

July 25, 2023

Letter of request for Fee Waiver

To whom this may concern:

I David Steven Pelletier request a Fee Waiver for filing fees for the Judicial Review application attached based on the following:

- 1) I cannot afford the fees
- 2) I am on Social Assistance (welfare)
- 3) I am permanently disabled
- 4) I have a computer disability
- 5) I am almost a senior

Please accept this request for Fee Waiver as any fees will cause me financial harm and difficulties, I am currently enduring financial hardship.

Thank you for your consideration.



David Pelletier
219 Citadel Park NW
Calgary, AB
T3G 3X9
davsp@hotmail.com
403 888 6382

FORM 301 Rule 301
Notice of Application

Federal Court

Between:

David Steven Pelletier

Applicant

And

Attorney General of Canada

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 CALGARY AB.

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 25, 2023

Issued by: *(Registry Officer)*

TO:

Attorney General of Canada
Department: Assessment, Benefit, and Service Branch
Winnipeg Tax Centre
Post Office Box 14000, Station Main
Winnipeg MB R3C 3M2

Application

This is an application for judicial review in respect of

Justice Minister/Canada Revenue Agency- Assessment, Benefit and Service Branch

Second Review of the Canada Recovery Benefit application decision letter dated June 30, 2023 and received July 7, 2023. CRA file #C0055039644 by which the minister refused to file a proper appeal and did not correspond with the Applicant to provide documentation for such appeal and proceeded to debt collection without exercising due process and exhausting all appeals. Minister collected credit amounts that the Applicant was entitled to and applied credits directly to alleged debt. Minister refused to refund collected monies etc until all appeals were concluded and issue resolved. Applicant is on social assistance.

The applicant makes application for:

1. An Order quashing the decision of the CRA dated June 30, 2023 and
 - a. Compelling the minister at the CRA to return tax refund, return all credits including GST credits, Climate Action Incentives, Grocery Rebates, Affordability payments etc. and cancel any related CRA collection actions.
2. Costs; and
3. Any other relief this Honourable Court may deem just.

The grounds for the application are:

1. On November 24, 2022 a Notice of redetermination for Covid-19 benefits was received by the Applicant. It was determined that the Applicant was instructed to repay \$1000.00 of Covid-19 benefits as the letter indicated there was an overlap of EI payments and CERB payment.
2. The Applicant immediately tried to file an Appeal over the telephone with a CRA employee that did not file appeal properly when requested (December 23, 2022. (CRA reference #55039644)
3. CRA did not correspond with the Applicant for Appeal or even a Review process or a response to the June 20, 2023 letter.
4. CRA provided Applicant with wrong, false and misleading information in regards to the Appeal process when the Applicant called into the general CRA customer service line several times over a period of six months.
5. Upon escalation of complaints of misinformation and CRA employee filing wrong Appeal the Applicant was informed the employee no longer works at CRA and nothing was done to correct and or prevent the miss information from happening again.
6. Upon being informed May 18, 2023 from the Applicant calling into the call centre the Applicant was informed the Appeal process was not initially implemented properly and that a Review was instead applied for in its place.
7. During this time Tax refund was withheld by CRA from the Applicant (\$300) and applied directly to alleged outstanding debt of \$1000.00.

8. During this time GST and Grocery Rebate(\$234) was withheld by CRA from Applicant and applied to alleged outstanding debt.
9. During this time the Climate Action Incentive (\$193) was withheld by the CRA from the Applicant and applied to outstanding debt.
10. During this time the Alberta Affordability payment credit (\$100.00) was withheld by the CRA from the Applicant and applied to the alleged outstanding debt.
11. On June 20, 2023 the Applicant sent in a letter to the Chief of Appeals CRA intake centre, indicating no one from CRA has corresponded with him or requested any information on his Appeal. The Applicant also requested an immediate stop of collection action to no avail. Chief of Appeals department did not respond with Applicant.
12. On June 30, 2023 a decision letter of a Second Review was issued to the Applicant from the CRA.
13. The Applicant was never made aware of a Second Review nor was the Applicant corresponded to with to provide any evidence to support the wrongful determination.
14. The Applicant through escalating complaints with the CRA supervisors indicated the same and requested numerous times to have the CRA stop their collection process until a proper Appeal and Review was conducted to no avail.
15. Misinformation provided to the Applicant by the CRA included wrong process of Appeal, false information on Reviews, false information of placing a Stop of collection, false information on debt collection, lack of correspondences during any Appeal or Review etc.
16. The CRA by not corresponding with the Applicant their decision process was one sided and biased not having any proof or evidence supplied by the Applicant.
17. The decision letter dated June 30, 2023 was not received by the Applicant until July 7, 2023 and the letter stated if the Applicant disagreed with the decision to file for a Judicial Review.
18. There was no overpayment with EI as the Applicant applied weeks after his EI benefit was exhausted and he later applied for CERB after his EI was exhausted and all means of extending his EI was exhausted during the Covid Pandemic.
19. If there was a back payment of CERB benefits by CRA that is their mistake and they need to be responsible for any overlaps.
20. The Applicant is on Social Assistance, is permanently disabled and cannot afford to repay any CERB or have any of his Credits wrongfully taken away from him now or previously.
21. The Applicant believes the CRA only requested this payback overlap in retaliation for the many Service complaints the Applicant has filed against the CRA and employees.
22. It was made public in the news that these same CRA employees all working from home during the Covid pandemic abused the system and received CERB payments on top of full time employment while also demanding pay raises.
23. The Applicant believes it is these same CRA employees that retaliated against the Applicant and made false accusations of EI overlap payment to the Applicant. These CRA employees apparently do not have to pay back their CERB over payments but some alleged to have lost their jobs.

This application will be supported by the following material:

Applicant Affidavit in support and; related CRA correspondence and material.

July 25, 2023



David Steven Pelletier (Applicant)

219 Citadel Park NW

Calgary, AB

T3G 3X9

403 888 6382

davsp@hotmail.com