

COURT OF KING'S BENCH OF MANITOBA

B E T W E E N:

RAHUL PRASAD,	)	
	)	<u>Kranti Chopra</u>
applicant,	)	for the applicant
	)	
- and -	)	
	)	<u>Devin A. Johnston</u>
MANITOBA (MINISTER OF LABOUR AND	)	<u>Anna Evans-Boudreau</u>
IMMIGRATION),	)	for the respondent
	)	
respondent.	)	
	)	Judgment Delivered:
	)	August 11, 2026

BOND J.

INTRODUCTION

[1] Rahul Prasad (the "Applicant") is a citizen of India living in Winnipeg, Manitoba, where he attended university and, until recently, worked as a security guard pursuant to a work permit issued by Immigration, Refugees and Citizenship Canada ("IRCC"). He wishes to obtain permanent residence in Canada through the Manitoba Provincial Nominee Program ("MPNP"). On seven occasions between April 24 and December 15, 2025, the Applicant applied to MPNP for a work permit support letter ("support letter") pursuant to a temporary policy entitled the Temporary Public Policy to Facilitate Work

Permits for Prospective Provincial Nominee Program Candidates ("temporary policy"). A support letter, if issued, would allow the applicant to apply to IRCC for a two-year Manitoba-specific work permit extension.

[2] All seven applications were denied by MPNP.

[3] The Applicant now seeks judicial review of the decisions. The Applicant argues that he was denied procedural fairness, that the decision-maker improperly fettered its discretion, and that the decisions were unreasonable. The Respondent opposes the application emphasizing the discretionary nature of the decisions in issue and pointing out that the temporary policy has since expired.

[4] The Applicant asks the court to quash all seven decisions, and to order a reconsideration of his applications.

BACKGROUND AND FACTS

[5] I will begin with some background regarding MPNP and the temporary policy. I will then turn to the Applicant's efforts to obtain the support letter, and the decisions in issue.

[6] There was no dispute between the parties that the record filed by the Respondent and the affidavit filed by the Applicant were materials properly before me for the judicial review application. The record includes correspondence, and printouts from a computer system used by MPNP to process applications and administer the program. The Applicant's affidavit provides information relevant to the background and context of this application.

The Manitoba Provincial Nominee Program (MPNP)

[7] The federal and provincial governments have concurrent constitutional jurisdiction in relation to immigration under s. 95 of *The Constitution Act, 1982*, Schedule B to the Canada Act 1982 (UK), 1982, c 11. Immigration matters in Manitoba are governed by the federal *Immigration and Refugee Protection Act*, S.C. 2001, c. 27 ("*IRPA*"). Selection of foreign nationals for permanent residence in Canada is governed by *IRPA*. Pursuant to *Immigration and Refugee Protection Regulations*, SOR/2002-227, a provincial government may nominate an individual foreign national to become a permanent resident. In Manitoba, the nomination process is administered by way of MPNP.

[8] MPNP is established pursuant to the Canada-Manitoba Immigration Agreement June 2003 (the "Agreement"). To avail themselves of MPNP, a foreign national who wishes to obtain permanent residence in Canada submits an expression of interest ("EOI") to MPNP, and if they are chosen, they are issued a letter of advice to apply for a certificate of nomination ("LAA"). This certificate of nomination would then be considered by IRCC in the candidate's application for permanent residence.

[9] As pointed out by the Respondent, this process is highly discretionary. No one has a right to an LAA. No one has a right to a certificate of nomination, nor to become a permanent resident. Moreover, MPNP is one of several routes to permanent residency available under *IRPA*.

The Temporary Policy

[10] The temporary policy was announced in April 2025, and was active from April to December 2025. The purpose of the temporary policy was to allow an MPNP candidate

to apply to extend their work permit for a period of two years while they pursue nomination through MPNP.

[11] A government of Canada web page announcing the temporary policy states that a temporary worker in Manitoba who has been issued a support letter from Manitoba confirming their eligibility under MPNP could be eligible for an open work permit under this temporary policy. The web page states that the support letter that may be issued by the province of Manitoba confirms that the individual is included in an application inventory process or an expression of interest pool under the provincial nominee program.

[12] Eligibility criteria for the support letter are set out on a government of Manitoba web page. The list of eligibility criteria includes that the candidate held a work permit that expired in 2024 or 2025 or holds a work permit that is due to expire within 45 days, and can show that they meet the following conditions:

- They had a valid Manitoba provincial nominee program expression of interest profile on January 15, 2025, and have a valid Manitoba provincial nominee program expression of interest profile at the time of their application;
- They were residing in Manitoba prior to January 15, 2025, and have continuously remained resident in Manitoba;
- They are currently employed in Manitoba with an employer who is willing to provide a letter of employment; and
- They are intending to establish in Manitoba as a permanent resident.

[13] There is no reference under the candidate criteria to a requirement that the candidate has not received an LAA. However, the web page includes a hyperlink to a “FAQ page”. The FAQ page sets out 11 questions with answers, most of which repeat

information already listed under the candidate criteria on the main web page. However, the answer to FAQ number five states:

5. ... only those who *have not received a Letter of Advice to Apply*, had an active Expression of Interest profile on or before January 15, 2025, and have an active Expression of Interest profile at the time of application may apply for a Support Letter from Manitoba.

[Emphasis added]

The Applicant's EOI and LAA

[14] The Applicant has an express desire to become a permanent resident of Canada and to remain in Manitoba. He came to Canada in 2023 to attend post-secondary education. He attended the University of Winnipeg where he completed a post-degree diploma in supply chain management. After obtaining that diploma, in May 2024, he was issued a post-graduation work permit which expired in May 2025. He applied to IRCC for an extension, and was authorized to work until May 2026, while his application for an extension was considered. Since May 2024, and until May 2026, he has worked in Winnipeg as a security guard. Without the support letter for which he applied, he has been unable to seek a further extension of his work permit. In the absence of a work permit, his employment has been terminated.

[15] On November 6, 2024, in accordance with MPNP, and with the assistance of an immigration consultant named Jatinder Singh ("Mr. Singh"), the Applicant submitted an EOI through MPNP's online application portal. He was immediately advised by email that his submission had been received, would be valid for one year, and during that time he would be considered for selection to be issued an LAA. As noted above, the LAA is an invitation to apply for nomination under MPNP, which could lead to permanent residence

in Canada. The EOI included information about the Applicant, such as his English language proficiency, education and prior work experience. These attributes would be assigned point values, and candidates with the highest point values would be selected by MPNP to receive an LAA.

[16] On January 9, 2025, based on the EOI submitted on his behalf by Mr. Singh, the Applicant was issued an LAA. Mr. Singh then advised him that an error had been made in the EOI. The EOI included reference to the Applicant's commissioned (non-salaried) work in India as previous work experience. However, work paid only by commission should not have been included as prior work experience. The erroneous inclusion of this work experience would have inaccurately inflated the Applicant's points score upon which the issuance of the LAA was based.

[17] The letter from MPNP notifying the Applicant of the issuance of the LAA advised him that he must now prove the facts upon which his points score was based. The letter told him that if there had been a change to his information, then he should decline the LAA and correct his information. The letter also stated: "This Letter of Advice to Apply is valid for 60 days from the date of this message." The letter advised the Applicant to either submit an application to MPNP within the 60-day period or to decline the invitation. It also stated:

If you fail to take action on this LAA, your EOI will expire and your profile cannot be considered for future rounds of invitations. If you later decide that you wish to be considered again, you will need to submit a new EOI and meet the requirements in place at that time.

The applicant did not take steps to decline the LAA, expecting that it would expire in 60 days.

[18] Of note, MPNP's computer system did not show that the Applicant's LAA expired after 60 days. In fact, MPNP's computer system indicated that the LAA, issued on January 9, 2025, would expire on November 6, 2025. No explanation regarding this discrepancy was offered.

[19] On January 14, 2025, Mr. Singh submitted a new EOI on behalf the Applicant with the correct information regarding his work experience.

Applications for Support Letter

[20] The Applicant submitted his first application for a support letter on April 24, 2025. By that date, based on its stated 60-day expiry, the LAA issued on January 9, 2025 and the EOI upon which the LAA was based would have expired. The new EOI submitted by the Applicant on January 14, 2025 would have been active.

[21] The Applicant believed that he met all of the eligibility criteria for a support letter. He held a work permit expiring in 2025. He had a valid EOI profile as of January 15, 2025, and at the time of his application. He was living in Manitoba on a continuous basis. He was employed with an employer willing to provide an employment letter. He intended to establish in Manitoba as a permanent resident.

[22] MPNP's decision rejecting the first application for a support letter was issued by email on July 30, 2025. The email states:

Your application for a work permit support letter was reviewed and assessed according to the eligibility criteria. We regret to inform you that your application does not meet the requirements to be issued a work permit support letter for the following reasons:

You did not have a valid EOI profile on January 15, 2025.

A file note included on MPNP's computer file - but not included in the email sent to the Applicant - states: "LAA issued 9 Jan 2025."

[23] The Applicant's second application for a support letter was submitted on his behalf by Mr. Singh on August 2, 2025. The decision rejecting the application was issued on August 5, 2025, with the reasons given as: "This is a duplicate submission."

[24] The Applicant's third application for a support letter was submitted on his behalf by Mr. Singh on or about August 18-20, 2025. On August 29, 2025, an email from MPNP to Mr. Singh indicated that the Applicant had been issued an LAA on January 9, 2025, and stated that those who have received an LAA are not eligible to apply for a support letter. Mr. Singh replied that there had been a mistake in the EOI and so the Applicant had declined the LAA and submitted a new EOI. The decision rejecting this application was issued on the same day, with the reason given as: "You did not have a valid EOI profile on January 15, 2025."

[25] It is obvious, and the Respondent conceded, that the reasons given for the rejection of the Applicant's first and third applications were manifestly incorrect. The Applicant did have a valid EOI profile on January 15, 2025.

[26] The Applicant made four more applications for a support letter, all of which were rejected, as follows.

[27] The fourth application for a support letter was submitted on behalf of the Applicant on September 11, 2025. On September 23, 2025, the Applicant sent a letter to MPNP asking for reconsideration of the previous refusals, and indicating that there had been a mistake in his first EOI, that he had not accepted the LAA issued to him, and that he had submitted a new EOI on January 14, 2025. The Applicant sent similar letters on October 6, 2025, and again on October 20, 2025, again asking for reconsideration. The decisions were not reconsidered, and his correspondence went unanswered. The letter

rejecting the fourth application for a support letter, dated October 21, 2025 gave the following reason: "You were previously issued a Letter of Advice to Apply."

[28] The fifth application for a support letter submitted on behalf of the Applicant on October 21, 2025 was rejected by email dated November 3, 2025 with the following reason: "You were previously issued a Letter of Advice to Apply."

[29] The sixth application for a support letter submitted on behalf of the Applicant was accompanied by two additional documents. The first was a letter dated November 7, 2025, signed by Naveen Chopra of EEP Immigration Services, advocating on behalf of the Applicant and pointing out that he met all the requirements for the issuance of a support letter as published on the MPNP web page. The second was an affidavit of the Applicant, dated November 6, 2025, explaining the error in the first EOI submitted on his behalf, and pointing out that he had submitted a new EOI on January 14, 2025. This sixth application was rejected by email dated November 24, 2025, with the following reason: "You were previously issued a Letter of Advice to Apply."

[30] The seventh, and final, application for a support letter was accompanied by a letter dated December 9, 2025, and signed by Mr. Singh. This letter again explained that there had been an error in the Applicant's first EOI and that he had declined the LAA that had been issued to him. This application was rejected by email dated December 17, 2025 with the following reason: "You were previously issued a Letter of Advice to Apply."

[31] I note that correspondence sent on behalf of the Applicant indicated that he had declined the LAA, when in fact he had simply not acted upon it. In my view, that inconsistency is immaterial. Despite having been issued an LAA on January 9, 2025, the

Applicant had not applied for an MPNP certificate of nomination and had explained on multiple occasions that there had been an error in his first EOI.

[32] The Applicant takes the position that at the time that he submitted the first request for a support letter, the LAA he had received had expired, and along with it the first EOI. He sought the support letter after having submitted a second EOI on January 14, 2025.

[33] The Respondent takes the position that the expiry or otherwise of the LAA is not material. First, the Respondent says that the Applicant should have declined the LAA as per the recommendation in the LAA sent to him. Second, the Respondent says that the issuance of the LAA is disqualifying, regardless of whether it had expired or not. That is, the Respondent says that the issuance of a support letter is a highly discretionary decision on the part of MPNP, and so it is entitled to limit eligibility for the support letter to those who have not received an LAA, regardless of whether the Applicant would be able to seek nomination pursuant to the LAA issued. The Applicant says this is an improper fettering of the decision-maker's discretion.

THE ISSUES

[34] This application raises the following issues:

1. Did MPNP breach the duty of procedural fairness?
2. Are the decisions unreasonable?
3. Are the reasons inadequate?
4. Should the decisions be quashed and the matter remitted for reconsideration?

[35] For the reasons that follow, I have concluded that the decisions of MPNP refusing a support letter must be quashed, and remitted back to MPNP for reconsideration.

ANALYSIS

The Applicant was denied Procedural Fairness

[36] The requirements of the duty of fairness in administrative decision making depend on a variety of contextual factors. (See ***Baker v. Canada (Minister of Citizenship and Immigration)***, 1999 CanLII 699 (SCC), [1999] 2 S.C.R. 817.) Six factors identified in ***Baker***, at paras. 18-28, are summarized in ***Jiang v. Manitoba (Minister of Labour and Immigration) et al.***, 2014 MBCA 27, as follows:

[20] ... the nature of the decision being made, the process followed in making it, the nature of the statutory scheme and the terms of the statute pursuant to which the body operates, the importance of the decision to the individual affected, the legitimate expectations of the person challenging the decision, and respect for the decision makers' own choice of procedures.

[37] As pointed out by the Respondent, and not disputed by the Applicant, the decisions at issue are discretionary in nature. The web page that sets out the eligibility criteria for the temporary policy states that Manitoba "reserves the right to limit the number of support letters it will issue". Meeting the eligibility criteria does not guarantee the issuance of a support letter, nor does the issuance of a support letter guarantee any other outcome for the Applicant. Nevertheless, the decision is very important to the Applicant, and anyone in his position who is seeking to obtain permanent residence status in Canada. The support letter would be a pre-requisite to obtaining an extension of the Applicant's work permit that would allow him to continue to pursue nomination pursuant to MPNP and ultimately permanent residence, while working in Manitoba.

[38] The decision-making process is internet based, with documents submitted by way of a portal, and communication by email. The application process is not adversarial, and

as such there is no “case to meet”. However, there are eligibility criteria that must be met, as set out on the web page, and failure to meet those criteria would disqualify the Applicant.

[39] In this case, in my view, the requirements of procedural fairness are relatively low, but not without some basic requirements. Even where the decision is discretionary, as it is here, the applicant is entitled to know what the eligibility criteria are. Here, the list of candidate criteria published on the web page inviting applications did not include the absence of an LAA as a requirement. Instead, this element was buried in a separate web page of FAQs. While this information was accessible by way of hyperlink to the FAQ web page, it was not presented as one of the eligibility requirements under the heading “Candidate Criteria”.

[40] In my view, inadequate communication of the requirement that no LAA had been issued to him was misleading to the Applicant. At minimum, the Applicant in this case was entitled to know the eligibility requirements for the issuance of a support letter. If the issuance of an LAA was to be a bar to eligibility, then this should have been clearly communicated to all candidates, including the Applicant. In my view, failure to do so was a breach of procedural fairness.

The Decisions are Unreasonable

[41] The standard of review for the substance of the decision is reasonableness (*Canada (Minister of Citizenship and Immigration) v. Vavilov*, 2019 SCC 65, at para. 23).

[42] The Supreme Court of Canada in **Vavilov** states:

[85] ... a reasonable decision is one that is based on an internally coherent and rational chain of analysis and that is justified in relation to the facts and law that constrain the decision maker. The reasonableness standard requires that a reviewing court defer to such a decision.

Where the decision meets that test for reasonableness deference to the decision-maker is required. The Applicant must show “there are sufficiently serious shortcomings in the decision such that it cannot be said to exhibit the requisite degree of justification, intelligibility and transparency” (**Vavilov**, at para. 100).

[43] **Vavilov** further states:

[126] The decision maker must take the evidentiary record and the general factual matrix that bears on its decision into account, and its decision must be reasonable in light of them: [citation omitted]. The reasonableness of a decision may be jeopardized where the decision maker has fundamentally misapprehended or failed to account for the evidence before it. ...

[44] Where the decision-maker has broad discretion in making a particular decision, that decision must comply with the rationale of the statutory scheme under which it is adopted. Discretion can never be absolute or untrammelled, and any exercise of discretion must accord with the purposes for which it was granted (**Vavilov**, at para. 108).

[45] The decisions in issue here involve the exercise of broad discretion in the application of a temporary policy established pursuant to the Agreement referred to above. The authority to enter into the Agreement is found in **IRPA** and s. 6(1) of **The Labour Administration Act**, C.C.S.M. c. L20, both of which provide broad discretion for agreements between Canada and Manitoba related to immigration. The

provisions of the Agreement refer broadly to cooperation between Canada and Manitoba in the promotion and recruitment of provincial nominees.

[46] The temporary policy was announced by Canada and Manitoba, and eligibility criteria were published on a MPNP web page. As the Respondent pointed out, the web page advised all potential applicants that MPNP reserved the right to limit the number of support letters issued, evidencing a broad discretion to be exercised by the decision-maker. Not all applicants who met the criteria would be automatically issued a letter of support.

[47] The Respondent did not include in the record filed with this Court any policy statement or other document setting out factors or principles to be considered by MPNP in exercising its discretion. The Respondent relied solely on the web pages referred to above. The government of Canada web page announces the policy and invites applications for a work permit from temporary workers in Manitoba who have been issued a work permit support letter. It states: "The support letter confirms that you're included in an application inventory process or an expression of interest pool under the Provincial Nominee Program."

[48] The government of Manitoba web page, dated April 15, 2025, lists several conditions under the heading "Candidate Criteria". These conditions include that the candidate demonstrate that they had a valid MPNP expression of interest profile on January 15, 2025, and at the time of their application. These conditions are consistent with the statement of "Who can apply" found on the government of Canada web page. It further states that persons who meet those listed criteria may apply for a support letter. There is no reference on this web page to the issuance of an LAA as a bar to eligibility.

[49] The Respondent argued that each of the applications for a support letter made by the Applicant was properly refused, because he had been issued an LAA. The Respondent took the position that whether the LAA had expired or not by the time the seven applications for a support letter were submitted is immaterial, because the mere issuance of an LAA barred the Applicant's eligibility for the support letter. This was stated on the FAQ web page.

[50] Contrary to the argument of the Respondent, I conclude that the eligibility criteria for the issuance of a support letter are those published on the Manitoba government web page under the heading "Candidate Criteria". The absence of an issued LAA is not one of the published criteria.

[51] Administrative bodies may issue guidelines or policy statements that may assist in the coherent and consistent exercise of discretion. However, if those guidelines or policies are applied as mandatory, without allowing for consideration of the relevant circumstances of the individual case, this becomes improper fettering of discretion. (See ***Thamotharem v. Canada (Minister of Citizenship and Immigration)*** (F.C.A.), 2007 FCA 198 (CanLII), [2008] 1 F.C.R. 385, leave to appeal to SCC refused, at paras. 55-62.) A decision that is the result of fettered discretion cannot be reasonable (***Vavilov***, at para. 108).

[52] If the reference on the FAQ page to the issuance of an LAA as a bar to the application for a support letter means that the issuance of an LAA is determinative of any application for a support letter, as argued by the Respondent, then the discretion to issue the support letter has been fettered.

[53] The Applicant's first three applications were refused based on a clear misapprehension of the circumstances. Regarding the subsequent four applications, I find that the MPNP decision-makers treated the issuance of an LAA as an automatic bar to eligibility. They failed to engage with the circumstances of the Applicant, the error in his EOI, the expiry of the LAA, and his submission of a new EOI. The requirement that no LAA has been issued, whether it can be used to pursue nomination or not, does not accord with the purpose of the policy, nor the broad purposes of the Agreement and legislation under which it is authorized. A statement on Manitoba's web page indicates that the purpose of the temporary policy is to facilitate work permits for prospective MPNP candidates, enabling them to apply for a two-year Manitoba-specific work permit extension. There is no logical connection between the issuance of an LAA based on an inaccurate points score and the Applicant's suitability for a support letter. The Applicant held a work permit that had expired, was permitted to work only as his request for a work permit extension was considered, and could not apply for nomination based on the LAA issued to him. He was a prospective MPNP candidate who wanted to apply for a work permit extension as he pursued nomination. The decision-maker failed to consider the Applicant's particular circumstances.

[54] ***Goel v. Canada (Citizenship and Immigration)***, 2025 FC 275, a case filed by the Applicant, is instructive. The applicant in ***Goel*** sought to apply for permanent residence, and her application required the submission of a marriage certificate. Her application was rejected by the IRCC on the basis that she had provided a marriage licence rather than a marriage certificate. Her application was deemed to be incomplete. She sought reconsideration, and through a representative, made written submissions that

explained that the document she had submitted was indeed a marriage certificate, but one that was obtained on an emergency basis, and so appeared different from a standard marriage certificate. The IRCC refused to re-open its decision. The applicant sought judicial review.

[55] The Court's analysis in *Goel* addressed two issues. First, the Court determined that the IRCC's refusal to re-open the decision was justiciable, holding that a decision to reject an application as incomplete cannot be immune from judicial review where the applicant disputes the determination that her application is incomplete. (at para. 9). (Justiciability was not raised as an issue before me.) Second, the Court determined that the decision was unreasonable, because the IRCC failed to engage with the submissions made on the applicant's behalf regarding the particular circumstances of her documentation.

[56] There is clearly a need for efficiency for administrative decision-makers tasked with making large numbers of discretionary decisions in the context of a vast administrative scheme. Such decision-makers cannot be expected to address every set of facts or submissions made to it in detail. However, "a decision maker's failure to meaningfully grapple with key issues or central arguments ... may call into question whether the decision maker was actually alert and sensitive to the matter before it" (*Vavilov*, at para. 128).

[57] In this case, I find that the first three decisions were based on a clear misapprehension of the facts. I find that the subsequent four decisions failed to engage with the Applicant's submissions regarding his particular circumstances and were based on improperly fettered discretion. I conclude that the decisions are not based on an

internally coherent and rational chain of analysis which is justified in relation to the facts and law; the decisions are unreasonable.

The Reasons are Inadequate

[58] The task of assessing the adequacy of reasons is separate from the assessment of the substantive reasonableness of the decision made. (See ***Friesen (Brian Neil) Dental Corp. et al. v. Director of Companies Office (Man.) et al.***, 2011 MBCA 20, at para. 89.) Reasons will be adequate when they satisfy “the parties’ functional need to know” and “allow for meaningful judicial review ... in the context of the record” (***Friesen***, at para. 90).

[59] In assessing their adequacy, I must consider the reasons with an appreciation for the purposes and functions for which the reasons have been delivered. To be adequate, the reasons should explain how and why the decision-maker reached the decision it did and should show that the decision-maker did not fail to consider information presented by the Applicant. It is not necessary that the decision-maker refer to all the information presented, nor provide a detailed explanation of the reasoning process. However, the reasons for decision should allow the Applicant to know how the information before the decision-maker led to the decision that was made (***Friesen***, at para. 92).

[60] I find the following comments of the Federal Court in ***Boukhanfra v. Canada (Citizenship and Immigration)***, 2019 FC 4, to have some application to this case:

[8] I venture to add this. In a context of mass adjudication, there is an inherent tension between the need for efficiency and the requirement of an individualized decision. As is well-known, decision-makers cannot “fetter their discretion” through the adoption of rigid guidelines (*Maple Lodge Farms v Government of Canada*, 1982 CanLII 24 (SCC), [1982] 2 SCR 2 at 5-6; *Kanthasamy* at para 32; *Delta Air Lines Inc. v Lukács*, 2018 SCC 2 at para 18 [*Delta Air Lines*]). They must consider the merits of each individual case. Reasons, in this regard, play a critical

role. By forcing decision-makers to write reasons, we ensure that they pay attention to the specific features of each case. Reasons that merely state a conclusion without explaining its justification do not provide that assurance (see, for example, *R v Sheppard*, 2002 SCC 26, [2002] 1 SCR 869).

[9] Under the pressure of mass adjudication, decisions-makers may be tempted to resort to standard or “boilerplate” language that has survived judicial review or that courts have used to describe the test that they have to apply. Nothing forbids such a practice. Decision-makers are required to be transparent, not to be original (*Cojocaru v British Columbia Women’s Hospital and Health Centre*, 2013 SCC 30 at paras 31–33, [2013] 2 SCR 357). The use of standard language, however, is not a vaccine against judicial review. If the conclusion does not flow from the premises, or if the use of boilerplate gives cause to doubt that the decision-maker duly considered the specific facts of the case, the decision may well be unreasonable. Conversely, the lack of standard language or the decision-maker’s failure to state the test he or she is applying does not automatically pave the way to the intervention of the Court. What is important is that the reasons be intelligible and that they describe a reasonable path to the decision that was made.

[61] For ease of reference, I note here the reasons given for each rejection of each application:

1. July 30, 2025 - “You did not have a valid EOI profile on January 15, 2025.” (The Respondent acknowledges that this is manifestly inaccurate, as the Applicant had submitted a second EOI on January 14, 2025.)
2. August 5, 2025 - “This is a duplicate submission.”
3. August 29, 2025 - “You did not have a valid EOI profile on January 15, 2025.”
4. October 21, 2025 - “You were previously issued a Letter of Advice to Apply.”
5. October 30, 2025 - “You were previously issued a Letter of Advice to Apply. ”
6. November 24, 2025 - “You were previously issued a Letter of Advice to Apply.”
7. December 17, 2025 - “You were previously issued a Letter of Advice to Apply.”

[62] None of these reasons show any engagement with the Applicant's particular circumstances or the specific facts of his case. They show no engagement with the explanation provided by the Applicant regarding the error in his first EOI, the unused LAA, and the new EOI. I conclude that the reasons given for rejection of each of the seven applications are inadequate.

The Decisions must be quashed and the Matter remitted for Reconsideration

[63] I have concluded that the Applicant was denied procedural fairness, that the decisions of MPNP were unreasonable, and that the reasons of the decision-maker were inadequate. The decisions must be quashed.

[64] This brings me to the problem of proper remedy. The Applicant acknowledges that the temporary policy, which was created by way of an agreement between the governments of Manitoba and Canada has expired. During the hearing, counsel for the Respondent, was unable or unwilling to propose a practical remedy in the event that I found in the Applicant's favour. She simply said that the temporary policy had expired and it is for the Applicant to come up with an appropriate remedy.

[65] In ***Lakhanpal v. Canada (Citizenship and Immigration)***, 2021 FC 694, the Court quashed a decision made by IRCC refusing permanent residency sought by the applicant pursuant to a "short term, one time public policy" effective for only three months. The Court set aside the decision and remitted the matter for reconsideration, with no reference to the temporary nature of the public policy.

[66] Having found that the Applicant was denied procedural fairness and his applications were unreasonably refused, it is both unfair and unreasonable for him to now be denied any practical remedy. His applications must be reconsidered.

[67] As the result, this Court orders as follows:

- a) Each of the seven decisions at issue in this application is quashed.
- b) The matter is remitted for reconsideration.

_____J.