



Immigration and  
Refugee Board of Canada

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

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Immigration Appeal Division Section d'appel de l'immigration

IAD File Number: VB7-01915  
Client ID: 54512543

STATEMENT THAT A DOCUMENT WAS PROVIDED

On NOV. 21 . 2017 I provided the **Notice of Decision and Summary of Agreement**

To the **appellant** at the following address:

Inderjit Singh Kahlon  
13069 74 Avenue  
Surrey, BC V3W1C3

Personal Service:   
Prepaid Regular Mail:   
Courier:   
Fax:

To the **appellant's counsel** at the following address:

✓ Amandeep Khaira  
Cwc Immigration  
19-2565 Steeles Ave E  
Brampton, ON L6T 4L6

Personal Service:   
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Courier:   
Fax:

To the **Minister's counsel** at the following address:

Canada Border Services Agency  
Enforcement and Intelligence Division  
Inland Enforcement Section  
Suite 700, 300 West Georgia Street,  
Vancouver, BC V6B 6C8  
Attn: Hearings and Appeals, Carla Medley

Personal Service:   
Prepaid Regular Mail:   
Courier:   
Fax:

(Signature)

Name:

M. DOBROTA

IMMIGRATION APPEAL DIVISION



SECTION D'APPEL DE L'IMMIGRATION

IAD File No. / N° dossier de la SAI: VB7-01915  
Client ID No. / N° ID client: 54512543

Appellant(s)	Inderjit Singh Kahlon	Appellant(s)
Respondent	The Minister of Citizenship and Immigration Le ministre de la Citoyenneté et de l'Immigration	Intimé
Date(s) and Place of Proceeding	November 15, 2017 Vancouver, BC	Date(s) et Lieu de la procédure
Date of Decision	November 16, 2017	Date de la Décision
Panel	George Pemberton	Tribunal
Appellant's Counsel	Amandeep Khaira	Conseil de l'appellant(s)
Minister's Counsel	Carla Medley	Conseil de l'intimé

## NOTICE OF DECISION

*Sponsorship*

**Member's Decision:** After reviewing the consent and joint recommendation of both parties, as indicated in the signed Summary of Agreement, and considering the information in this appeal, I am satisfied that this appeal should be 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.

**Registrar's Certification:** I certify that this is the decision of the member in this appeal.

  
\_\_\_\_\_  
For Registrar

November 20, 2017  
\_\_\_\_\_  
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

Contrôle judiciaire – Aux termes de l'article 72 de la Loi sur l'immigration et la protection des réfugiés, vous pouvez, avec l'autorisation de la Cour fédérale, présenter une demande de contrôle judiciaire de la décision rendue. Veuillez consulter un conseil sans tarder car cette demande doit être faite dans un délai précis.



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## ALTERNATIVE DISPUTE RESOLUTION

### SUMMARY OF AGREEMENT OF THE PARTIES

**Appellant: Inderjit Singh KAHLON**

**IAD File No.: VB7-01915**


**Client ID #: 5451-2543**

This appeal is from a refusal on the ground that the sponsor did not meet the minimum income requirement for the sponsorship of the applicants. The appellant's family size at the time of the initial financial assessment was three, including the appellant, his mother and father. During the assessment period, the appellant re-married, bringing his family size to 4.

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 current minimum necessary income for a family of four is \$59,426. Having considered the financial documentary evidence on file and the oral evidence of the appellant at the ADR conference, it appears that the appellant's income for the years 2014, 2015 and 2016 exceeds the MNI requirement for the corresponding years.
- 2) The appellant demonstrated a strong emotional bond to the applicants. The appellant explained that he is very close to the applicants and feels it is his cultural duty to care for his parents as they are aging. The appellant's sister resides in Canada. The applicants have no children remaining in India.
- 3) The appellant's wife landed in Canada a few weeks ago and has found employment. The appellant stated his father may work in Canada in the future.
- 4) The Minister's counsel believes that, although the refusal is valid in law, the humanitarian and compassionate factors, including the appellant's current financial situation, 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.

  
November 16, 2017



Appellant's counsel, Amandeep Khaira



Minister's counsel, Carla Medley

Date: November 15, 2017

Appeal allowed:

  
IAD Member PSMBERTON

Date November 16, 2017