

T-1413-23

Applicant: Haa Yang vs.
Respondent: Attorney General of
Canada

FORM 301 Rule 301
Notice of Application

(General Heading — Use Form 66)
(Court seal)

Notice of Application

FEDERAL COURT COUR FÉDÉRALE	
FILED	JUL 10 2023
JOHN GORNICK	
TORONTO, ON	-/-

TO THE RESPONDENT:

A PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the applicant. The relief claimed by the applicant appears below.

THIS APPLICATION will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court orders otherwise, the place of hearing will be as requested by the applicant. The applicant requests that this application be heard at *(place where Federal Court of Appeal (or Federal Court) ordinarily sits)*.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or a solicitor acting for you must file a notice of appearance in Form 305 prescribed by the Federal Courts Rules and serve it on the applicant's solicitor or, if the applicant is self-represented, on the applicant, WITHIN 10 DAYS after being served with this notice of application.

Copies of the Federal Courts Rules, information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO OPPOSE THIS APPLICATION, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

July 10, 2023

Issued by: (Registry Officer)

Address of local office:

TO: Attorney General of Canada
120 Adelaide Street West, Suite #400
Toronto, Ontario M5H 1T1

Canada Revenue Agency
1050 Notre Dame Avenue
Sudbury, Ontario P3A 5C1

180 Queen Street West
Suite 200
Toronto, Ontario
M5V 3L6

180, rue Queen Ouest
bureau 200
Toronto, Ontario
M5V 3L6

Application

This is an application for judicial review in respect of

Canada Revenue Agency

Decision: C0056221596-001-45

Decision Date: June 14, 2023

Details of Decision: Second review of CRB & CERB Application – Ineligibility

The applicant makes application for:

I request that decision: C0056221596-001-45 be stayed and for this matter to be remitted for fresh consideration on the grounds indicated below

The grounds for the application are:

1. CRA's decision was unreasonable because CRA refused to accept my amended 2019 and 2020 tax return as sufficient proof of income.
 - The income reported on the amended return corresponds with the invoices submitted for the initial review.
 - I have bank statements from 2019 to support my eligibility for CRB & CERB. On May 31, 2023 I had a phone conversation with the CRA reviewing agent. The agent asked if there were bank statements to support the deposit some invoices charged. At that time, I stated the bank statements would not support the amount charged because I received cash payments and I only deposited a portion of the received amount. Therefore, my bank statement would not correspond with the invoices. At that time, I was very anxious with the phone call and I did not want to make assumptions that my bank statements could prove it. But after reviewing my banks statements, I am now in fact able to prove the invoices. I would like to submit those documents to support to eligibility.
2. I was not provided procedural fairness because CRA's reasons for decision was not transparent.
 - The reason provided by CRA did not include an analysis of why I did not meet the CRB & CERB criteria.
 - The reasons are supposed to include an internally coherent and rational chain of analysis, but the decision issued on June 14, 2023 did not enclose such reasons.

This application will be supported by the following material:

1. Book of documents

The applicant requests CRA to send a certified copy of the following material that is not in the possession of the applicant to the applicant and to the Registry:

1. A list of documents CRA used to determine the ineligibility.
2. CRA agent notes or May 31, 2023 phone transcript.

July 10, 2023



Hua Yang (Self-Represented)
85 St. Urbain Dr, Woodbridge, ON, L4H 2W8
416 707 9808 or 647 639 0705

SOR/2021-151, s. 22

I HEREBY CERTIFY that the above document is a true copy of
the original issued out of / filed in the Court on the _____

day of JUL 10 2023 A.D. 20

Dated this JUL 10 2023 day of _____ 20

A handwritten signature in black ink, appearing to be "John J. [unclear]", written over a horizontal line.