

T-2018-22

FEDERAL COURT COUR FÉDÉRALE	
FILED	OCT 13 2022
JENA RUSSELL	
TORONTO, ON	

FORM 301 Rule 301
Notice of Application

(General Heading — Use Form 66)

(Court seal)

RAFAL SECHABER APPLICANT
 CANADA REVENUE AGENCY RESPONDENT

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 *(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.

JENA RUSSELL
 REGISTRY OFFICER
 AGENT DU GREFFE

(Date) 13-Oct-2022

Issued by: (Registry Officer)

Address of local office:
 180 Queen Street West 180, rue Queen Ouest
 Suite 200 bureau 200
 Toronto, Ontario Toronto, Ontario
 M5V 3L6 M5V 3L6

TO: (Name and address of each respondent)

(Name and address of every other person required to be served)

DEPARTMENT OF JUSTICE
 ONTARIO REGIONAL OFFICE
 120 ADELAIDE STREET WEST
 SUITE 400
 TORONTO ONTARIO
 M5H 1T1

(Separate page)

Application

(Where the application is an application for judicial review)

This is an application for judicial review in respect of

Canada Revenue Agency

(Set out the date and details of the decision, order or other matter in respect of which judicial review is sought.) September 16 2022 Decision that I did not earn

at least \$ 5,000 (before taxes) of employment or net self -employment income

In 12 months before the date of my first application on April 09 2020.

The applicant makes application for: *(State the precise relief sought.)*

To recognize that I did earn over \$5,000 in 12 months before the first application

Apr 09 2020.

The grounds for the application are: *(State the grounds to be argued, including any statutory provision or rule relied on.)* proof of income.

This application will be supported by the following material: *(List the supporting affidavits, including documentary exhibits, and the portions of transcripts to be used.)*

Activity receipts from my employer COOP TAXI and Bank statements.

(If the applicant wishes a tribunal to forward material to the Registry, add the following paragraph:)

The applicant requests *(name of the tribunal)* to send a certified copy of the following material that is not in the possession of the applicant but is in the possession of the *(tribunal)* to the applicant and to the Registry: *(Specify the particular material.)* I Rafal Sechaber requests from Canada Revenue Agency

to provide all support documents which have been sent to them.

Letter, bank statements and activity receipts from CO-OP TAXI.

October 12 2022

(Signature of solicitor or applicant) RAFAL SECHABER- applicant

Rafal Sechaber

RAFAL SECHABER

17 Nineteenth St

Etobicoke Ont M8V 3L4

(Name, address and telephone and fax numbers of solicitor or applicant)

SOR/2021-151, s. 22

Letter send to Canada Revenue Agency

Hello,

I am responding to the letter attached. For the 2020 tax year, I was under the impression to qualify for CERB you had to make \$5,000.00 gross. This information was provided by CERB agents via their contact centre. I received CERB funds when CERB eligibility criteria wasn't clear.

I have attached CO-OP Taxi statements to show my income for the 2019 and 2020 tax year. The highlighted amounts are paid by my employer- Co-op Taxi. In 2019, 2020 I made income at least \$5,000 in the 12 months before the date of my first application.

In 2019 when the bussing was normal (before cover restrictions) my income for a whole year was only \$ 18,367, because the motor vehicle accident of March 10, 2019 which I was a victim (hit and run) so please consider to add the first three month of 2020 (still before cover restrictions) when I was able come back to work to some bigger extent.

Please re-consider my eligibility for CERB. I was in financial dire need during the year of 2020 because there was less work due to everyone working from home. I am trying recover from Covid both physically and financially , so an added expense like this only make my situations worse.

Thank you,

Rafal Sechaber



Canada Revenue
Agency

Agence du revenu
du Canada

Sudbury ON, P3A 5C1

Date Sep 16, 2022
Account Number XXX XX2 482
Reference Number C0052585417-001-45

RAFAL SECHABER
17 NINETEENTH ST
TORONTO ON M8V 3L4

Dear Sir:

Re: Second review for your Canada Recovery Benefit application

We are writing to advise you of our decision regarding your request dated August 18, 2022, for a second review of your Canada Recovery Benefit (CRB) application.

We have completed your request and have carefully considered all the information to support your CRB eligibility.

Based on our review, you are not eligible.

You did not meet the following criteria:

- You did not earn at least \$5,000 (before taxes) of employment or net self-employment income in 2019, 2020, or in the 12 months before the date of your first application.

As you did not meet the eligibility criteria to qualify for CRB, any future CRB applications will be denied unless you can provide proof that you are able to satisfy the eligibility criteria.

If you received a payment that you were not eligible for, you will be required to repay the amount. We understand that it may not be possible for you to pay your debt immediately and in full. We're here to help. The CRA offers various solutions tailored to your personal situation.

In order to access these solutions, please call 1-833-253-7615 or visit us online at:

canada.ca/resolving-debt-CRA

If you disagree with the result of the second review, you may apply to the Federal Court for a judicial review within 30 days of the date of this letter. For more information on judicial reviews, go to canada.ca/cra-judicial-review.

Yours sincerely,

S. Constantin
Manager
Canada Emergency Benefits Validation

I HEREBY CERTIFY that the above document is a true copy of
the original on the 13

day of Oct A.D. 20 22

Dated this 13 day of Oct 20 22

[Signature]