

Federal Court



Cour fédérale

Date: 20250528

Docket: IMM-3892-25

Citation: 2025 FC 962

Toronto, Ontario, May 28, 2025

PRESENT: The Honourable Justice Battista

BETWEEN:

OAIKHENA OMOZERE IKPEFAN

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

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

[1] The Applicant applied for a study permit to study in the Agri-Business Management Program at Fanshawe College. That application was refused because an Officer of Immigration, Refugees and Citizenship Canada was not satisfied that the Applicant had access to sufficient funds for his studies, and because of the Officer's concerns about the Applicant's study plan.

[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 Officer's concerns about the Applicant's finances focused on two bank statements provided by the Applicant's brother who resides in Australia.

[4] The Officer was concerned that the first bank statement did not indicate the owner of the account and represented only one month of transactions. Reviewing the bank statement, this concern is reasonable. The Officer was reasonable in finding that there was not enough evidence about how the funds in this account accumulated (*i.e.*, their provenance) (*Ugorji v Canada (Citizenship and Immigration)*, 2025 FC 571 (*Ugorji*) at para 14).

[5] The Officer's concern regarding the second bank statement from the Applicant's brother was that there was a large unexplained deposit of \$35,000 on the last day of the statement. This is supported by the record and the Officer reasonably determined that there was insufficient evidence about this lump sum's provenance (*Ugorji* at para 15).

[6] There are concerns about the reasonableness of the Officer's findings regarding the Applicant's study plan. However, even if I were convinced that the findings are unreasonable, I am not convinced the unreasonableness would displace the strict operation of Regulation 220 of the *Immigration and Refugee Protection Act*, SC 2001, c 27. This Regulation prohibits the issuance of a study permit unless sufficient financial resources are demonstrated (*Davoodabadi v Canada (Citizenship and Immigration)*, 2024 FC 85 at paras 15-16).

[7] The Applicant has not demonstrated sufficiently serious shortcomings with the Officer's decision to warrant the Court's intervention (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at para 100). The application is dismissed.

JUDGMENT in IMM-3892-25

THIS COURT'S JUDGMENT is that:

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

"Michael Battista"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-3892-25

STYLE OF CAUSE: OAIKHENA OMOZERE IKPEFAN 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:

Cedric Marin FOR THE APPLICANT

Leah Bowes FOR THE RESPONDENT

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