

Federal Court



Cour fédérale

Date: 20250528

Docket: IMM-3281-25

Citation: 2025 FC 960

Toronto, Ontario, May 28, 2025

PRESENT: The Honourable Justice Battista

BETWEEN:

WISDOM ADEMU AMEH

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS
(Simplified Procedure-Study Permit Pilot Project)

[1] The Applicant, Wisdom Ademu Ameh, applied to study at Royal Roads University. His application was refused by Immigration, Refugees and Citizenship Canada (IRCC) and he seeks judicial review of that refusal.

[2] This case was dealt with in writing, on consent of the parties, as part of the Court's Study Permit Pilot Project. I grant leave to commence the judicial review application, but I dismiss the application for judicial review.

[3] The application was refused because: 1) the Applicant did not demonstrate financial self-sufficiency; and 2) he had a significant family member, his brother, in Canada. The Officer concluded: “Given the family ties and economic motives to remain in Canada, the applicant's incentives to remain in Canada may outweigh their ties to their home country. 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.”

[4] The Officer’s finding regarding the Applicant’s lack of evidence of financial establishment is reasonable. There is no evidence in the record regarding the Applicant’s employment or financial situation in Nigeria, apart from his application form listing his employment experience.

[5] The Officer’s finding regarding the Applicant’s incentive to remain in Canada based on the presence of his brother did not mention the fact that the Applicant’s spouse and children would remain in Nigeria.

[6] However, the reasons clearly demonstrate that the Officer engaged in a weighing process and found the presence of the Applicant’s brother in Canada, combined with economic incentives, to be determinative. Without engaging in a weighing process myself, I am unable to conclude that the Officer’s decision was unreasonable (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at para 125). The application is dismissed.

JUDGMENT in IMM-3281-25

THIS COURT'S JUDGMENT is that:

1. The application for leave to commence the application for judicial review is granted.
2. The application for judicial review is dismissed.
3. There is no question for certification and no order regarding costs.

"Michael Battista"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-3281-25

STYLE OF CAUSE: WISDOM ADEMU AMEH v THE MINISTER OF
CITIZENSHIP AND IMMIGRATION

**SUBMISSIONS ON STUDY PERMIT PERFECTED LEAVE APPLICATION
CONSIDERED AT OTTAWA, ONTARIO PURSUANT TO SECTION 72 OF THE
*IMMIGRATION AND REFUGEE PROTECTION ACT***

JUDGMENT AND REASONS: BATTISTA J.

DATED: MAY 28, 2025

APPEARANCES:

Agnes O. Ameh FOR THE APPLICANT

Andrew Newman FOR THE RESPONDENT

SOLICITORS OF RECORD:

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