

Federal Court



Cour fédérale

Date: 20260213

Docket: IMM-21133-24

Citation: 2026 FC 213

Vancouver, British Columbia, February 13, 2026

PRESENT: The Honourable Madam Justice Turley

BETWEEN:

SARA SADAT SHAHRIARI

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS
(Delivered orally from the Bench on February 12, 2026)

[1] The Applicant, a citizen of Iran, applied for a temporary resident visa [TRV] to visit her childhood friend, a permanent resident of Canada, for one month. Her application was refused because a visa officer determined that the Applicant had not established that she would leave Canada at the end of her stay, as required by paragraph 179(b) of the *Immigration and Refugee Protection Regulations*, SOR/2002-227. The Applicant seeks judicial review, arguing that the visa officer's decision is unreasonable for failing to engage with the relevant evidence supporting that she would leave Canada at the end of her one-month visit. I agree.

[2] In the refusal letter, the visa officer provided the following reason for refusing the Applicant's TRV application: "The purpose of your visit to Canada is not consistent with a temporary stay given the details you have provided in your application": Letter dated May 13, 2024, Certified Tribunal Record [CTR] at 73.

[3] In the Global Case Management System [GCMS] notes, which form part of the reasons for refusal, the visa officer further elaborated on the factors they considered:

The purpose of visit does not appear reasonable given the applicant's socio-economic situation and therefore I am not satisfied that the applicant would leave Canada at the end of the period of authorized stay. Given family ties or economic motives to remain in Canada, the applicant's incentives to remain in Canada may outweigh their ties to their home country. The applicant's travel history is not sufficient to count as a positive factor in my assessment. 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.

[Emphasis added]

GCMS notes dated May 13, 2024, CTR at 9

[4] The visa officer, however, failed to consider, or even acknowledge, material evidence regarding the Applicant's strong economic and familial ties to Iran. Notably, the Applicant has been employed as an Electricity Technical Planning Expert with the same employer for over 21 years (since May 2004), her bank statements show funds equivalent to over \$18,000 Canadian, and she owns both an apartment and a vehicle in Iran. With respect to her family ties, the Applicant resides with her elderly parents, and her siblings also live in Iran. The Applicant has no family in Canada.

[5] While a visa officer's reasons need not be extensive, they must nevertheless demonstrate actual engagement with an applicant's specific circumstances: *Motahari v Canada (Citizenship and Immigration)*, 2025 FC 395 at para 7 [*Motahari*]; *Saad v Canada (Citizenship and Immigration)*, 2024 FC 1302 at para 16. Furthermore, in the face of significant or critical evidence contradicting an officer's conclusion, the officer is obligated to explain why that conclusion was reached despite the evidence: *Mehrara v Canada (Citizenship and Immigration)*, 2024 FC 1554 at para 37; *Thavaratnam v Canada (Citizenship and Immigration)*, 2022 FC 967 at para 19; *Azizulla v Canada (Citizenship and Immigration)*, 2021 FC 1226 at para 21. Here, the officer provides no such explanation.

[6] Based on the evidence set out above, the officer's conclusion that the Applicant's "family ties or economic motives to remain in Canada" may outweigh her ties to Iran is neither intelligible, justified, nor transparent: *Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at para 100. This is sufficient to vitiate the officer's decision.

[7] The Respondent offers various justifications to support the reasonableness of the visa officer's decision. These include assertions that the Applicant provided no details of her travel plan, submitted insufficient financial documentation, and gave no details about her relationship with her family: Respondent's Memorandum of Argument at paras 13–15, 18. The jurisprudence is clear, however, that the Respondent cannot seek to buttress an officer's decision with new reasons: *Motahari* at para 7; *Nouri v Canada (Citizenship and Immigration)*, 2023 FC 1240 at para 10; *Torkestani v Canada (Immigration, Refugees and Citizenship)*, 2022 FC 1469 at paras 18–20.

[8] For these reasons, the application for judicial review is granted. The visa officer's decision is set aside, and the matter is remitted to another officer for redetermination. The parties did not propose a question for certification, and I agree that none arise.

JUDGMENT in IMM-21133-24

THIS COURT'S JUDGMENT is that:

1. The application for judicial review is granted.
2. The visa officer's decision dated May 13, 2024, is set aside and the matter is remitted to another officer for redetermination.
3. There is no question for certification.

“Anne M. Turley”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-21133-24

STYLE OF CAUSE: SARA SADAT SHAHRIARI v THE MINISTER OF
CITIZENSHIP AND IMMIGRATION

PLACE OF HEARING: BY VIDEOCONFERENCE

DATE OF HEARING: FEBRUARY 12, 2026

JUDGMENT AND REASONS: TURLEY J.

DATED: FEBRUARY 13, 2026

APPEARANCES:

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