

Federal Court



Cour fédérale

Date: 20250604

Docket: IMM-6847-24

Citation: 2025 FC 1000

Vancouver, British Columbia, June 4, 2025

PRESENT: Mr. Justice Diner

BETWEEN:

**ELHAM EISAPOUR
SAEID ARMANIAZAD
ARAMEH ARMANIAZAD**

Applicants

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondents

JUDGMENT AND REASONS

[1] The Principal Applicant [Applicant], Elham Eisapour, seeks judicial review of a decision made by an immigration officer [Officer] refusing her application for a study permit [Application]. The Application was refused because the Officer was not satisfied that Ms. Eisapour would leave Canada at the end of her authorized stay, pursuant to paragraph 216(1)(b) of the *Immigration and Refugee Protection Regulations*,

SOR/2002-227 [IRPR]. By extension, the Officer also denied the dependent applications of the co-applicants, Ms. Eisapour's husband and daughter. For the reasons that follow, this application for judicial review is dismissed.

[2] By way of a brief background, Ms. Eisapour is a Regulatory and Scientific Affairs Specialist and has a bachelor's degree in Food Science and Technology. She applied to come to Canada with her spouse and child in order to pursue a Master of Administrative Science: Global Leadership and Administration, at Fairleigh Dickinson University in Vancouver, British Columbia.

[3] The Officer refused Ms. Eisapour's Application by letter dated February 9, 2024, because they were not satisfied that she would leave Canada at the end of her stay as required by paragraph 216(1)(b) of the IRPR due to (i) the lack of her significant family ties outside of Canada, and (ii) the purpose of her stay was inconsistent with a temporary stay.

[4] Ms. Eisapour's main argument is that the Decision is unreasonable because the Officer did not provide adequate reasons for refusal in regard to the purpose of her visit, her lack of family ties and the study plan/career goals. Ms. Eisapour also contends that the Officer breached her right to procedural fairness because the Officer's concerns were not related to the Application submitted – but rather whether she would depart the country at the end of her studies, which she contends should have been raised through a procedural fairness letter.

[5] The Respondent counters that the Decision is reasonable in light of the evidence filed with the Application, and that the Officer breached no duty of fairness.

[6] I agree with the latter point. Indeed, the Applicant resiled from the fairness argument at the hearing. As a result, the sole issue that remains is whether the Decision to refuse Ms. Eisapour's study permit Application is reasonable (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at para 15 [*Vavilov*]).

[7] This Court has repeatedly held that visa officers (1) have wide discretion in assessing the evidence to determine whether legislative requirements are met by applicants; (2) are presumed to have considered all the evidence before them even if they do not explicitly refer to each document; and (3) should be afforded a significant degree of deference for factual findings (see *Mehrjoo v Canada (Citizenship and Immigration)*, 2023 FC 886 at paras 6–7, 16 [*Mehrjoo*]; *Bahrami v Canada (Citizenship and Immigration)*, 2024 FC 957 at para 3 [*Bahrami*]; *Shahani v Canada (Citizenship and Immigration)*, 2024 FC 111 at para 16).

[8] In this case, the Officer indicated that Ms. Eisapour's family ties to Iran were “weaken[ed]” because her husband and their daughter would be coming to Canada with her. As explained in *Nourani v Canada (Citizenship and Immigration)*, 2023 FC 732 at paras 23–26 [*Nourani*], this factor can reasonably be considered by an Officer in assessing ties to a country of residence, although it may not be sufficient as the sole reason to deny an applicant's study permit (see also, *Bahrami* at para 4).

[9] Ms. Eisapour takes issue with the Officer's appreciation of her study plan and career progression, noting that the Officer's conclusion was not justified and was unreasonable in light of the record. However, the applicant bears the onus to convince the visa officer of the merits of the study plan, and failing to do so undermines an applicant's ability to establish the purpose of their visit and to show that they intend to comply with paragraph 216(1)(b) of the *Immigration and Refugee Protection Act*, SC 2001, c 27 [IRPA] (*Mehrjoo* at paras 12–13, 15). Furthermore, an officer can reasonably conclude that an applicant has not demonstrated that the proposed course of study makes sense, considering (a) previous education or employment, or (b) when presented with a vague and general study plan (see, for instance, *Rezaye Yazdi v Canada (Citizenship and Immigration)*, 2024 FC 1221 at para 14).

[10] Ms. Eisapour also takes issue with the Officer's overall conclusion that the purpose of her visit is not consistent with her Application, pointing to her admission and Study Plan. Specifically, she points to the two paragraphs of her Study Plan in which she sets out her objectives:

My decision to pursue a Master's in Administrative Science with a focus on Global Leadership and Administration is fueled by over 12 years of experience in the dynamic field of the food industry. I am dedicated to elevating my career, and I strongly believe that this program will equip me with a comprehensive understanding of international business, politics, and administration. This global perspective is particularly valuable in today's interconnected world where organizations operate across borders, and leaders must navigate diverse cultural, economic, and political landscapes.

Upon completion of my study, I am committed to returning to Iran and applying my knowledge and skills in the field of Food and Technology. With a strong foundation in marketing and finance, I am confident in my ability to lead strategic initiatives within a multinational corporation. Additionally, I am excited about the prospect of establishing my own venture, focusing on sustainable and innovative solutions tailored to the unique needs of the Iranian

market. My international exposure, combined with a deep understanding of local dynamics, positions me to make a significant impact on the business ecosystem, fostering economic growth and creating employment opportunities in Iran.

[11] The Officer acknowledged Ms. Eisapour's first degree in Food Science and Technology, and that she had been working as a Regulatory and Scientific Affairs Specialist, but noted there was little indication from her previous studies and/or employment that this intended program was a necessary progression in her career path. For instance, the Officer noted that her employer made no mention of any advantage to be gained by pursuing this further degree, or promotion offered after its conclusion.

[12] The Officer, as a further point, also noted that in planning to come with her immediate family, her ties to Iran – and her motivation to return there – would diminish. These findings are justifiable and intelligible given the lack of evidence.

[13] Just prior to the hearing, Ms. Eisapour added four cases on which she relied, namely *Momeni v Canada (Citizenship and Immigration)*, 2023 FC 1436 [*Momeni*]; *Farhadi v. Canada (Citizenship and Immigration)*, 2025 FC 917 [*Farhadi*]; *Roudehchianahmadi v Canada (Citizenship and Immigration)*, 2023 FC 626; and *Nourani*. However, these cases are all distinguishable, because the applicants had provided more meaningful evidence, including noting stronger family ties in their country of residence, and a demonstration of the benefit to their study plan to their careers. In each case, the officer failed to grapple with the evidence. Here, however, Ms. Eisapour did not furnish this evidence with her Application.

[14] The Applicant stressed that the principal case upon which she relied is *Nourani*. The facts are indeed very similar to the case at bar, in that the two issues considered in *Nourani* were the family ties of the applicant in Iran and the sufficiency of the study plan.

[15] First, Justice Gascon found that because the applicant's husband (her most important family tie) was to accompany her to Canada, "it was open to the Officer to determine that Ms. Nourani was left with weaker family ties in Iran" (at para 24). I am of the view that the same observation holds true in the present case.

[16] Second, however, there were marked factual differences, including specificity in the applicant's study plan, as well as specifics contained in the employment letter which mentioned possible progress in Ms. Nourani's employment upon the conclusion of studies. Moreover – and what was crucial in Justice Gascon's view – was that the officer ignored specific details of the applicant's intentions to start an entrepreneurship in Iran upon her return. Justice Gascon noted that the applicant had made several mentions of her intentions to start a business and how she planned to use the knowledge from the program to do so, as this was her "biggest goal" (at para 36). Justice Gascon held at paragraph 32, that "the Officer's reasons on Ms. Nourani's study plan leave the distinct impression that the Officer did not actually listen to or read Ms. Nourani's submissions in support of her study permit."

[17] The same cannot be said in this case. Ms. Eisapour's submissions and supporting evidence, including her study plan, were replete with generalities and lacked the specificity that Justice Gascon pointed to, and that the prospective student presented to the officer in *Nourani*.

Here, for instance, the Applicant failed to provide any details of how the degree would improve her employment prospects, and simply provided a confirmation of employment. Her employer stated nothing about her future studies in Canada. Furthermore, while Ms. Eisapour alluded to future entrepreneurship in her Study Plan (see extract above), she only briefly mentioned the “prospect of establishing [her] own venture,” without any further details, plans, or specifics as to how this would occur.

[18] Ms. Eisapour is ultimately asking this Court to reweigh and remake the Officer’s decision, not something that this Court can do on judicial review (*Vavilov* at para 125). One must look at an administrative decision-maker’s reasons holistically and consider them in their entirety (*Vavilov* at para 97). Here, while concise, the reasons are responsive to the central aspects of Ms. Eisapour’s Application, along with the relevant requirements of the IRPA and the IRPR. For these reasons, this application for judicial review is dismissed.

JUDGMENT in IMM-6847-24

THIS COURT’S JUDGMENT is that:

1. The application for judicial review is dismissed.
2. No question for certification has been raised, and the Court agrees that none arises.
3. No costs will issue.

“Alan S. Diner”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-6847-24

STYLE OF CAUSE: ELHAM EISAPOUR ET AL v MCI

PLACE OF HEARING: VANCOUVER, BRITISH COLUMBIA

DATE OF HEARING: JUNE 2, 2025

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DATED: JUNE 4, 2025

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