

Federal Court



Cour fédérale

Date: 20250408

Docket: IMM-10834-24

Citation: 2025 FC 646

Vancouver, British Columbia, April 8, 2025

PRESENT: The Honourable Madam Justice Aylen

BETWEEN:

**YASMIN RASAPOOR
ALI TAHMASEBIFARD**

Applicants

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS

[1] The Applicants, who are married and citizens of Iran, seek judicial review of the decision of a visa officer [Officer] refusing their respective applications for a two-week temporary resident visa [TRV] to travel to the Yukon to purchase a business. While in the Yukon, they stated they intended to meet with the current business owners and provincial immigration officials associated with the Yukon Business Nominee Program.

[2] The Applicants' TRV applications were denied by way of letters dated April 22, 2024, wherein the Officer stated they were not satisfied that the Applicants met the requirements of the *Immigration and Refugee Protection Act*, SC 2001, c 27, and the *Immigration and Refugee Protection Regulations*, SOR/2002-227. Specifically, the letters stated that the applications were refused as: (i) the Applicants did not have significant family ties outside of Canada; (ii) the purpose of their visit to Canada was not consistent with a temporary stay given the details provided in their applications; and (iii) the Officer was not satisfied that the Applicants had a legitimate business purpose in Canada.

[3] The Officer's decision is largely contained in their Global Case Management System [GCMS] notes, which form part of the reasons for decision and are identical for both Applicants.

The GCMS notes state as follows:

I have reviewed the application. I am not satisfied that the applicant would leave Canada at the end of their stay as a temporary resident, I note that: Purpose of Travel: Business Duration: 2 weeks I note that the intended travel to Canada involves the applicant's immediate family members, thus weakening the applicant's ties to Iran as well as diminishing their motivation to return. Applicant's main purpose of travel is to do an exploratory visit in Yukon. Applicant's spouse and minor children will be travelling with applicant. The applicant's travel history is not sufficient to count as a positive factor in my assessment. The purpose of the visit does not appear reasonable given the applicant's provided information and therefore I am not satisfied that the applicant would leave Canada at the end of the period of authorized stay. Weighing the factors in this application. I am not satisfied that the applicant will depart Canada at the end of their period authorized for their stay.

[4] The sole issue for determination on this application is whether the Officer's decision was reasonable. When reviewing for reasonableness, the Court must determine whether the decision under review, including both its rationale and outcome, is transparent, intelligible and justified. A

reasonable decision is one that is based on an internally coherent and rational chain of analysis and that is justified in relation to the facts and law that constrain the decision-maker [see *Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at paras 15, 85]. The Court will intervene only if it is satisfied there are sufficiently serious shortcomings in the decision such that it cannot be said to exhibit the requisite degree of justification, intelligibility and transparency [see *Adeniji-Adele v Canada (Citizenship and Immigration)*, 2020 FC 418 at para 11].

[5] The Applicants assert that the Officer failed to provide adequate reasons for the refusal of their TRVs and maintain that there is no connection between the reasons and the applications at hand. The Applicants further assert that this raises the suspicion that their TRV applications were not closely reviewed by the Officer, or that the Officer failed to consider certain key pieces of evidence as submitted by the Applicants.

[6] However, it is trite law that visa officers must deal with a considerable volume of applications and cannot be expected to produce lengthy reasons. Visa officers are presumed to have considered all of the evidence before them even if specific evidence is not mentioned in their decisions. In this context, officers are simply required to highlight the determinative factor(s) that led them to find against an applicant and to provide a justification for that finding [see *Bahrami v Canada (Citizenship and Immigration)*, 2024 FC 957 at para 3]. I am satisfied that the Officer met this threshold here.

[7] In relation to the treatment of their family ties, the Applicants assert that the Officer ignored evidence regarding their significant ties to Iran. The Officer, however, did not make any statements

to suggest that the Applicants did not have any remaining family ties in Iran. Rather, the Officer simply noted that the Applicants' ties to Iran would be weakened by their spouse and children (for all intents and purposes, their most important family members) travelling with them to Canada. This factor is a relevant consideration and a reasonable finding for the Officer to make [see *Nourani v Canada (Citizenship and Immigration)*, 2023 FC 732 at paras 23–26].

[8] The Applicants further assert that the Officer's reasons do not provide any justification for the finding that the purpose of their visit was not reasonable. Moreover, the Applicants assert that such a finding was contradicted by substantial evidence before the Officer supporting the Applicants' reasons for wanting to come to Canada. I disagree. The only explanation for the purpose of the visit, as provided by the Applicants, is set out in their respective application forms wherein they state that they plan on purchasing a business in the Yukon, intend to meet with the current business owners and provincial immigration officials regarding further steps and that they need "to check everything there for [their] children's lives."

[9] As stated by Justice Martineau in *Kheradpazhooh v Canada (Citizenship and Immigration)*, 2018 FC 1097 at paragraph 5:

In itself, the existence of a legitimate business purpose, supported by objective evidence, is certainly a valid reason to apply for a temporary resident visa for a short stay in Canada. The foreign national is not required to provide a complete itinerary of the expected trip. He or she is not required to show a "compelling reason" to visit Canada either (*Agidi v Canada (Citizenship and Immigration)*, 2013 FC 691 at para 7; *Singh v Canada (Citizenship and Immigration)*, 2015 FC 1210 at para 15). However, reasons that are abstract, vague or not founded on objective evidence may constitute a factor, among others, that will lead the officer to conclude that the foreign national has not met the burden of demonstrating that he or she will leave Canada at the end of the

authorized period of stay (*Hamad v Canada (Citizenship and Immigration)*, 2017 FC 600 at paras 13-16; *Omijie v Canada (Citizenship and Immigration)*, 2018 FC 878 at para 16.

[10] I agree with the Respondent that the reasons provided by the Applicants for the purpose of their trip were vague and not supported by objective evidence, such as a business plan, a letter of intent or any other documentation detailing the purpose of the trip. While the Applicants point to the letter from the Government of Yukon Immigration Branch, I do not accept that this letter contradicts the Officer's finding as it was equally as vague as the Applicants' statements in their application forms. The letter simply describes their trip as an "exploratory visit" (as noted by the Officer in their GCMS notes). In light of the minimal evidence before them, I find that the Officer's determination regarding the purpose of the Applicants' trip was reasonable and sufficiently justified.

[11] As the Applicants have failed to demonstrate that the Officer's decision is unreasonable, the application for judicial review shall be dismissed.

[12] No question for certification was raised and I agree that none arises.

JUDGMENT in IMM-10834-24

THIS COURT’S JUDGMENT is that:

1. The application for judicial review is dismissed.
2. The parties proposed no question for certification and none arises.

“Mandy Aylen”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-10834-24

STYLE OF CAUSE: YASMIN RASAPOOR, ALI TAHMASEBIFARD v
THE MINISTER OF CITIZENSHIP AND
IMMIGRATION

PLACE OF HEARING: VANCOUVER, BRITISH COLUMBIA

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JUDGMENT AND REASONS: AYLEN J.

DATED: APRIL 8, 2025

APPEARANCES:

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