Federal Court  Cour fédérale

Date: 20250715

Docket: IMM-4610-24

Citation: 2025 FC 1254

Toronto, Ontario, July 15, 2025

PRESENT: THE CHIEF JUSTICE

BETWEEN:

SANAM BAHMANI

Applicant

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

JUDGMENT AND REASONS

I. Introduction

[1] This application for judicial review concerns a decision by a visa officer refusing Ms. Sanam Bahmani's request for an open work permit (the **"Decision"**).

[2] Ms. Bahmani is a citizen of Iran who currently resides in the United Arab Emirates (the **"UAE"**). She applied for a work permit to facilitate her reunion with her spouse, who resides in Canada under his own open work permit.

[3] The Decision was based on the officer's conclusion that Ms. Bahmani had not established that she would leave Canada at the end of her stay, as contemplated by paragraph 200(1)(b) of the *Immigration and Refugee Protection Regulations*, SOR/2002-227 [**IRPR**].

[4] Ms. Bahmani seeks to set the Decision aside on the grounds that it is not sufficiently justified, it does not articulate a rational chain of reasoning, it is based on unsupported findings, and it failed to meaningfully grapple with the evidence she submitted.

[5] I disagree. For the reasons that follow, this application will be dismissed.

II. Analysis

[6] The standard of review applicable to this application is reasonableness.

[7] The officer's summary of the Decision identified the following four reasons supporting the ultimate finding that Ms. Bahmani had not met her above-mentioned burden under paragraph 200(1)(b):

i. She had significant family ties in Canada.

ii. She does not have significant family ties outside Canada.

iii. Her current employment situation does not show that she is financially established in her country of residence.

iv. She has limited employment possibilities in her country of residence.

[8] In the Global Case Management System computer notes that form part of the Decision, the officer noted a fifth finding, namely, that the current socioeconomic and political situation in Iran creates "push factors" that could induce Ms. Bahmani to remain in Canada beyond any temporary status that might be granted.

A. *Family ties in Canada and abroad*

[9] Regarding Ms. Bahmani's family ties in Canada, the officer noted that Ms. Bahmani's spouse, her parents and her sibling reside in this country. Insofar as family ties outside Canada are concerned, the officer's observation that Ms. Bahmani has no such significant family ties is not in dispute.

[10] Nevertheless, Ms. Bahmani maintains that the Decision was not appropriately justified in relation to her family ties in Canada and abroad, because her stated objective was to reunite with her spouse in Canada. Ms. Bahmani states that the officer failed to meaningfully grapple with this important fact, and with the family reunification objective in paragraph 3(1)(d) of the *Immigration and Refugee Protection Act*, SC 2001, c 27 [**IRPA**].

[11] I disagree. The presence of Ms. Bahmani's spouse, parents and sibling in Canada, together with the absence of any evidence of significant family ties outside Canada, are relevant

factors to consider in determining whether an applicant for a work permit is likely to depart from Canada at the end of the period authorized for their stay: *Espinosa Cotacachi, v Canada (Citizenship and Immigration)*, 2024 FC 2081 at para 33; *Sangha v Canada (Citizenship and Immigration)*, 2021 FC 760 at para 31; *Salman v Canada (Citizenship and Immigration)*, 2015 FC 270 at para 6. As this Court has observed, the presence of family members in Canada is a factor that may well "pull" an applicant towards staying in Canada at the end of the period authorized for their stay: *Moosavi v Canada (Citizenship and Immigration)*, 2023 FC 1037 at para 22.

[12] Despite the fact that Ms. Bahmani's objective was to reunite with her spouse, it was not unreasonable for the officer to rely on the presence of many immediate family members in Canada, and the apparent absence of significant family members in the UAE and Iran, in reaching the Decision. The officer was not required to say more about these factors.

[13] In the context of Ms. Bahmani's application for a work permit, the brief treatment of these considerations was sufficiently justified, transparent and intelligible. Although the officer did not specifically discuss the family reunification objective identified in paragraph 3(1)(d) of the IRPA, family reunification is only one of many objectives of the IRPA. Given the unambiguous requirement in paragraph 200(1)(b) of the IRPR, it was not unreasonable for the officer to refrain from explicitly addressing paragraph 3(1)(d) of the IRPA. As Ms. Bahmani was pursuing temporary residence in Canada under a work permit, it was reasonably open to the officer to focus on the considerations that were relevant to an assessment under subsection 200(1), and particularly paragraph 200(1)(b).

B. *Current employment situation and employment possibilities in the UAE*

[14] In reaching the Decision, the officer noted that Ms. Bahmani's "current employment situation does not show that they are financially established in their country of residence." The officer proceeded to observe that Ms. Bahmani "declares being not currently employed" and that she "has limited employment opportunities in their country of residence."

[15] Ms. Bahmani asserts that these were bald and unsubstantiated statements. She adds that the officer's failure to provide support for these statements was unreasonable. In addition, she maintains that the officer further erred by failing to meaningfully grapple with the fact that she is a homemaker who is dependent on her spouse for financial and economic support, and yet still desired to find employment in Canada. She further maintains that the officer's failure to mention the fact that she had been living in the UAE for almost four years suggests that the officer did not consider all of the evidence.

[16] I disagree.

[17] It is not unreasonable for a visa officer to consider an applicant's economic establishment in their country of residence in assessing whether the applicant would likely depart from Canada at the end of their period of authorized stay in this country: *Singh v Canada (Citizenship and Immigration)*, 2022 FC 1486 at para 27; *Ramos v Canada (Immigration, Refugees and Citizenship)*, 2017 FC 768 at para 10. Strong economic ties to one's country of residence may constitute a "pull" factor towards that country that can help to satisfy a visa officer that the

applicant will leave Canada before the end of their period of authorized stay. Conversely, it is reasonably open to a visa officer to consider the absence of such ties to be a factor that weighs in favour of the opposite conclusion. Unless an applicant provided cogent evidence to the contrary, a visa officer would not be required to say more about this factor.

[18] In the present case, Ms. Bahmani provided no such evidence. Moreover, in her application for an open work permit, the only entry she made under the heading "Employment" was to note that she has been a "housewife" since July 2022. Given the foregoing, it was not unreasonable for the officer to give negative weight to her employment situation in assessing her economic ties to the UAE and her incentive to depart Canada at the end of the period of her requested stay.

[19] Contrary to Ms. Bahmani's submissions, the visa officer was not required to delve further into this issue by specifically addressing the fact that Ms. Bahmani is a homemaker who is dependent on her spouse for financial and economic support. The fact that the officer did not do so, and did not specifically mention that Ms. Bahmani had been living in the UAE for almost four years, does not suggest that the officer failed to consider all of the evidence.

[20] While the principles of justification and transparency require that an administrative decision maker's reasons meaningfully account for the central issues and concerns raised by the parties, the sufficiency of reasons is dependent on the context: *Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 [***Vavilov***] at paras 99, 127–128. In the context of work permits and certain other visas, the very large volume of applications and related resource

constraints create significant operational pressures and impose practical limits on the extent of the analysis visa officers can reasonably be expected to perform. Consequently, extensive reasons are not expected, and a concise justification will suffice: *Mehrjoo v Canada (Citizenship and Immigration)*, 2023 FC 886 at paras 6, 16; *Vahora v Canada (Citizenship and Immigration)*, 2022 FC 778 at para 32; *Patel v Canada (Citizenship and Immigration)*, 2020 FC 77 at para 17. To impose a greater burden on visa officers "would have a paralyzing effect on [their] proper functioning … and would needlessly compromise important values such as efficiency and access to justice": *Vavilov* at para 128.

[21] In summary, the officer was required to briefly address the principal factors upon which the Decision was based, as well as any significant evidence that may reasonably be considered to merit weight on the other side of the scale. Insofar as Ms. Bahmani's employment situation and employment possibilities in the UAE are concerned, she provided no such evidence. The officer's treatment of Ms. Bahmani's current employment situation and her employment possibilities in the UAE was not unreasonable.

C. *The current socioeconomic and political situation in Iran*

[22] Ms. Bahmani maintains that the officer relied on an unfounded assumption that she may choose to stay in Canada after the period of her authorized stay because of Iran's "current social and political environment." Ms. Bahmani adds that, in any event, this factor alone is insufficient to disqualify an applicant from receiving a visa or permit.

[23] I disagree that the officer's consideration of the current socioeconomic and political situation in Iran was unreasonable.

[24] Visa officers are permitted to rely on their knowledge of conditions in an applicant's country of nationality, so long as they take into account an applicant's personal circumstances: *Gauthier v Canada (Citizenship and Immigration)*, 2019 FC 1211 at paras 20–21. Here, the officer did consider those circumstances, including the various factors that I have addressed above. Contrary to Ms. Bahmani's suggestion, the officer did not rely solely on the current social and political environment in Iran in rejecting her application.

III. Conclusion

[25] For the reasons set forth above, the Decision was sufficiently justified, transparent and intelligible. The officer adequately engaged with the key issues raised by Ms. Bahmani's application. The Decision reflects an internally coherent and rational chain of analysis that is justified in relation to the facts and law that constrained the officer's analysis: *Vavilov* at paras 85, 127–128.

[26] For greater certainty, there were no key issues, no central arguments made by Ms. Bahmani, and no important evidence in the record that were ignored and that may reasonably be considered to have warranted assessment by the officer.

[27] Moreover, contrary to Ms. Bahmani's submissions, the visa officer was not required to trust that she would comply with the time limitation in her open work permit, or to give her the

benefit of the doubt in this regard: *Chhetri v Canada (Citizenship and Immigration)*, 2011 FC 872 at para 9; *Hashem v Canada (Citizenship and Immigration)*, 2020 FC 41 at para 31. Pursuant to paragraph 200(1)(b) of the IRPR, Ms. Bahmani was required to establish that she would leave Canada by the end of the period authorized for her stay. It was reasonably open to the officer to conclude that she failed to meet that burden. Requiring visa officers to blindly trust that applicants for status in Canada will not overstay the temporal limits of their stay would seriously undermine the integrity of Canada's immigration system.

[28] The parties did not suggest that I certify a question for appeal. In my view, no serious question of general importance arises on the facts of this case.

JUDGMENT in 4610-24

THIS COURT'S JUDGMENT is that this application is dismissed. No serious question of general importance arises on the facts of this case.

"Paul S. Crampton"
Chief Justice

FEDERAL COURT

SOLICITORS OF RECORD

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