

CANADA / JUDGMENT

Hosseini v. Canada

(Citizenship and Immigration)

2026 FC 298

COURT

Federal Court

DECIDED

4 March 2026

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20260304 Docket : IMM-23492-24 Citation: 2026 FC 298 Ottawa, Ontario , March 4, 2026 PRESENT:
Madam Justice McDonald BETWEEN: SEYED HOSSEIN HOSSEINI Applicant and THE MINISTER
OF CITIZENSHIP AND IMMIGRATION Respondent JUDGMENT AND REASONS

- [1] Mr. Seyed Hossein Hosseini seeks judicial review of an Immigration Officer's refusal of his work permit application. Mr. Hosseini, a citizen of Iran, incorporated Dideh Gostar Tahjiz Company in Ontario with the intention of selling medical equipment in Canada. He applied for a work permit under the International Mobility Program (IMP) code C11, for business owners seeking temporary residence.
- [2] The Officer, after identifying several issues with the work permit application, denied the request on various grounds. I. Issue [3] The Applicant challenges the reasonableness of the Officer's decision. II. Analysis [4] As a preliminary issue, the Respondent's counsel objected to several oral submissions made by Mr. Hosseini's counsel at the hearing, as they were not issues directly addressed in the Applicant's written submissions. This is a fair objection, as the Respondent's counsel did not have an opportunity to address these issues in their responding submissions. However, as I am dismissing this judicial review, no prejudice arises on this issue.
- [5] I will address the various challenges to the Officer's decision raised by the Applicant.
- [6] First, he argues that the Officer erred by applying the wrong criteria to the work permit sought. This is in reference to the Officer noting that the work permit sought was not temporary in nature. The Applicant argues that the "Global Skills Strategy" (GSS) that he applied under does not require the work be temporary in nature and does not require documentary evidence indicating the business would be of benefit to Canada.

- [7] Put in context however, the GSS application requires that a work permit applicant meet the criteria for the work permit sought; in this case, the C11 exemption permit under the IMP. A C11 exemption specifically states that it requires that the work be on a temporary or seasonal basis, normally with a maximum duration of 18 months. The Officer noted that the Applicant sought a 3-year stay, which was beyond this maximum duration. While the Officer has discretion to approve a work permit longer than the usual 18-month maximum, this still required the Applicant to prove his stay would be temporary. The Applicant has not pointed to any evidence before the Officer to demonstrate that he intended his stay to be temporary, such as a definite plan to transition out of managing or running the business. A C11 permit also requires evidence that the work sought would create significant benefits in Canada. In considering the application, it is reasonable for the Officer to expect documentary evidence from Canadian sources attesting to the benefits in Canada criterion.
- [8] Second, Mr. Hosseini argues that the Officer's reasons are contradictory, because the Officer criticized the business plan for being both overly descriptive and lacking specific details.
- [9] When read in full context, I do not read the Officer's reasons on this issue to be contradictory. The Officer found that the business plan focused excessively on unimportant areas but provided insufficient detail about areas the Officer considered essential. For example, the business plan included highly specific details about the international market and the specifications of the products, but, as the Officer noted, the plan did not include a staffing plan, or sufficient detail about where the products would be manufactured and how the business would test compliance with Canadian regulations.
- [10] Third, Mr. Hosseini argues that the Officer's finding that a \$120,000 investment in the Canadian business would not create a significant economic benefit to Canada is unreasonable. He argues that the Officer's reasoning on this point lacked transparency and justification.
- [11] The Officer's comments on this point are as follows:
- The business plan indicates the applicant will invest \$120,000 into the Canadian business. I am not satisfied this amount is a significant investment to Canada, and meets the definition of significant economic benefit to Canada.
 - No detailed staffing plan has been provided. I am unable to determine if the business has a realistic staffing plan, how many jobs the business would create, and what wages any positions would pay.
- [12] Mr. Hosseini is essentially arguing that the Officer did not provide sufficient reasons for this finding. Reasons however must be considered in the high-volume permit decision-making context, and the fact that the reasons, on any point, are brief is not a standalone reason to attack their reasonableness (*Shirkavand v Canada (Citizenship and Immigration)*, 2023 FC 1022 at para 15). In this case, it cannot be said that the Officer did not turn his mind, even if briefly, to Mr. Hosseini's proposed economic contribution. Further on this point, a

“significant economic benefit to Canada” is defined by guidelines and includes consideration of creating employment opportunities for Canadians. The Officer did note that Mr. Hosseini did not provide sufficient information regarding job creation, which is a relevant consideration in determining if the proposed work would create “significant economic benefit”. The Officer’s conclusion on this point is therefore justified when considered against the reasons as a whole.

[13] Finally, the Officer found that Mr. Hosseini’s English language abilities were inadequate for the position sought. This finding alone was sufficient for the Officer to reject Mr. Hosseini’s application, but the Officer nonetheless considered the other factors in support of the application but found them insufficient for the work permit sought. On a reasonableness review, there is no basis for the Court to interfere with this decision. III. Conclusion [14] Overall, Mr. Hosseini has not demonstrated that the decision lacks transparency, justification, or intelligibility, or that it was outside a range of possible, acceptable outcomes based on the facts and law (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at para 86). The decision is therefore reasonable.

[15] This judicial review is dismissed. There is no question for certification. JUDGMENT IN IMM-23492-24 THIS COURT’S JUDGMENT is that : This judicial review is dismissed. There is no question for certification. blank "Ann Marie McDonald" blank Judge FEDERAL COURT SOLICITORS OF RECORD Docket : IMM-23492-24 STYLE OF CAUSE: HOSSEINI v THE MINISTER OF CITIZENSHIP AND IMMIGRATION HEARING HELD BY VIDEOCONFERENCE AT : Ottawa, Ontario DATE OF HEARING: february 24, 2026 JUDGMENT AND REASONS: McDonald J. DATED: March 4, 2026 APPEARANCES : Mohammad Mirabdolbaghi FOR THE APPLICANT Eli Lo Re FOR THE RESPONDENT SOLICITORS OF RECORD: Golden Maple Law LLP Toronto, Ontario FOR THE APPLICANT Attorney General of Canada Toronto, Ontario FOR THE RESPONDENT

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