

Federal Court



Cour fédérale

**Date: 20260223**

**Docket: IMM-18758-24**

**Citation: 2026 FC 255**

**Toronto, Ontario, February 23, 2026**

**PRESENT: The Honourable Justice Thorne**

**BETWEEN:**

**ZAHRA AKBAR POUR SHANDIZ**

**Applicant**

**and**

**THE MINISTER OF CITIZENSHIP AND IMMIGRATION**

**Respondent**

**JUDGMENT AND REASONS**

I. Overview

[1] The Applicant, Zahra Akbar Pour Shandiz, seeks judicial review of a decision by Immigration, Refugees and Citizenship Canada [IRCC] dated September 10, 2024, that refused her study permit application [Decision]. The IRCC officer who issued the Decision [Officer] ruled that they were not satisfied that the Applicant would leave Canada at the end of the authorized period pursuant to paragraph 216(1)(b) of the *Immigration and Refugee Protection Regulations*, SOR/2002-227 [Regulations].

[2] The Applicant alleges that the Officer's Decision was unreasonable, as it did not address or engage with the evidence that she had provided with respect to her justification for studying in Canada, or grapple with the pullback factors identified in her evidence which indicated that she would leave Canada at the conclusion of her studies.

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

## II. Facts

[4] The Applicant, a citizen of Iran and the Commonwealth of Dominica, applied for a study permit to pursue a Master's degree in Business Administration at Toronto's International Business University [MBA program].

[5] The Decision under review is the redetermination of a previous study permit application for this program, which was refused on January 13, 2024. The Applicant had sought judicial review of that decision, however the matter was settled by the parties prior to that hearing, with the study permit application being re-opened for redetermination by a different IRCC officer. At that time, the Applicant was allowed to submit additional and updated documentation.

[6] Ultimately, the Applicant included in her application: proof of family ties outside of Canada, positive travel history information and records relating to her education background. The Applicant has a law degree, but has been working as since 2019 as Restaurant Manager in her family's business, the Ariyashid Shandiz Restaurant [Employer]. Evidence submitted by the

Applicant indicates that this is a large venture in Iran, and that the Employer has offered her a promotion to Director of Operations, pending completion of the MBA program in Canada.

[7] The Applicant states that this career advancement is the reason she seeks the study permit. In her application, among other documents, she provided a copy of the letter of offer from the Employer, which notes the importance of the Applicant's anticipated international education, stating in part: "As you step into the role of Director of Operations, your forthcoming MBA from Canada will be a critical asset in propelling Shandiz Restaurant into its next phase of growth and modernization [...] Your global perspective and advanced skills will enable us to expand into new markets and elevate our international presence".

[8] By letter dated September 10, 2024, IRCC refused the re-opened application, stating:

I am not satisfied that you will leave Canada at the end of your stay as required by paragraph R216(1)(b) of the IRPR (<https://laws-lois.justice.gc.ca/eng/regulations/sor-2002-227/section-216.html>). I am refusing your application because you have not established that you will leave Canada, based on the following factors:

The purpose of your visit to Canada is not consistent with a temporary stay given the details you have provided in your application.

[9] The reasoning behind the Decision was recorded in the Officer's Global Case Management System [GCMS] notes. This September 10, 2024 entry reads, in its entirety:

I have reviewed the application for re-determination. After re-opening the application, PA was given 30 days to provide updated documentation. PA provided updated information. Client Information reviewed and considered. The applicant does not demonstrate to my satisfaction reasons for which such an educational program would be of benefit. In light of the PA's previous study and current career, their motivation to pursue studies in Canada at this point does not seem reasonable. Applicant

provided [*sic*] letter of support from their employer. Although the letter states a promotion it does not articulate in detail the necessity of the international education. The employer's letter lacks details on the potential employment contract and purpose for the CAD [*sic*] education. Weighing the factors in this application. [*sic*] 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.

[10] The Applicant seeks judicial review of this Decision.

### III. Issue and Standard of Review

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

[12] The presumptive standard of review of the merits of a decision on judicial review of an administrative decision is reasonableness (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at paras 10 and 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; *Nesarzadeh v Canada (Citizenship and Immigration)*, 2023 FC 568 [*Nesarzadeh*] at paras 5-6; *Shaikh v Canada (Citizenship and Immigration)*, 2024 FC 1365 at para 5). 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. Relevant Legislative Provisions

[13] Subsection 216(1) of the Regulations set out requirements for the issuance of a study permit to a foreign national:

##### Study permits

216 (1) Subject to subsections (2) and (3), an officer shall issue a study permit to a foreign national if, following an examination, it is established that the foreign national

(a) applied for it in accordance with this Part;

(b) will leave Canada by the end of the period authorized for their stay under Division 2 of Part 9;

(c) meets the requirements of this Part;

(d) meets the requirements of subsections 30(2) and (3), if they must submit to a medical examination under paragraph 16(2)(b) of the Act; and

(e) has been accepted to undertake a course or program of study at a designated learning institution and, in the case of a designated learning institution that is a post-secondary institution, that designated learning institution has provided the confirmation referred to in paragraph 222.1(1)(a) to the Minister in

##### Permis d'études

216 (1) Sous réserve des paragraphes (2) et (3), l'agent délivre un permis d'études à l'étranger si, à l'issue d'un contrôle, les éléments suivants sont établis :

a) l'étranger a demandé un permis d'études conformément à la présente partie;

b) il quittera le Canada à la fin de la période de séjour qui lui est applicable au titre de la section 2 de la partie 9;

c) il remplit les exigences prévues à la présente partie;

d) s'il est tenu de se soumettre à une visite médicale en application du paragraphe 16(2) de la Loi, il satisfait aux exigences prévues aux paragraphes 30(2) et (3);

e) il a été admis à un cours ou à un programme d'études offert par un établissement d'enseignement désigné et, dans le cas d'un établissement d'enseignement désigné postsecondaire, ce dernier a fourni au ministre la confirmation prévue à l'alinéa 222.1(1)a), conformément

accordance with that paragraph, subject to any extension granted under subsection 222.1(2). aux modalités qui y sont prévues, sous réserve de toute extension accordée en vertu du paragraphe 222.1(2).

[14] In addition, sections 219 and 220 of the Regulations place additional requirements upon the foreign national applicant for confirmation of acceptance at a designated learning institution and in relation to sufficient and available financial resources.

V. Analysis

A. *The Decision is unreasonable*

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

[16] I note that the principles guiding judicial review of study permit decisions were recently summarized by my colleague Justice Pentney in *Mohammad Abadi v Canada (Citizenship and Immigration)*, 2025 FC 1637 at para 4 [*Abadi*], where he observed:

[4] This Court has discussed the legal framework that governs the judicial review of student visa denials in a large number of recent decisions (see for example: *Nesarzadeh v Canada (Citizenship and Immigration)*, 2023 FC 568 at paras 5–9; *Safarian v Canada (Citizenship and Immigration)*, 2023 FC 775 at para 2; *Amini v Canada (Citizenship and Immigration)*, 2024 FC 653 at para 4; *Kandath v Canada (Citizenship and Immigration)*, 2024 FC 1130 at para 5). These decisions confirm the following:

- A reasonable decision must explain the result, in view of the law and the key facts.
- *Vavilov* seeks to reinforce a “culture of justification, “requiring the decision-maker to provide a logical explanation for the result and to be responsive to the parties’ submissions, but it also requires the context for decision-making to be taken into account.

- Visa Officers face a deluge of applications, and their reasons do not need to be lengthy or detailed. However, their reasons do need to set out the key elements of the Officer's line of analysis and be responsive to the core of the claimant's submissions on the most relevant points.

- The onus is on the Applicant to satisfy the Officer that they meet the requirements of the law that applies to the consideration of student visas, including that they will leave at the end of their authorized stay.

- Visa Officers must consider the "push" and "pull" factors that could lead an Applicant to overstay their visa and stay in Canada, or that would encourage them to return to their home country.

- The decision must be assessed in light of the context for decision-making, including the high volume of applications to be processed, the nature of the interests involved, and the fact that in most instances an applicant can simply reapply.

- It is not open to the Minister's counsel or the Court to fashion their own reasons to buttress or supplement the Officer's decision: see *Ajdadi v Canada (Citizenship and Immigration)*, 2024 FC 754 at para 6.

[17] The arguments of the Applicant are straightforward as, in summary, they contend that the Decision lacks a logical chain of analysis, given that they had submitted evidence contrary to the Officer's determination that the Decision fails to account for, and that the Decision fails to "link the supporting materials submitted by the Applicant to the decision made". The Applicant relies on *Farkhondehfal v Canada (MCI)*, 2024 FC 629 at para 16 in support of their argument that the Officer failed to meet the *Vavilov* standard of responsive justification. She submits that the Officer failed to meaningfully grapple with the key issues or central arguments that the Applicant had raised, and cites several cases in support of this argument (*Omijie v Canada (Citizenship and Immigration)*, 2018 FC 878 at paras 25-26; *Aghvamiamoli v Canada (Citizenship and Immigration)*, 2023 FC 1613 at para 35; *Amini v Canada (Citizenship and Immigration)*, 2024

FC 653 at para 10; *Mouvivand v Canada (Citizenship and Immigration)*, 2023 FC 573 at paras 17-18; *Fallahi v Canada (Citizenship and Immigration)*, 2022 FC 506 at paras 13-14; *Kandath v Canada (Citizenship and Immigration)*, 2024 FC 1130 at paras 8-9; *Naserikarimvand v Canada (Citizenship and Immigration)*, 2024 FC 757 at para 18; *Aghaalikhani v Canada (Citizenship and Immigration)*, 2019 FC 1080 [Aghaalikhani] at para 24).

[18] In particular, the Applicant submits that the Officer had a responsibility to holistically consider the overall context relating to her application and all of the evidence provided, but that the Decision made no mention at all of her past travel history, current employment in Iran and full payment of her MBA program tuition. She states that given the Officer's complete silence as to these issues in the Decision, it cannot be known whether this evidence was considered, and that it seems clear that in making the Decision, the Officer ignored evidence in relation to her pullback factors. The Applicant also argues that the Decision unreasonably took issue with her justification for seeking to study in Canada and the value of international education to her career prospects, while overlooking her study plan which spoke directly to those concerns. She argues that, in doing so, the Officer not only ignored key evidence, but inappropriately "assumed the role of a career advisor" and "acted beyond their jurisdiction" (*Adom v Canada (Citizenship and Immigration)*, 2019 FC at para 16-17 and *Rajasekharan v Canada (Citizenship and Immigration)*, 2023 FC 68 at para 21) in failing to review the Applicant's educational plan reasonably.

[19] For its 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 extensive 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 applicants, 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 asserts the Decision was responsive to the core of the Applicant's submissions on the most relevant points, and that the Officer found that the Applicant had not sufficiently demonstrated the benefit of her study program as:

1. the Applicant's motivation to pursue the study program does not seem reasonable in light of her previous study and career; and
2. while the Applicant provided a letter from her employer stating that a promotion would be available upon completion of her studies, the Officer rightfully found that the letter "does not articulate in detail the necessity of the international education. The employer's letter lacks details on the potential employment contract and purpose for the CAD education."

[20] The Respondent contends that since the Applicant asserted that her reasons for pursuing further education were to advance her career, it was reasonable for the Officer to expect some information about how the programme of study fits into her educational and career background with respect to its utility to her future career. The Respondent went on to assert that the information provided in the letter from the Applicant's Employer, and in the Applicant's study plan was too vague. The Respondent finally states that the Applicant is merely seeking to have the evidence in this matter impermissibly re-weighed by the Court.

[21] With respect, I do not find these arguments persuasive. The Respondent is correct that administrative decisions are not assessed against a standard of perfection, and nor do their reasons need to be extensive, or specifically cite all of the information provided to the decision maker (*Vavilov* at para 91). Nonetheless, a logical chain of analysis indicating why the Officer

reached their Decision must ultimately be discernable from the reasons provided (*Vavilov* at paras 102-104). Here, I do not find that is the case.

[22] In the GCMS notes, the Officer gave the following reasons for why they determined the Applicant did not establish to their satisfaction the reasons the MBA program would be of benefit: “In light of the PA’s previous study and current career, their motivation to pursue studies in Canada at this point does not seem reasonable. Applicant provided [sic] letter of support from their employer. Although the letter states a promotion it does not articulate in detail the necessity of the international education. The employer’s letter lacks details on the potential employment contract and purpose for the CAD [sic] education”.

[23] I have little difficulty holding that there is a lack of discernable logic in Officer’s determination that the Applicant’s motivation to pursue the MBA program was not reasonable, given her previous studies and current career. First, while the Applicant has a previously earned law degree, it is unclear why this would render her interest in pursuing MBA studies unreasonable, given that in recent years she has worked in a management capacity in her family’s restaurant business and has now been offered a high-level management role in that company as Director of Operations, contingent on completing the MBA program. On its face, this course of study would appear to be directly relevant to the future position, while her legal background would not be. In oral argument, the Respondent suggested that the Applicant should perhaps have explained her career change and that this may have been the Officer’s concern relating to her past studies. I note that it cannot be known if that was indeed the Officer’s concern, but in these circumstances it is difficult to understand why that should be required, if so. The evidence established that the Applicant apparently never practiced law, but returned to work

in their family business in a management capacity after those studies. That is hardly an unusual or aberrational circumstance, and this is not a case where an applicant is suddenly and inexplicably embarking in a novel educational direction that appears disconnected from their lives or future prospects. Given this, it does not appear rational that such an explanation would be required. Indeed, even in such cases the Court has noted that ultimately “it is the Applicant’s choice to decide how to invest in their education to better their lot in life” (*Asghari v Canada (Citizenship and Immigration)*, 2023 FC 606 at para 20). This Court has also repeatedly observed that it is not unusual for individuals to undertake an MBA degree after studying in another field and gaining work experience (*Boukani v Canada (Citizenship and Immigration)*, 2024 FC 1652 at para 8; *Ahadi v Canada (Citizenship and Immigration)*, 2023 FC 25 at para 15; *Sefidgar v Canada (Citizenship and Immigration)*, 2023 FC 1563 at para 12; *Safarian v Canada (Citizenship and Immigration)*, 2023 FC 775 at para 5; *Naserikarimvand v Canada (Citizenship and Immigration)*, 2024 FC 757 at paras 22-23). That would particularly be the case in a situation such as this, where the relevance and applicability of the MBA studies is directly relevant to the future career prospect.

[24] Second, it is even more difficult to discern any chain of logic with respect to the Decision’s assertion that in light of the Applicant’s current career, her motivation to pursue the MBA studies does not seem reasonable. Again, the Applicant is working in a management capacity in her family’s business, which from the evidence appears to be a large business venture. According to the evidence, she will be taking on a much higher-level Director of Operations position, while the business is interested in expansion, including internationally, in the future. The proposed MBA studies would appear to have obvious and direct relevance to her

future role, so it is difficult to understand why her motivation to pursue those studies would somehow be perceived as unreasonable.

[25] The Decision's other holding relates to the letter of support provided by the Applicant's employer, which the Officer takes issue with because he states that while the letter contains information about the offered promotion, it does not articulate in detail the necessity of the international education, and further lacks details on the potential employment contract and purpose for the Canadian education. In relation to this, the Respondent argues that since the Applicant asserted that her reasons for pursuing further education are to further her career, it was reasonable for the Officer to expect some information about how the program of study would facilitate this. As noted, the importance, purpose and applicability of the international studies would appear to be self evident in this matter, but putting that aside, I note that the Applicant's six-page study plan which had been submitted as part of the application seemingly provides exactly this sort of information.

[26] While the Respondent is correct that decision makers are generally presumed to have reviewed all of the evidence before them, contradictory evidence should not be ignored, particularly when the evidence relates to one of the central points upon which the decision maker relies to reach their conclusions (*Aghalikhani* at para 24; *Cepeda-Gutierrez v Canada (Minister of Citizenship and Immigration)*, 1998 CanLII 8667 (FC) [*Cepeda-Gutierrez*] at paras 16-17). Although reviewing courts should refrain from putting a decision maker's reasons under a microscope, the decision maker in question cannot act "without regard to the evidence" (*Vavilov* at para 126; *Cepeda-Gutierrez* at paras 16-17; *Lapaix v Canada (Citizenship and Immigration)*, 2025 FC 111 at para 78). When a decision maker's reasons do not so much as mentioned the

evidence that contradicts its conclusions, the Court may infer that they did not review the contradictory evidence in reaching their determination, and may intervene (*Siddiqui v Canada (Citizenship and Immigration)*, 2025 FC 305 at para 7 citing *Kheradpazhooh v Canada (Citizenship and Immigration)*, 2018 FC 1097 at para 18).

[27] That appears to be the case here. I do note that, at the hearing, the Respondent asserted that the information in the study plan, which set out the utility of various components of the MBA program to the Director of Operations role, was perhaps too vague to “fill in the gaps” the Officer perceived with respect to the information provided in the employment letter. I would agree that had the Applicant’s study plan, and this concern in relation to it, been in any way raised or even alluded to by the Officer, this would have indeed provided a valid rationale as to why the study plan did not overcome the concerns of the Officer. 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 (*Ajdadi Canada (Citizenship and Immigration)*, 2024 FC 754 at para 6; *Zhang v Canada (Citizenship and Immigration)*, 2022 FC 1679 at paras 21-23; *Torkestani v Canada (Immigration, Refugees and Citizenship)*, 2022 FC 1469 at para 20; *Nesarzadeh* at para 19; *Abadi* at para 4). 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 and 15, citing *Vavilov* at para 97; *Rezaei v Canada (Immigration, Refugees and Citizenship)*, 2020 FC 444 at para 28 (citations omitted)).

[28] Finally, I must agree with the Applicant that the Officer's reasons also do not give any indication as to whether they turned their mind to any of the evidence pertaining to the Applicant's 'pull factors', as this evidence is in no way alluded to in the Decision. The Officer simply did not mention the sufficiency of her funds or assets, her personal or professional ties to Iran, nor anything relating to the Applicant's travel history. I find that in addition to the issues previously discussed, without any hint of how other such factors were weighed, how inferences were drawn, or what considerations led to the Officer's conclusion, it is further not possible to discern a logical chain of reasoning that yielded the determination arrived at. As such, I find that the Decision was not intelligible or justified, and that it is unreasonable.

VI. Conclusions

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

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

**JUDGMENT IN IMM-18758-24**

**THIS COURT'S JUDGMENT is that:**

1. The judicial review application is granted.
2. The decision of the Officer dated September 10, 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"

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Judge

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

**DOCKET:** IMM-18758-24

**STYLE OF CAUSE:** ZAHRA AKBAR POUR SHANDIZ v THE MINISTER  
OF CITIZENSHIP AND IMMIGRATION

**PLACE OF HEARING:** VIA VIDEOCONFERENCE

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**JUDGMENT AND REASONS:** THORNE J.

**DATED:** FEBRUARY 23, 2026

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