

Federal Court



Cour fédérale

Date: 20251028

Docket: IMM-15712-24

Citation: 2025 FC 1736

Ottawa, Ontario, October 28, 2025

PRESENT: The Honourable Madam Justice Ngo

BETWEEN:

POUYA GHOLAMI

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS

I. Overview

[1] The Applicant, Pouya Gholami [Applicant], seeks judicial review of a decision from Immigration, Refugees and Citizenship Canada [IRCC] dated July 19, 2024, denying his temporary resident visa, a visitor visa [TRV]. He requested a TRV so that he could meet with his Canadian lawyers and business incubator concerning the execution of his start-up business in Canada.

[2] The Officer denied the application because they were not satisfied that the Applicant would leave Canada at the end of his stay. This was based on the purpose of his visit not being consistent with a temporary stay in Canada given the details provided in his application and the Officer not being satisfied that the Applicant had demonstrated having sufficient funds.

[3] For the reasons set out below, the application for judicial review is dismissed. The Applicant has not demonstrated that the decision was unreasonable.

II. Background and Decision Under Review

[4] The Applicant is a married 41-year-old Iranian national with no dependents. His parents, siblings, and wife live in Iran, where he has been employed as a sales manager since 2017. On July 28, 2022, he applied for Permanent Residency under the Start-Up Visa Program, which is still being processed.

[5] On March 5, 2024, the Applicant requested a visitor visa for the period between August 31, 2023, to September 23, 2023, to meet with his lawyers in person, among others. The purpose of these meetings was to discuss the execution of his start-up's business plan, to be introduced to business professionals, and to meet with the start-up's incubator. On March 15, 2024, his application was refused on the ground of insufficient funds. After seeking leave for judicial review before the Federal Court on April 3, 2024, the Applicant and Respondent settled this matter on July 2, 2024. The TRV application file was re-opened, to be reviewed by a different IRCC officer. On July 19, 2024, the Applicant was invited to submit further documentation supporting his application, which he did on August 2, 2024.

[6] On August 20, 2024, the IRCC refused the Applicant's TRV application because the reviewing IRCC officer [Officer] was not satisfied that the Applicant would leave Canada at the end of his stay according to paragraph 179(b) of the *Immigration and Refugee Protection Regulations*, SOR/2002-227 [IRPR].

III. Issues and Standard of Review

[7] The issue on judicial review is whether the Decision was unreasonable.

[8] The applicable standard of review of the merits of the Decision is reasonableness (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at paras 10, 25 [Vavilov]).

[9] On judicial review, the Court must consider whether a decision bears the hallmarks of reasonableness – justification, transparency and intelligibility (*Vavilov* at para 99). A reasonable decision will always depend on the constraints imposed by the legal and factual context of the particular decision under review (*Vavilov* at para 90). A decision may be unreasonable if the decision maker misapprehended the evidence before it (*Vavilov* at paras 125-126). The party challenging the decision bears the onus of demonstrating that the decision is unreasonable (*Vavilov* at para 100).

IV. Analysis

[10] The Officer refused the TRV application for two principal reasons: (1) documentation concerning the source of the Applicant's funds was insufficient and incomplete; and (2) the Applicant's business and visit purpose was ambiguous and unclear.

[11] With respect to the first reason related to the source of funds, the "Temporary Resident Visa: Ankara Visa Office Instructions" require TRV applicants to provide copies of bank statements or bank book covering the past six months.

[12] The Applicant submitted the following documents: an account balance certificate [Account Balance Certificate] showing long-term and short-term deposit accounts, bank account statements for the short-term deposit account, and a letter from his employer attesting to commissions paid [Commission Payment Certificate].

[13] In the Decision under review, the Officer concluded that the Applicant's short-term accounts were insufficient as the bank statements were incomplete. With respect to the Applicant's long-term accounts, the Officer concluded that the application states the amounts in that account were paid from commission "but is not seen in transaction summary."

[14] The Respondent cites *Salemi v Canada (Citizenship and Immigration)*, 2024 FC 1858 at paragraph 33 [Salemi] in confirming that this Court held that the absence of adequate documentation confirming the availability of funds is sufficient on its own to refuse an

application, including for visitor visa applications. This is because whether an applicant has sufficient financial resources is a relevant consideration as to whether the applicant would leave Canada at the end of his stay. As such, it is reasonable for an officer to assess the origin, nature, and stability of the applicant's funds (*Salemi* at paras 33-34).

[15] The Applicant does not dispute that the absence of adequate documentation confirming the availability of funds for the trip is in and of itself grounds to refuse a visitor visa application. However, he maintains that his long-term bank accounts provided adequate documentation confirming both the availability and provenance of his funds. The Applicant states that there was contradictory information in the record before the Officer as it related to their analysis of funds.

[16] The Account Balance Certificate listed five bank accounts in the Applicant's name, with the bulk of his assets being held in one long-term deposit account. Upon review of the Account Balance Certificate, this document listed accounts and balances, but not the transaction history for any of these accounts.

[17] The only account with a documented history of deposits, the short-term deposit account which held around 5% of total assets, had pages missing. The Applicant concedes that the short-term bank account was the only account with a detailed transaction history, that it was indeed incomplete, and that it was reasonable for the Officer to disregard it for incompleteness.

[18] The issue, therefore, relates to the Officer's consideration of the long-term account.

[19] Officers have a significant volume of visa applications to process, and their written reasons must not be assessed against a standard of perfection (*Tayabi v Canada (Citizenship and Immigration)*, 2023 FC 453 at paras 19-21; *Hasanalideh v Canada (Citizenship and Immigration)*, 2022 FC 1417 at para 8 citing *Vavilov* at para 96).

[20] A visa officer's decision warrants a high degree of deference as they have detailed specific expertise and knowledge regarding the relevant regulatory schemes (*Hashmi v Canada (Citizenship and Immigration)*, 2006 FC 1335 at para 12).

[21] In the Applicant's case, the Account Balance Certificate lists the opening of the account in December 2023. However, it does not describe nor list the provenance of the initial deposit that was made into the long-term account.

[22] The Applicant insists that the date of the opening of the long-term deposit account in December 2023, is clearly indicated in the Account Balance Certificate, and corresponds with the date of the deposit stated in the Commission Payment Certificate which was completed by the Applicant's employer. The amount of the commission and the deposit is also the same. The Applicant submits that these two connections, in effect, establish the provenance of the sum in the long-term account. The Applicant states that the December 2023 opening date also proves that the funds were in the Applicant's account for a period exceeding six months.

[23] However, despite the able submissions of counsel, I cannot find that the evidence before the Officer contradicted the Officer's analysis and conclusion about the provenance of funds

being “not seen in transaction summary”. The connections as presented to the Court were not as clear-cut and uncontroverted as was submitted.

[24] Indeed, the Commission Payment Certificate attested by the employer provided an account number for the account which they deposited the commission. However, the account which the Applicant points to as allegedly holding the funds has a different account number. How the funds arrived at the long-term account was not made clear by the record, nor explained in the TRV application. Given this, I cannot fault the Officer for finding that they were not satisfied with the provenance of the funds in the long-term account listed in the Account Balance Certificate. To do otherwise, the Officer would have had to make assertions and conjectures to arrive at the conclusion presented by the Applicant on judicial review, which they cannot do (*Singh v Canada (Citizenship and Immigration)*, 2025 FC 1617 at para 14).

[25] Based on the limited information before the Officer, it was open for them to find that the commission deposit in the Applicant’s long-term account was not reflected in the transaction history. I cannot find that there was a misapprehension of evidence as argued by the Applicant.

[26] Furthermore, all the bank accounts submitted did not contain sufficient information to satisfy the Officer that the Applicant demonstrated having required funds to meet the requirements of a TRV. As stated above, inadequate documentation of funds was a sufficient ground on its own to deny the Applicant’s TRV application. Accordingly, the second ground of refusal will not be examined.

[27] The Decision is reasonable as it meets the hallmarks of reasonableness, being coherent and rational in its analysis of the evidence and arguments provided.

V. Conclusion

[28] The application for judicial review is dismissed.

[29] The parties do not propose any question for certification and I agree that in these circumstances, none arise.

JUDGMENT in IMM-15712-24

THIS COURT'S JUDGMENT is that:

1. The application for judicial review is dismissed.
2. There is no question for certification.

"Phuong T.V. Ngo"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

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APPEARANCES:

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