

FORM 301 Rule 301  
**Notice of Application**

T-560-22

FEDERAL COURT

BETWEEN:  
Shane Pennells (Applicant)

and

Canada Revenue Agency (Respondent)

APPLICATION UNDER sections 18 and 18.1 of the Federal Courts Act R.S.C. 1985, c. F-7 and Rule 301 of the Federal Court Rules, 1998.

## Notice of Application

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 Toronto, Ontario

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.

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11-MAR-2022		
Kyla Chisholm		
TOR	1	

March 11, 2022  
(Date)

**Abigail Grimes**

Issued by: (Registry Officer)

Address of local office:

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

TO: Canada Revenue Agency  
Canada Revenue Benefit Validation  
1050 Notre Dame Avenue  
Sudbury ON  
P3A 5C1

## Application

This is an application for judicial review in respect of the Canada Revenue Agency's Canada Recovery Benefit eligibility, case reference number C0041807601-001-45

On February 15, 2022 I was issued a letter by Donna Boivin, manager, Canada Emergency Benefits Validation, stating that my second review of my Canada Recovery Benefit (CRB) application had been denied due to not receiving documents related to confirming CRB eligibility, asked for during a conversation on January 13, 2022.

I had submitted the request documents via the Canada Revenue Agency's online document submission portal on February 13, 2022, with confirmation numbers from the CRA website emailed to me. The CRA website confirmation numbers are 27U4C5E, 27U4C5H, 27U4C5J, 27U4C5N, 27U4C5Y.

### The applicant makes application for:

The documents to be admitted as having been received, therefore allowing for review and further discussion of my eligibility.

### The grounds for the application are:

I had confirmation that documents had been submitted and accepted from the CRA website on a date prior to the date of the letter saying otherwise.

Furthermore, I had received the email containing the letter dated as February 15 at 1:08am on February 15 stating that I had not submitted my requested documents. This says to me that the letter was automatically generated and not subject to any external oversight, such as CRA personnel doing any reviews of the document submissions.

If the February 15 letter was automatically generated, then there was no physical review of the submitted documents at the time of the letter being sent. I can not be

held liable for the lack of review of submitted documents by the CRA, as they are out of my ability to influence once submitted. As the requested documents had been submitted before the letter's date, they should be seen as having been submitted in good faith, as requested by the CRA Agent I had been in contact with (Nathan, Badge #38819) despite not having been yet reviewed.

This application will be supported by the following material:

1. Shane Pennells CRA Email.png
2. Shane Pennells CRA Confirmation Email.png
3. Shane Pennells - CRA Letter Feb 15 2022.png

March 11, 2022

A handwritten signature in black ink, appearing to read 'Shane Pennells', with a long horizontal flourish extending to the right.

Shane Pennells  
601-125 Forest Ave  
Hamilton, ON  
L8N 1X7

905-297-7570  
shanepennells@gmail.com

[SOR/2021-151, s. 22](#)