takes issue with all three of these findings.

[11] In *Kheradpazhooh v Canada (Citizenship and Immigration)*, 2018 FC 1097

[*Kheradpazhooh*], Justice Luc Martineau found as follows (at para 5):

[...] The foreign national is not required to provide a complete itinerary of the expected trip. He or she is not required to show a “compelling reason” to visit Canada either (*Agidi v Canada (Citizenship and Immigration)*, 2013 FC 691 at para 7; *Singh v Canada (Citizenship and Immigration)*, 2015 FC 1210 at para 15). However, reasons that are abstract, vague or not founded on objective evidence may constitute a factor, among others, that will lead the officer to conclude that the foreign national has not met the burden of demonstrating that he or she will leave Canada at the end of the authorized period of stay (*Hamad v Canada (Citizenship and Immigration)*, 2017 FC 600 at paras 13-16; *Omijie v Canada (Citizenship and Immigration)*, 2018 FC 878 at para 16).

[12] Dr. Chavoshy’s application exceeded the requirements identified by Justice Martineau in *Kheradpazhooh*. He provided a complete itinerary for the expected trip. While he was not obliged to identify a “compelling reason” for the visit, he explained the nature of his relationship with Mr. Najmi and the difficulties they had encountered in arranging visits in the past. Most

importantly, the purpose of the visit was clear and unambiguous. It could not reasonably be described as vague or poorly documented.

[13] Mr. Najmi provided a letter of invitation that explained the history of his friendship with Dr. Chavoshy and his immigration status in Canada. He appended bank statements and proof of property ownership and employment. It is unclear what further information he could have provided respecting his personal circumstances, particularly in the context of an application for a TRV.

[14] The Officer's bald statement that Dr. Chavoshy did not have significant family ties outside Canada was unsupported by any analysis and was inconsistent with the evidence provided. Dr. Chavoshy is unmarried and does not have children, but his parents and siblings all reside in Iran. He has no family ties in Canada. His application demonstrated a lengthy history of employment in Iran, property ownership in Iran, and frequent travels to European and other destinations. At the time of his application for a TRV, Dr. Chavoshy was pursuing post-graduate studies in Cypress, where he serves as a UNESCO representative for the coordination of disaster relief efforts.

[15] Visa officers are not expected to provide extensive reasons for their decisions (*Nimely v Canada (Citizenship and Immigration)*, 2020 FC 282 at para 7). Moreover, visa officers have a wide discretion in assessing the evidence and their decisions are entitled to considerable deference (*Chhetri v Canada (Citizenship and Immigration)*, 2011 FC 872 at para 9). The duty of fairness owed by a visa officer is at the lower end of the spectrum (*Nauman v Canada*

(*Citizenship and Immigration*), 2013 FC 964 at para 15). Nevertheless, the reasons must still permit a reviewing court to understand why the decision was made.

[16] As Justice Alan Diner explained in *Patel v Canada (Citizenship and Immigration)*, 2020 FC 77 at paragraph 17:

Again, while the reality of visa offices and the context in which its officers work include significant operational pressures and resource constraints created by huge volumes of applications, this cannot exempt their decisions from being responsive to the factual matrix put before them. Failing to ask for basic responsiveness to the evidence would deprive reasonableness review of the robust quality that *Vavilov* requires at paras 13, 67 and 72. “Reasonableness” is not synonymous with “voluminous reasons”: simple, concise justification will do.

[17] The Officer’s reasons did not exhibit the requisite degree of “justification, intelligibility and transparency” (*Vavilov* at paras 85-86). The Officer’s decision was therefore unreasonable.

## V. Conclusion

[18] The application for judicial review is allowed, and the matter is remitted to a different visa officer for redetermination. Neither party proposed that a question be certified for appeal.

**JUDGMENT**

**THIS COURT'S JUDGMENT is that** the application for judicial review is allowed,  
and the matter is remitted to a different visa officer for redetermination.

\_\_\_\_\_  
"Simon Fothergill"

Judge

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

**DOCKET:** IMM-16174-24

**STYLE OF CAUSE:** AMIRPURYA CHAVOSHY v THE MINISTER OF  
CITIZENSHIP AND IMMIGRATION

**PLACE OF HEARING:** BY VIDEOCONFERENCE

**DATE OF HEARING:** SEPTEMBER 2, 2025

**JUDGMENT AND REASONS:** FOTHERGILL J.

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**APPEARANCES:**

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