

Federal Court



Cour fédérale

Date: 20240619

Docket: IMM-7510-23

Citation: 2024 FC 956

Vancouver, British Columbia, June 19, 2024

PRESENT: Mr. Justice Sébastien Grammond

BETWEEN:

MUHAMMAD UMER AHSAN

Applicant

and

**THE MINISTER OF CITIZENSHIP
& IMMIGRATION CANADA**

Respondent

JUDGMENT AND REASONS

[1] Mr. Ahsan, a citizen of Pakistan, applied for a visa to visit the Toronto area for two weeks. A visa officer denied his application. The officer found that Mr. Ahsan was not financially established in Pakistan. They were not satisfied that he would leave Canada at the end of his authorized stay.

[2] Mr. Ahsan now applies for judicial review of the visa officer's decision. I am dismissing his application, as he has not shown that the decision is unreasonable.

[3] Mr. Ahsan first argues that the visa officer unreasonably found that he is not financially established in Pakistan. However, the evidence before the officer was that Mr. Ahsan's annual employment income was approximately \$3,000. The officer could reasonably find that this level of income would not be a sufficient motivation for Mr. Ahsan to return to Pakistan.

[4] At the hearing before me, Mr. Ahsan asserted that not all of his income is deposited in the bank and that many transactions are done in cash. This information, however, was not put before the visa officer. The failure to consider information that was not in evidence does not render the decision unreasonable. I note that Mr. Ahsan provided his income tax return for 2021-2022, which shows income in the amount of 619,000 Pakistani rupees, which amounts to approximately \$3,000 Canadian dollars. He did not explain to the visa officer that he had undeclared income or assets.

[5] Mr. Ahsan also argues that the officer failed to take into account his travel history. It appears that he travelled to China, Saudi Arabia and the United Arab Emirates in recent years. When he was a child or a young adult, he travelled to the United Kingdom. He declared that in recent years, he was refused visas to visit the United Kingdom, the United States and Canada. The visa officer, however, was not required to deal explicitly with Mr. Ahsan's travel history. Visa officers are presumed to have considered all the information before them. In any event, the main reason for the refusal was Mr. Ahsan's insufficient establishment.

[6] Lastly, Mr. Ahsan argues that the officer breached procedural fairness by failing to give notice of their concerns and to afford him an opportunity to respond. However, it is well established that visa applications attract a low degree of procedural fairness and that, barring credibility concerns, officers are not required to give notice of concerns that arise from the materials submitted with the application. Here, the officer's concerns arose from the evidence Mr. Ahsan provided with respect to his income. There was no duty to give notice.

[7] For these reasons, Mr. Ahsan's application for judicial review will be dismissed.

JUDGMENT in IMM-7510-23

THIS COURT'S JUDGMENT is that:

1. The application for judicial review is dismissed.
2. No question is certified.

"Sébastien Grammond"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-7510-23

STYLE OF CAUSE: MUHAMMAD UMER AHSAN v THE MINISTER OF
CITIZENSHIP & IMMIGRATION CANADA

PLACE OF HEARING: BY VIDEOCONFERENCE

DATE OF HEARING: JUNE 19, 2024

JUDGMENT AND REASONS: GRAMMOND J.

DATED: JUNE 19, 2024

APPEARANCES:

Muhammad Umer Ahsan THE APPLICANT ON HIS OWN BEHALF

Alexandra J. Scott FOR THE RESPONDENT

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