

Federal Court



Cour fédérale

**Date: 20240516**

**Docket: IMM-9951-22**

**Citation: 2024 FC 752**

**Ottawa, Ontario, May 16, 2024**

**PRESENT: Madam Justice Sadrehashemi**

**BETWEEN:**

**ANJOLAOLUWA ELIZABETH OJO**

**Applicant**

**and**

**THE MINISTER OF CITIZENSHIP AND  
IMMIGRATION**

**Respondent**

**JUDGMENT AND REASONS**

[1] The Applicant, Anjolaoluwa Ojo, a minor, applied to study for a social worker diploma at Georgian College in Ontario. An officer at Immigration, Refugees and Citizenship Canada [IRCC] refused her application, finding that she had not established that she would leave Canada at the end of her authorized stay.

[2] A key basis for the Officer's refusal was proof of financial resources. Ms. Ojo argues that the Officer's determination on financial resources is not responsive to the evidence in the record. I agree. Given that the ability to fund her studies and living expenses was a core ground on which the application was refused, this is a sufficient basis to order that the matter be redetermined.

[3] The Officer noted that Ms. Ojo's mother's proof of funds showed "low savings." There was no further explanation for this statement. The letter and statements provided indicate that Ms. Ojo's mother had approximately \$58,000 in savings. Respondent's counsel provided additional explanation at the judicial review hearing, arguing that the currency conversion was not accurate. As noted by Justice Little in *Zibadel v Canada (Citizenship and Immigration)*, 2023 FC 285 at paragraph 48: "I cannot impose my own view of the circumstances, buttress the reasons with my own, or guess what the officer must have been thinking." I have to consider the reasons that the Officer provided. There is no assessment of the financial evidence in the record, other than the conclusion that it is "low savings."

[4] The Officer also found that though the application was supported by Ms. Ojo's aunt in Canada, there was no proof of relationship provided. The Applicant had provided a letter from her aunt that set out their relationship. Ms. Ojo's aunt also provided financial records, including her 2021 T4 slip and a confirmation of employment. None of these documents are mentioned by the Officer. Given the centrality of these documents to the core issue, the Court is left not knowing whether they were considered in the Officer's determination that no proof of

relationship provided or with respect to the finding that there was inadequate financial support for Ms. Ojo's stay in Canada.

[5] Overall, I am not satisfied that the Officer meaningfully considered the evidence in the record on core issues raised by the application (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at paras 125–128). The decision is therefore unreasonable and requires redetermination.

[6] Neither party raised a question for certification and I agree none arises.

**JUDGMENT in IMM-9951-22**

**THIS COURT'S JUDGMENT is that:**

1. The application for judicial review is allowed;
2. The IRCC decision dated September 21, 2022 is set aside and sent back to a different decision-maker for redetermination; and
3. No serious question of general importance is certified.

"Lobat Sadrehashemi"

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Judge

**FEDERAL COURT**  
**SOLICITORS OF RECORD**

**DOCKET:** IMM-9951-22

**STYLE OF CAUSE:** ANJOLAOLUWA ELIZABETH OJO v THE  
MINISTER OF CITIZENSHIP AND IMMIGRATION

**PLACE OF HEARING:** TORONTO, ONTARIO

**DATE OF HEARING:** MAY 2, 2024

**REASONS FOR JUDGMENT  
AND JUDGMENT:** SADREHASHEMI J.

**DATED:** MAY 16, 2024

**APPEARANCES:**

Shokur Fahd FOR THE APPLICANT

Kareena Wilding FOR THE RESPONDENT

**SOLICITORS OF RECORD:**

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