

Federal Court



Cour fédérale

Date: 20250613

Docket: IMM-10114-23

Citation: 2025 FC 1072

Ottawa, Ontario, June 13, 2025

PRESENT: Madam Justice Pallotta

BETWEEN:

**MONA GHASEMI
SHAYNA HEDAYATI**

Applicants

and

**THE MINISTER OF CITIZENSHIP
AND IMMIGRATION**

Respondent

JUDGMENT AND REASONS

[1] The applicants, Mona Ghasemi and her daughter, challenge a visa officer's decisions that refused their applications for a study permit and accompanying temporary resident visa (TRV).

[2] Ms. Ghasemi is a citizen of Iran who applied for a study permit to attend an environmental technician program at Seneca College of Applied Arts and Technology. The officer was not satisfied that Ms. Ghasemi had not already achieved the benefits of the program

in view of her education and work experience, or that the program was a reasonable progression of studies. The officer found that the chosen program appeared redundant, and refused the application on the basis that the purpose of visit was not consistent with a temporary stay.

[3] The daughter's TRV was refused because Ms. Ghasemi's study permit was refused. Since there was no independent basis for refusing the TRV, the only question for the Court is whether the officer's decision to refuse the study permit application was unreasonable or procedurally unfair.

[4] The applicants submit the officer unreasonably concluded that Ms. Ghasemi will not leave Canada based on the purpose of her visit, as the reasons were silent about submissions and evidence in her application that clearly contradicted the findings. The officer failed to consider Ms. Ghasemi's explanations as to why her previous education and employment experience were insufficient. In her previous work as an expert in environmental protection, Ms. Ghasemi encountered issues on topics that had not been adequately covered during her education in Iran. She then spent 9 years working in the insurance industry before returning to her chosen field to work as an environmental expert for a different company, and she needed to upgrade her skills. Ms. Ghasemi's application stated that her previous education, including a Master's degree in environmental design, focused on landscaping and agricultural topics and was theoretical, and she was looking for a relevant educational program with a practical component. Ms. Ghasemi states the officer also failed to consider evidence that her current employer agreed to rehire her after she completes the program of study, and she will be able to take on higher positions.

[5] Furthermore, Ms. Ghasemi states she has a history of compliance with Canadian immigration laws. She visited Canada twice on a TRV, and when a previous study permit application made from within Canada was refused, she left the country and re-applied from Iran.

[6] The applicants submit the officer also breached procedural fairness, by refusing the application based on what they contend were veiled concerns with credibility, without providing an opportunity to address the concerns. The applicants argue that the officer's findings were not based on deficiencies in the evidence—rather, the officer simply did not believe Ms. Ghasemi and refused her study permit based on a veiled credibility finding.

[7] I am not persuaded that the officer's decision to refuse Ms. Ghasemi's study permit was unreasonable or procedurally unfair.

[8] As the respondent correctly points out, visa officers are entitled to consider whether an applicant has already achieved the benefits of the intended program. In Ms. Ghasemi's case, the officer refused to grant a study permit on the basis that she had not sufficiently explained why she wanted to take a program that appeared to duplicate training and experience that she already had. This was a discretionary finding that is owed deference, and I am not persuaded that the applicants have established a reviewable error that warrants judicial intervention.

[9] The officer's reasons are brief, and it is true that they do not refer to points that Ms. Ghasemi made in support of her study permit application—for example, that she had returned to the environmental field after a 9-year gap and wanted to update her knowledge.

However, I am not persuaded that the submissions and evidence in her application contradict the officer's findings. The reasons Ms. Ghasemi offered to explain why her previous education and work experience in the environmental field were inadequate and how the Seneca program was expected to enhance her career were general assertions and statements lacking in detail. The study plan indicated that Ms. Ghasemi was offered "a very good job as an environmental expert" based on her past experience in the field of environmental science, and at the time of her application she had been working at the company for about 9 months. While the new employer agreed to rehire her upon completion of the program, Ms. Ghasemi's application did not explain how the program would advance her career path at the company, beyond stating that she will be able to take on higher positions.

[10] I agree with the respondent that the officer reasonably judged the proposed program to be redundant, as Ms. Ghasemi already had experience working in the field, she provided little to explanation why an additional diploma was necessary, and it was unclear what benefit she would achieve through the program, particularly considering the expense. It was Ms. Ghasemi's onus to satisfy the officer of the merits of her study plan. Reading the reasons in light of the record, I am able to understand why the officer was not satisfied that she had not already achieved the benefits of the program in view of her education and years of work experience as an environmental expert. The officer gave brief reasons, but in my view, they were sufficiently responsive to the information in Ms. Ghasemi's study permit application. The reasons for refusing the study permit application, and by extension, the TRV application, were sufficiently transparent, intelligible, and justified.

[11] The applicants have not established a breach of procedural fairness. There is no indication that the officer refused Ms. Ghasemi's study permit based on veiled credibility findings, as opposed to findings about the sufficiency of the information in her application.

[12] As the applicants have not established that the officer's decision was unreasonable or procedurally unfair, I must dismiss this application.

[13] There is no question for certification.

JUDGMENT IN IMM-10114-23

THIS COURT'S JUDGMENT is that:

1. This application is dismissed.
2. There is no question for certification.

"Christine M. Pallotta"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-10114-23

STYLE OF CAUSE: MONA GHASEMI, SHAYNA HEDAYATI v THE
MINISTER OF CITIZENSHIP AND IMMIGRATION

PLACE OF HEARING: TORONTO, ONTARIO

DATE OF HEARING: JANUARY 13, 2025

JUDGMENT AND REASONS PALLOTTA J.

DATED: JUNE 13, 2025

APPEARANCES:

Zaynab Ziaie Moayyed FOR THE APPLICANTS

Christopher Ezrin FOR THE RESPONDENT

SOLICITORS OF RECORD:

Visa Law Group FOR THE APPLICANTS
Barristers and Solicitors
Toronto, Ontario

Attorney General of Canada FOR THE RESPONDENT
Toronto, Ontario