Federal Court  Cour fédérale

Date: 20250925

Docket: IMM-10415-24

Citation: 2025 FC 1584

Ottawa, Ontario, September 25, 2025

PRESENT: The Honourable Mr. Justice Thorne

BETWEEN:

ARSAM SHARIFI KALANGESTANI

Applicant

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

JUDGMENT AND REASONS

I. OVERVIEW

[1] The Applicant, Arsam Sharifi Kalangestani, seeks judicial review of a decision by Immigration, Refugees and Citizenship Canada [“IRCC”] that refused his application for a visitor’s temporary resident visa [“TRV”]. The Applicant states that he had sought the visa as he wished to visit his immediate family members, and particularly his brother, who was experiencing medical issues. The IRCC denied the Applicant’s TRV application because they were not satisfied the Applicant would depart Canada at the end of the authorized period.

[2] The Applicant alleges that the IRCC's decision was procedurally unfair and unreasonable, as it did not address the evidence that he had provided indicating that his trip would be a temporary one, and that it did not provide enough detail to explain the conclusion reached.

[3] For the reasons that follow, I grant the application and return the decision to the IRCC for redetermination.

II. Background

[4] At the time of his TRV application, the Applicant, a citizen of Iran, was a 17-year-old high school student. He states that the purpose of his trip to Canada was to visit his mother, father and brother for one month, as his immediate family all reside in Canada. He asserts that, in particular, he wanted to visit his brother, who was experiencing medical issues and recovering from emotional distress.

[5] In a June 6, 2024 letter, an IRCC officer [the "Officer"] refused the Applicant's TRV application [the "Decision"]. The TRV was specifically denied on the grounds that the Applicant's stated purpose for the visit was inconsistent with a temporary stay and that the Officer was not satisfied the Applicant would depart Canada at the end of the period authorized for his stay. The Officer particularly noted that the Applicant did not have significant family ties outside of Canada.

[6] The reasoning behind the Decision was recorded in the Officer's Global Case Management System ["GCMS"] notes. These read, in their entirety:

> 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. 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 and standard of review

[7] The central issue in this matter is whether the decision under review is reasonable. The parties also identified procedural fairness as an issue, but as I have found that the Decision was unreasonable it is not necessary to address this secondary issue.

[8] The standard of review of the merits of a decision is reasonableness: *Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at paras 10, 25 [*Vavilov*]. In undertaking reasonableness review, the Court must assess whether the decision bears the hallmarks of reasonableness, namely justification, transparency and intelligibility: *Vavilov* at para 99. In particular, when reviewing a decision on this standard, "a court must consider the outcome of the administrative decision in light of its underlying rationale in order to ensure that the decision as a whole is transparent, intelligible and justified": *Vavilov* at para 15. Ultimately, a reasonable decision is one which is "based on an internally coherent and rational chain of analysis and that is justified in relation to the facts and law": *Vavilov* at para 85.

IV. Analysis

A. *The Decision is unreasonable*

[9] Having regard to this standard of review, I find that the Decision was not reasonable.

[10] The arguments of the Applicant are straightforward. He primarily asserts that the Officer provided no explanation to support his conclusion that the Applicant would likely not leave Canada at the end of his authorized stay, and that there is no indication that the Officer considered the evidence submitted which indicated that the visit would be a temporary one. In particular, he cited evidence about his brother's medical condition and the Applicant's assertion that he was coming for only a month to visit the sibling during his recovery. He also noted the evidence indicating what he presented as his "strong economic ties" to Iran, such as the fact that the Applicant was the legal owner of two pieces of real property in that country, and that he possessed a job as a café and restaurant shift manager. Finally, counsel referenced the Applicant's prior travel history, noting that he had travelled internationally before and had always returned to Iran.

[11] The Applicant also argued that the Officer had failed to set out the key elements of their analysis in the Decision or the accompanying GCMS notes. He asserts that some explanation was necessary, and that the Officer should have addressed the evidence that was contrary to his Decision. The Applicant maintains that it is evident that the Officer decided the matter solely on the basis that the Applicant's immediate family was in Canada. Accordingly, the Applicant argues there is no indication that the Officer turned their mind to the overall facts of the case, and that the reasoning of the Officer also cannot be determined from the paltry reasons provided.

[12] For their part, the Respondent concedes that the Decision is not detailed, but argues that the reasons are sufficient to enable the Court to understand how the Officer reached their conclusion. They also note that the Federal Court has made clear that in the context of TRV

applications, extensive decision reasons are not required, and that such reasons are not to be assessed against a standard of perfection. They assert that, in relation to the information provided by the Applicant, officers are generally presumed to have weighed and considered all of the evidence and need not refer to every piece of evidence in their reasons. The Respondent states that the main concern for the Officer was the Applicant's lack of family ties outside of Canada, and that this focus was reasonable.

[13] The Respondent further contends that it would only have been problematic if the Officer had ignored evidence which indicated the Applicant had strong ties to Iran. However, they state that this was not the case, as the Applicant's evidence did not indicate that he had such strong ties. In particular, the Respondent asserts that in relation to the real property he owned, no evidence about that property had been provided other than documents relating to legal title. They also state that his job was one that could be easily obtained in any country, and also note that while the Applicant had returned to Iran after travelling to other countries, there had been no evidence that his family had been in the other countries he had visited. The Respondent thus argued that the reasons provided by the Officer accorded with the evidentiary record.

[14] With respect, and despite the able submissions of counsel, I do not find these arguments persuasive. The Respondent is correct that decisions are not assessed against a standard of perfection, and nor do they need to be extensive, or specifically cite all of the information provided to the decision-maker, or even avoid so-called boilerplate language. Nonetheless, a logical chain of analysis indicating why the Officer reached their Decision must ultimately be discernable from the reasons provided. Here, I do not find that is the case.

[15] The GCMS notes specifically state “I have considered the following factors in my decision”, but then go on to only reference that the Applicant lacks significant family ties outside of Canada, before concluding that “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.” From this, it is clear that only one factor was considered, and that this does not accord with the Officer’s references to having considered multiple factors. At the hearing, Respondent’s counsel conceded that the Officer’s statement as to having considered “factors” was inaccurate, but asserts that this phrasing was likely stock, boilerplate language, and that the Court has held that the use of boilerplate will not in, and of itself, undermine the rationality of a decision. While counsel is correct that the use of boilerplate language is not inherently unreasonable, it does not follow that it is appropriate for an Officer to misstate the analysis supposedly conducted. The reasons must also demonstrate an actual engagement with the specific situation of the applicant: *Saad v Canada (Citizenship and Immigration)*, 2024 FC 1302 at para 16.

[16] Further, the Officer’s reasons explicitly state the Officer engaged in “weighing the factors in this application”, but then cite the one factor, before proceeding to a conclusory statement that refuses the application. From this, the Court cannot assess how the Officer grappled with the specific “push and pull” factors of this temporary resident visa application, such as the family and economic ties: *Akhoondian v. Canada (Citizenship and Immigration)*, 2025 FC 1181 at paras 13-14 citing *Munzhurov v Canada (Citizenship and Immigration)*, 2023 FC 657 at para 21-23.

[17] Importantly, it is clear that with respect to the sole factor that was considered by the Officer, the Applicant is correct in asserting that the Officer did not address any of his

countervailing evidence that indicated that the Applicant had reasons why his visit would be a temporary one.

[18] In the hearing, the argument of the Respondent was essentially that this evidence was not strong or compelling enough. Counsel offered reasons why the Officer would not have found that evidence as to the temporary nature of the visit sufficient to overcome the sole countervailing factor that he did name, the Applicant's lack of family ties away from Canada. I agree that had Counsel's arguments (that sufficient information had not been provided about his real property in Iran; that his job in Iran was not a substantial one etc.) been made or even alluded to by the Officer, they would have indeed provided a valid rationale as to why such considerations did not overcome the lack of outside family ties. In lieu of this however, I must refuse the Respondent's invitation to speculate as to the reasoning underlying the Officer's conclusions. The reasoning of the Officer cannot be buttressed in this fashion, after the fact, by speculating about a potential line of analysis by the Officer that is not apparent in the Decision itself. The jurisprudence is clear that reasonableness review does not permit this Court to entertain supplemental reasons beyond those issued in the decision under review: *Alexion Pharmaceuticals Inc. v Canada (Attorney General)*, 2021 FCA 157 at paras 8, 15, citing *Vavilov* at para 97; *Rezaei v Canada (Immigration, Refugees and Citizenship),* 2020 FC 444 at para 28 (citations omitted).

[19] Given the Decision's essentially complete absence of any explanation, the Officer's reasons do not give any indication as to whether they turned their mind to any of the evidence pertaining to the issue of the temporariness of the proposed stay. I find that without any hint of

how various facts were weighed, how inferences were drawn, or what considerations led to the Officer's conclusion, it is not possible to discern a logical chain of reasoning which yielded the arrived at determination. As such, I find that the Decision was not transparent, intelligible, or justified, and that it is unreasonable.

V. Conclusion

[20] For these reasons, the Decision is set aside and the matter is returned for redetermination by a different IRCC Officer.

[21] The parties proposed no question for certification, and I agree that none arises.

JUDGMENT IN IMM-10415-24

THIS COURT'S JUDGMENT is that:

1. The judicial review application is granted.
2. The decision of the Officer dated June 6, 2024, is set aside and the matter is returned for redetermination by a different IRCC Officer.
3. No question of general importance is certified.

"Darren R. Thorne"
Judge

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET:	IMM-10415-24
STYLE OF CAUSE:	ARSAM SHARIFI KALANGESTANI v. THE MINISTER OF CITIZENSHIP AND IMMIGRATION
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