Federal Court Cour fédérale

Date: 20260121

Docket: IMM-14758-24

Citation: 2026 FC 95

Ottawa, Ontario, January 21, 2026

PRESENT: The Honourable Madam Justice Turley

BETWEEN:

MIRZA MOHAMMAD NOORI
AND
BIBI ZAHRA KHAIR MOHAMMAD
AND
NOORULLAH NOORI

Applicants

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

JUDGMENT AND REASONS
(Delivered orally from the Bench on January 21, 2026)

[1] The Applicants are a family (father, mother, and dependent child) who sought to visit their daughter and her family in Canada for two weeks. The same Immigration, Refugees and Citizenship Canada [IRCC] visa officer [Officer] refused their temporary resident visa [TRV] applications for identical reasons based on the same evidentiary record. On this basis, I find that

these three decisions are appropriately challenged in a single application for judicial review under Rule 302 of the *Federal Courts Rules*, SOR/98-106: *Knight v Canada (Attorney General)*, 2026 FC 38 at para 7; *Masouleh v Canada (Citizenship and Immigration)*, 2023 FC 1159 at paras 15–16.

[2] After weighing several factors, the Officer was not satisfied that the Applicants would leave Canada at the end of their stay as required by paragraph 179(b) of the *Immigration and Refugee Protection Regulations*, SOR/2002-227.

[3] In my view, the Officer's decisions are unreasonable and must be set aside. As set out below, the Officer's reasoning concerning the Applicants' finances, family ties, and immigration status suffer from the same fatal flaw — a failure to exhibit the requisite attributes of justification, intelligibility, and transparency: *Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at para 100.

[4] This Court has held that where an officer is not satisfied that funds are sufficient or available, a "discernible explanation that is supported by the record" must be provided: *Armani Far v Canada (Citizenship and Immigration)*, 2025 FC 1955 at para 19 [*Armani Far*]. No such explanation is provided here. The Officer simply concludes that the Applicants' assets and financial situation were insufficient to support their travel and that "the majority of funds available lack clear provenance in terms of source of funds."

[5] As the Applicants point out, in addition to their own financial information, they submitted that of their hosts who provided a written guarantee to cover the Applicants' expenses if necessary. In total, there was over $17,000 in available funds for their two-week visit. The Applicants also submitted proof of assets (property and a vehicle) in their country of residence.

[6] The Respondent argues that the Applicants failed to provide the appropriate documentation (six months of banking statements) in accordance with IRCC's applicable visa office instructions. This Court has, however, consistently rejected the Respondent's attempts to bolster an officer's refusal based on such instructions when they were not relied upon in the underlying decision: *Armani Far* at paras 14–15; *Ataeinia v Canada (Citizenship and Immigration)*, 2025 FC 1572 at para 18; *Eshun v Canada (Citizenship and Immigration)*, 2025 FC 1211 at para 33; *Anokwah v Canada (Citizenship and Immigration)*, 2025 FC 1057 at para 8.

[7] The Officer also relies on the Applicants' family ties to refuse their TRV applications, finding that they have "significant family ties in Canada" and that they "do not have significant family ties outside Canada." The Officer, however, fails to engage with the evidence and explain how they reached this conclusion. Significantly, the adult Applicants have six children including the dependent Applicant, who resides with them in Turkey, and the daughter they would be visiting in Canada. Three of their other four children live in Germany and one lives in Afghanistan (their country of nationality). In this light, the Officer's characterization of the Applicants' family ties outside Canada is unintelligible.

[8] Finally, this Court has held that an officer must explain how an applicant's immigration status in their country of residence supports a finding that they would remain in Canada beyond their authorized period of stay: *Singh v Canada (Citizenship and Immigration)*, 2023 FC 215 at paras 7–9; *Singh v Canada (Citizenship and Immigration)*, 2022 FC 1718 at paras 14–15. Here, the Officer fails to do so. Rather, the Officer baldly concludes that because the Applicants' status in Turkey expires in 2024, they are not satisfied that the Applicants will leave Canada at the end of their temporary stay.

[9] Based on the foregoing, I find that the Officer's decisions are unreasonable. The application for judicial review is allowed, and the matters are remitted to another officer for redetermination. The parties did not propose a question for certification, and I agree that none arises in this case.

JUDGMENT in IMM-14758-24

THIS COURT'S JUDGMENT is that:

1. The Applicants are granted leave, under Rule 302 of the *Federal Courts Rules*, SOR/98-106, to challenge the visa officer's three decisions in this application for judicial review.
2. The application for judicial review is granted.
3. The decisions of the visa officer dated July 25, 2024, are set aside and the matters are remitted to another officer for redetermination.
4. There is no question for certification.

"Anne M. Turley"
Judge

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET:	IMM-14758-24
STYLE OF CAUSE:	MIRZA MOHAMMAD NOORI AND BIBI ZAHRA KHAIR MOHAMMAD AND NOORULLAH NOORI v THE MINISTER OF CITIZENSHIP AND IMMIGRATION
PLACE OF HEARING:	BY VIDEOCONFERENCE
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JUDGMENT AND REASONS:	TURLEY J.
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APPEARANCES:

Samin Mortazavi	FOR THE APPLICANTS
Albulena Qorrolli	FOR THE RESPONDENT

SOLICITORS OF RECORD:

Pax Law Corporation Barristers and Solicitors Vancouver, British Columbia	FOR THE APPLICANTS
Attorney General of Canada Vancouver, British Columbia	FOR THE RESPONDENT