

Federal Court



Cour fédérale

Date: 20251021

Docket: IMM-9857-24

Citation: 2025 FC 1709

Ottawa, Ontario, October 21, 2025

PRESENT: Madam Justice Sadrehashemi

BETWEEN:

LAFISU EJI LASISI

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS

I. Overview

[1] The Applicant, Lafisu Eji Lasisi, applied for a permit to be able to remain in Canada temporarily (“TRP”) while his application for permanent residence on humanitarian and compassionate grounds (“H & C Application”) was being processed. By the time an officer at Immigration, Refugees and Citizenship Canada was reviewing Mr. Lasisi’s TRP application, his

H & C Application had already been refused. The Officer refused Mr. Lasisi's TRP on May 30, 2024.

[2] Mr. Lasisi challenges the Officer's refusal of his TRP on judicial review. Mr. Lasisi argues that the Officer ignored relevant evidence on the compassionate grounds which favoured the granting of his TRP. I have carefully reviewed the decision and the materials provided to the Officer on the TRP. I see no basis to interfere with the decision. Mr. Lasisi has failed to raise any sufficiently serious shortcoming on a central issue in the Officer's reasoning or the outcome of the decision. Further, as explained below, I see no merit to the procedural fairness argument raised by the Applicant. Accordingly, I dismiss the application for judicial review.

II. Background

[3] Mr. Lasisi is a citizen of Nigeria. He has a long immigration history in both the United States and Canada. He has been married to a Canadian citizen for approximately 10 years and they parent three minor children together.

[4] Mr. Lasisi first entered Canada as a visitor in 1992 and made a claim for refugee protection that was abandoned the following year. In 1993, Mr. Lasisi went to the United States. He was convicted of possession of a fraudulent identity card in 1994 in the United States. He was sentenced to 18 months of probation with no jail time. Once his probation period was completed, Mr. Lasisi returned to Nigeria.

[5] In 2006, Mr. Lasisi came to Canada and made another refugee claim. He was found ineligible to have his claim heard by the Refugee Protection Division. He then applied for a Pre-Removal Risk Assessment in 2007, which was later refused. In 2007, Mr. Lasisi married a permanent resident or Canadian citizen and filed a permanent resident application in 2011 based on the In-Canada Spousal Sponsorship. The sponsorship was ultimately refused because of a breakdown in the marriage relationship in 2012.

[6] Mr. Lasisi then applied for a TRP in April 2013 which was refused in October 2013. He was scheduled to be removed in May 2013 but failed to report for removal.

[7] In May 2015, Mr. Lasisi married his current wife, a Canadian citizen. They have two children together, born in 2014 and 2018. Mr. Lasisi also jointly parents his wife's child from a previous relationship who was born in 2008.

[8] Mr. Lasisi attempted to address his criminal inadmissibility by making a rehabilitation application in October 2016, but his application was refused the following month.

[9] Mr. Lasisi made two H & C applications, one in July 2018, and one in November 2022. He also made another rehabilitation application in November 2022. His H & C Applications were refused in July 2020 and July 2023, respectively. In May 2023, Mr. Lasisi's second rehabilitation application was also refused.

[10] In January 2023, Mr. Lasisi made a second TRP application – the decision on which is the subject of this judicial review. In his application, Mr. Lasisi asked that he be permitted to stay in Canada for a two-year period until there was a determination on his 2022 H & C Application. I note in his former counsel’s submissions concerning the TRP, Mr. Lasisi did not address any of his previous refusals, including: his previous refusals on his rehabilitation applications, his 2018 H & C Application or his first TRP application.

[11] Following the refusal of the second H & C Application, filed in November 2022, Mr. Lasisi made no further submissions updating his TRP application. The TRP was refused approximately a year and half later, on May 30, 2024.

III. Analysis

[12] Section 24 of the *Immigration and Refugee Protection Act*, SC 2001, c 27 [IRPA] provides that a TRP can be issued to a foreign national who is inadmissible if “the officer is of the opinion that it is justified in the circumstances”. TRPs are issued for a fixed amount of time and “may be cancelled at any time” (*Immigration and Refugee Protection Regulations*, SOR/2002-227 [IRPR], section 63; IRPA, section 24(1)).

[13] Mr. Lasisi’s principal argument is that the Officer failed to consider the compelling circumstances of his family when they refused the TRP. Mr. Lasisi provided a letter from his wife explaining their relationship and his support of her and their children. I note that Mr. Lasisi’s wife’s letter seems to indicate that Mr. Lasisi had already left the family home because of fear of deportation. There is no basis for the assertion that the Officer ignored the limited

evidence put forward. The Officer reviewed at length the evidence of Mr. Lasisi's wife and considered the implications that his removal would have on their family.

[14] Further, and more critically, Mr. Lasisi fails to address the key issue. Mr. Lasisi's TRP application was framed as necessary to bridge the time until there was a determination on his November 2022 H & C Application. Mr. Lasisi's former counsel stated this time frame at multiple points in their submissions to the Officer. Yet, when the November 2022 H & C Application was refused in July 2023, no further submissions were made on the TRP. Mr. Lasisi did not provide further submissions explaining why a TRP would still be necessary or any challenge to the most recent H & C refusal.

[15] I do not agree, as argued by Mr. Lasisi, that the Officer ought to have sent him a Procedural Fairness Letter to provide him an opportunity to respond to the most recent H & C refusal. The Officer did not draw from the reasons of the H & C refusal when determining Mr. Lasisi's TRP, they only referenced the fact that the H & C Application had now been refused.

[16] In arguing there was a procedural fairness breach, Mr. Lasisi does not describe any impediment to updating his TRP application, nor does he explain what sort of submissions he would have provided had he had a further opportunity. For example, Mr. Lasisi does not argue he was unaware that his H & C Application was refused or that he did not have sufficient time to update his application following the refusal or that his former counsel was incompetent. As Mr. Lasisi "knew the case to meet and had a full and fair chance to respond" (*Canadian Pacific*

Railway Company v Canada (Attorney General), 2018 FCA 69 at para 56), there is no basis to find a procedural fairness breach.

[17] The application for judicial review is dismissed. Neither party raised a question for certification, and I agree none arises.

JUDGMENT in IMM-9857-24

THIS COURT'S JUDGMENT is that:

1. The application for judicial review is dismissed; and
2. No serious question of general importance is certified.

"Lobat Sadrehashemi"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-9857-24

STYLE OF CAUSE: LAFISU EJI LASISI v THE MINISTER OF
CITIZENSHIP AND IMMIGRATION

PLACE OF HEARING: TORONTO, ONTARIO

DATE OF HEARING: MAY 20, 2025

JUDGMENT AND REASONS: SADREHASHEMI J.

DATED: OCTOBER 21, 2025

APPEARANCES:

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