



T-1676-95

**IN THE MATTER OF THE *CITIZENSHIP ACT*,  
R.S.C. 1985, c. C-29**

**AND IN THE MATTER OF an appeal from the  
decision of a Citizenship Judge**

**AND IN THE MATTER OF**

**Priscilla Sze Lai Lo**

Appellant

**REASONS FOR JUDGMENT**

(Delivered orally on the Bench  
at Vancouver, B.C. on April 29, 1997, as edited)

**McKEOWN J.**

The appellant appeals the decision of a Citizenship Judge dated June 13, 1995, refusing her application for citizenship on the basis that she did not meet the requirement of residence for a Canadian citizen under paragraph 5(1)(c) of the *Citizenship Act* (the Act). The issue is whether or not the appellant satisfied the resident requirements enunciated in paragraph 5(1)(c) of the Act.

The appellant was born in Hong Kong on January 2, 1975. She came to Canada as a landed immigrant with her family on July 12, 1990. She was 15 years old at the time and dependent on her family for support. The Citizenship Judge found that she was 644 days short of the 1,095 required residency days and that she had not centralized her mode of living in Canada during her absences.

The appellant came to Canada and spent two months here helping her family establish its home in Vancouver. Her father purchased a house and she

helped the rest of her family acquire furniture and get settled in that period of time. She had a room allocated to her in her house and she still has a room in the house.

The appellant attended a private school in Connecticut in the United States for the remainder of high school but she returned home during the holiday periods, and in particular, she returned to Canada for the summers. She accompanied her family on family vacations in Canada during those summers. She attended the private school because her uncle had arranged for some of his children to attend there and had taken an interest in contributing financially to the school. It was submitted that this was a family tradition to attend this school. After she graduated from the school she attended Princeton University in the United States and again it was because of family connections with the university.

This case is very similar to *Yip (Re)* T-1142-96, February 17, 1997 in that the appellant has been fully dependent on her parents and although attending university outside Canada, she had regularly returned to Canada and resided with her parents whenever she had the opportunity to do so during vacation periods. In addition, she has participated in volunteer work in the community in Vancouver over many years. As stated earlier, she also is financially dependent on her parents.

The only difference from the *Yip, supra* case is we do not have the continuing intention to reside in Canada as demonstrated over a period of time by the appellant in that case; however, she testified that it was her intention to seek a job in the Canadian foreign service or in the marketing department of a

Canadian multinational company.

She does not have any connection with the United States except for studying there, and she has not returned to Hong Kong on any regular basis.

I am convinced that she has centralized her mode of living in Canada. For these reasons, I find that the appellant has satisfied the residency requirements prescribed by paragraph 5(1)(c) of the Act. Accordingly, the appeal is allowed.

William P. McKeown  
Judge

OTTAWA, ONTARIO  
June 16, 1997