

CANADA / JUDGMENT

Taryan v. Canada (Citizenship and Immigration)

2026 FC 169

COURT

Federal Court

DECIDED

6 February 2026

Source: norma.lexum.com · Research copy typeset by Esheria. Not court-issued or certified.

Taryan v. Canada (Citizenship and Immigration) Court (s) Database Federal Court Decisions Date 2026-02-06 Neutral citation 2026 FC 169 File numbers IMM-22301-24 Decision Content Date: 20260206 Docket: IMM-22301-24 Citation: 2026 FC 169 Vancouver, British Columbia, February 6, 2026 PRESENT: The Honourable Madam Justice Turley BETWEEN: SOBHAN TARYAN Applicant and THE MINISTER OF CITIZENSHIP AND IMMIGRATION Respondent JUDGMENT AND REASONS

- [1] The Applicant, a citizen of Iran, applied for a study permit to pursue a four-year bachelor's degree in computing science at Trinity Western University [TWU] in British Columbia. His application was refused by an Immigration, Refugees and Citizenship Canada officer [IRCC officer] on the basis that the Applicant had not established that he would leave Canada at the end of his stay, as required by paragraph 216(1)(b) of the Immigration and Refugee Protection Regulations, SOR/2002-227.
- [2] The Applicant seeks judicial review, arguing that the IRCC officer's decision is unreasonable for failing to provide responsive reasons for refusing his application, considering the evidence he had submitted. I agree.
- [3] After obtaining an associate's degree in Iran in the field of "Information Technology Technician – Urban Electronic Services", the Applicant began working as an Information Technology Expert for an Iranian company. In January 2024, the company offered him a promotion to the position of IT Director, conditional upon his successful completion of a degree in computer science from a developed country: Letter dated January 28, 2024, Certified Tribunal Record [CTR] at 36–38. The company further approved a four-year leave of absence to allow the Applicant to pursue these studies abroad: Letter dated July 26, 2024, CTR at 40.

- [4] In addition to this evidence, the Applicant also submitted a comprehensive study plan in support of his study permit application: Study Plan in Canada, CTR at 20–22. That plan details the Applicant’s rationale for applying to the TWU program of study and offers context for how the program fits into his educational and employment history.
- [5] In refusing the Applicant’s application, the IRCC officer failed to engage with any of this evidence. Instead, the officer simply finds that the Applicant already possesses enough education, training, and experience in the IT field. On this basis, the officer expresses concern that the Applicant’s “motivation of pursuing education in Canada is to seek entry for reasons other than temporary”: Global Case Management System notes dated October 11, 2024, CTR at 3.
- [6] In a recent judicial review of a study permit refusal, my colleague Justice Duchesne rejected this very same approach, finding the officer’s reasoning both irrational and unreasonable. I wholly adopt Justice Duchesne’s conclusion: The Officer’s failure to consider the Applicant’s explicitly stated reasons to pursue the Program when those reasons contradict the Officer’s assumptions as to educational necessity, and then extrapolate that the Applicant would not leave Canada at the conclusion of her course of study is irrational and unreasonable in light of the record [citation omitted]. *Ekong v Canada (Citizenship and Immigration)*, 2025 FC 1355 at para 23.
- [7] Furthermore, an officer is required to assess both the factors that may encourage an individual to remain in Canada at the end of their studies, as well as those that might pull them back to their home country (“push and pull factors”): *Ullah v Canada (Citizenship and Immigration)*, 2024 FC 1830 at para 6; *Kashefi v Canada (Citizenship and Immigration)*, 2024 FC 856 at para 9; *Nesarzadeh v Canada (Citizenship and Immigration)*, 2023 FC 568 at para 9.
- [8] Here, the IRCC officer failed to consider the relevant evidence submitted by the Applicant supporting that he would not remain in Canada after his studies were completed. In addition to his employment, this includes his significant family ties in Iran (both parents and two siblings), his financial situation (over \$72,000 Canadian in his savings accounts), and his assets in Iran (ownership of two properties and three cars). In addition, the Applicant referred to his positive travel history: Statement of Purpose, CTR at 22–25. The IRCC officer’s failure to address this material evidence also renders the decision unreasonable.
- [9] For these reasons, the IRCC officer’s decision falls well short of exhibiting the required attributes of intelligibility, justification, and transparency: *Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at para 100. The application for judicial review is allowed. The IRCC officer’s decision is set aside, and the matter is remitted to another IRCC officer for redetermination. The parties did not propose a question for certification, and I agree that none arise. JUDGMENT in IMM-22301-24 THIS COURT’S JUDGMENT is that: The application for judicial review is granted. The Immigration, Refugees and Citizenship Canada officer’s decision dated October 11, 2024, is set aside and the matter is remitted to another officer for redetermination. There is no question for certification. “Anne M. Turley”

Judge FEDERAL COURT SOLICITORS OF RECORD DOCKET: IMM-22301-24 STYLE OF CAUSE: SOBHAN TARYAN v THE MINISTER OF CITIZENSHIP AND IMMIGRATION PLACE OF HEARING: VANCOUVER, BRITISH COLUMBIA DATE OF HEARING: FEBRUARY 5, 2026 judgment and reasons: TURLEY J. DATED: FEBRUARY 6, 2026 APPEARANCES: Ramanjit Sohi For The Applicant Joseph Beug Alyssa Collins (articling student) For The Respondent SOLICITORS OF RECORD: Raman Sohi Law Corporation Barristers and Solicitors Surrey, British Columbia For The Applicant Attorney General of Canada Vancouver, British Columbia For The Respondent

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://norma.lexum.com/fc-cf/decisions/en/item/529878/index.do>

CASE PAGE <https://chat.esheria.ai/case-law/canada/taryan-v-canada-citizenship-and-immigration-2026>

Prepared on 26 October 2026 · Esheria