



## Statement that a document was provided

On January 6, 2020, I provided the following:

### Notice of Decision

#### By regular mail to the Appellant

Simranjit Kaur SAHOTA  
12775-105a Ave.  
Surrey, BC V3V0A5

#### By regular mail to the Appellant's Counsel

✓ Amandeep Khaira  
CWC IMMIGRATION  
19-2565 Steeles Ave E  
Brampton, Ontario L6T 4L6, Fax: 905-458-4868

#### By regular mail to CBSA - Vancouver - Hearings and Appeals

Hearings and Appeals Unit  
Canada Border Services Agency  
300 West Georgia St., Suite 700  
Vancouver, BC V6B 6C8, Fax: 604-666-4835

Name: G. Bath

Signature: 



IAD File No. / N° de dossier de la SAI : VB9-00412  
Client ID / N° d'identification du client : 64585779

<b>Appellant(s)</b>	Simranjit Kaur SAHOTA	<b>Appelant(s)</b>
<b>Respondent</b>	Minister of Citizenship and Immigration	<b>Intimé</b>
<b>Date(s) and Place of Hearing</b>	January 6, 2020 Vancouver, BC	<b>Date(s) et lieu de l'audience</b>
<b>Date of decision</b>	January 7, 2020	<b>Date de la décision</b>
<b>Panel</b>		<b>Tribunal</b>
<b>Counsel</b>	Amandeep Khaira	<b>Conseil</b>
<b>Designated Representative</b>	N/A	<b>Représentant désigné</b>
<b>Minister's Counsel</b>	Stephanie Naqvi	<b>Conseil du ministre</b>

## NOTICE OF DECISION Sponsorship Appeal

After reviewing the information in this appeal, and the consent and joint recommendation of both parties, as indicated in the signed Summary of Agreement, this appeal is allowed. The officer's decision to refuse a permanent resident visa is set aside, and the officer must continue processing the application in accordance with the reasons of the Immigration Appeal Division, as set out in the Summary of Agreement.

I certify that this is the decision and reasons of the Member in this appeal.



\_\_\_\_\_  
for Registrar

\_\_\_\_\_  
January 6, 2020

Date

**Judicial Review** – Under section 72 of the *Immigration and Refugee Protection Act*, you may make an application to the Federal Court for judicial review of this decision, with leave of that Court. You may wish to get advice from counsel as soon as possible, since there are time limits for this application.



Immigration and Refugee  
Board of Canada

Immigration Appeal  
Division

La Commission de l'immigration  
et du statut de réfugié du Canada

Section d'appel de  
L'immigration

Library Square  
300 W Georgia St Suite 1600  
Vancouver, BC V6B 6C9  
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## ALTERNATIVE DISPUTE RESOLUTION

### SUMMARY OF AGREEMENT OF THE PARTIES

**Appellant: Simranjit Kaur SAHOTA**  
**IAD File No.: VB9-00412**

**Client ID: 6458-5779**

This appeal is from a refusal on the grounds that the sponsor did not meet the minimum income requirement for the sponsorship of her parents in 2015. Her family size at the time of the initial CPC Mississauga assessment was four including herself, her spouse and the applicants. The appellant's family size increased to five in 2015 with the birth of her son.

The parties jointly recommend to the Immigration Appeal Division that this appeal be allowed; the parties agree that the following is the basis upon which they consent to the appeal being allowed.

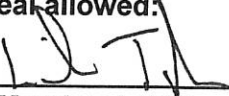
- 1) The MNI for a family of five in 2018 is \$68,358. The appellant provided credible evidence that her income and the co-signer's income met the MNI in 2017 and 2018. Based on the financial documentation available to date, it appears that they will also meet the MNI in 2019. Their income was \$7,230 short of meeting the MNI in 2016. The appellant explained that her child was born in 2015 and her income was affected by her maternity leave as well as her husband being off work due to an injury.
- 2) The appellant demonstrated a strong emotional bond to the applicants. The appellant provided credible evidence of their ongoing communication and visits in India and Canada.
- 3) The appellant credibly explained how her minor child would benefit from the positive influence of the applicants. A Child Development and Supports Needs Assessment was provided detailing the communication and social interaction challenges that the appellant's son is currently having. The appellant explained the stress that her child's development has caused her as well as how the applicants would provide positive support for her and her son.
- 4) The Minister's counsel believes that, although the refusal is valid in law, the humanitarian and compassionate factors, including the couple's current financial situation and the best interests of the child directly affected by the decision, warrant special relief and the Immigration Appeal Division should exercise its discretionary jurisdiction to allow the appeal.

While the refusal is valid in law, the Minister recommends that the appeal be allowed on humanitarian and compassionate grounds. The Minister's counsel is of the opinion that if this case proceeded to a full hearing before the Immigration Appeal Division, the appellant would likely succeed at appeal. Consequently, the Minister is of the opinion that it is not in the public interest to litigate this matter further.

  
Amandeep Khaira / Appellant's counsel

Date: January 6, 2020

Appeal allowed:

  
IAD Member / ADC

  
Stephanie Naqvi, Minister's counsel

Date: January 6, 2020

Date: 7 January 2020