

Federal Court



Cour fédérale

Date: 20250925

Docket: IMM-17196-24

Citation: 2025 FC 1572

Ottawa, Ontario, September 25, 2025

PRESENT: The Honourable Mr. Justice Ahmed

BETWEEN:

AZAM ATAEINIA

Applicant

and

**THE MINISTER OF CITIZENSHIP
AND IMMIGRATION**

Respondent

JUDGMENT AND REASONS

I. Overview

[1] The Applicant, Azam Ataeinia, seeks judicial review of a decision made by an officer (the “Officer”) of Immigration, Refugees and Citizenship Canada (“IRCC”) dated September 4, 2024, denying her temporary resident visa (“TRV”) application.

[2] The Applicant submits that the Officer's decision is unreasonable for failing to account for the relevant evidence about her reason for travelling to Canada, ties outside Canada, travel history, and finances.

[3] For the reasons that follow, I agree. This application for judicial review is allowed.

II. **Background**

[4] The Applicant is a citizen of Iran and a 20% owner of the Salamat Afarinan Behesht Company (the "Company"), where she serves as the Administrative Manager.

[5] In February 2024, the Applicant submitted a TRV application for a trip originally scheduled from May 3 to 17, 2024. She provided a letter of invitation from the president of Global Bridge Immigration Advisors PEI Inc, bank statements, recent travel visas, and a form specifying that her mother, father, and sister, all lived outside Canada.

[6] On May 21, 2024, an officer at IRCC refused her TRV application. The Applicant filed an application for leave and judicial review and, on August 13, 2024, the Respondent consented to sending the refusal decision back for redetermination.

[7] On September 4, 2024, the Officer refused the TRV application. The Global Case Management System ("GCMS") notes, which form a part of the decision, state "that the time of invitation passed and a new invitation was not provided which diminishes the purpose of the applicant's visit to Canada." The Officer also found the Applicant's travel history was not a

positive factor, that she did not have significant family ties outside of Canada, and that there were issues with the provenance and availability of the Applicant's funds.

III. **Issue and Standard of Review**

[8] The sole issue in this application is whether the Officer's decision is reasonable.

[9] The parties submit that the applicable standard of review for the merits of the decision is that of reasonableness (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at paras 25, 86-87 ("Vavilov")). I agree.

[10] Reasonableness is a deferential, but robust, standard of review (*Vavilov* at paras 12-13). The reviewing court must determine whether the decision under review, including both its rationale and outcome, is transparent, intelligible, and justified (*Vavilov* at para 15). Whether a decision is reasonable depends on the relevant administrative setting, the record before the decision maker, and the impact of the decision on those affected by its consequences (*Vavilov* at paras 88-90, 94, 133-135).

[11] In the context of TRV applications, reasoning is ordinarily brief given the high volume of decisions. Still, the reasoning must be based on a contemporaneous, internally coherent, and rational chain of analysis (*Vavilov* at para 85; *Lingepo v Canada (Citizenship and Immigration)*, 2021 FC 552 at para 13; *Hajiyeva v Canada (Citizenship and Immigration)*, 2020 FC 71 at para 6). Although the Court presumes that officers assessing TRV applications have reviewed the record before them, where the record shows important facts that contradict the officer's

conclusions, the reasons must still “add up” (*Vavilov* at para 104; *Cepeda-Gutierrez v Canada (Minister of Citizenship and Immigration)*, 1998 CanLII 8667 (FC) at paras 16-17); *Ahmed v Canada (Citizenship and Immigration)*, 2013 FC 1083 at para 34).

IV. Analysis

[12] The Applicant submits that the Officer’s decision is unreasonable primarily for lacking justification considering evidence of the Applicant’s meetings in Canada, travel history outside of Canada, family outside of Canada, and the Applicant’s role in the Company.

[13] The Respondent disagrees. The Respondent submits that the invitation letter provided by the Applicant is vague, and that the Officer’s decision is reasonable given the Applicant failed to provide evidence of her connection to family outside of Canada or of her finances.

[14] I agree with the Applicant. The Officer’s decision is unreasonable because it does not show a rational chain of analysis (*Vavilov* at para 101). On its face, the reasoning contradicts the evidence before the Officer and, therefore, lacks the necessary justification (*Vavilov* at paras 101, 125-126).

[15] The Officer found that the Applicant had not provided a renewed invitation to her business meetings. But the Applicant’s representative’s letter mentioned two upcoming scheduled business meetings in the first paragraph. The Officer’s finding thus fails in light of this evidence (*Vavilov* at paras 125-126).

[16] Moreover, the Officer's finding that the Applicant lacks significant ties outside Canada contradicts the evidence on record of family ties to Iran and Cyprus, and no family inside of Canada. As such, this finding also lacks justification considering the factual constraints (*Vavilov* at paras 125-126).

[17] Finally, the Officer failed to justify the conclusion that the Applicant lacked sufficient financial means for her trip. The evidence before the Officer was that the Applicant had approximately \$220,000 available for the trip. The Officer's conclusion is unexplained in light of this evidence, and therefore unreasonable (*Vavilov* at paras 125-126).

[18] The Respondent attempts to bolster the Officer's reasoning, stating that the Officer found the funding unstable because the Applicant failed to comply with the Ankara Visa Office instructions, which require six months of bank statements. While it is open for the Officer to find that the Applicant's funding lacked stability, this was not stated in the Officer's reasons. I will not accept the Respondent's invitation to bolster the Officer's decision; that is not the role of a judge conducting reasonableness review.

V. **Conclusion**

[19] The Officer's rationale and conclusions in this decision are not justified in light of the evidence before the Officer. The decision is therefore unreasonable, and I grant the application for judicial review.

[20] No questions for certification were raised, and I agree that none rise.

JUDGMENT in IMM-17196-24

THIS COURT’S JUDGMENT is that:

1. This application for judicial review is allowed. The decision under review is set aside and the matter is referred back for redetermination by a different decision maker.
2. There is no question to certify.

“Shirzad A.”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-17196-24

STYLE OF CAUSE: AZAM ATAEINIA v THE MINISTER OF CITIZENSHIP
AND IMMIGRATION

PLACE OF HEARING: VANCOUVER, BRITISH COLUMBIA

DATE OF HEARING: SEPTEMBER 11, 2025

JUDGMENT AND REASONS: AHMED J.

DATED: SEPTEMBER 25, 2025

APPEARANCES:

Richard Kurland	FOR THE APPLICANT
Jocelyne Mui	FOR THE RESPONDENT
Selasie Doe-Demosse	

SOLICITORS OF RECORD:

Kurland, Tobe	FOR THE APPLICANT
Barristers and Solicitors	
Vancouver, British Columbia	
Attorney General of Canada	FOR THE RESPONDENT
Vancouver, British Columbia	