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F I L E D	FEDERAL COURT COUR FÉDÉRALE
	July 17, 2023 17 juillet 2023
	Justin Desousa
MTL	1

Court File No.

FEDERAL COURT

BETWEEN:

Tracy **SANDERS**

Applicant

-and-

ATTORNEY GENERAL OF CANADA

Respondent

APPLICATION UNDER S. 18 OF THE *FEDERAL COURTS ACT*

NOTICE OF APPLICATION

TO THE RESPONDENT:

A PROCEEDING HAS BEEN COMMENCED 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 **Montreal, Quebec**.

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.

Date: July 17, 2023

Issued by: _____

Address of local office:
30 McGill Street
Montreal, Quebec H2Y 3Z7
Telephone: 514 283 4820

TO: Shalene Curtis-Micallef
Deputy Attorney General of Canada
Department of Justice
Civil Litigation Department
Guy-Favreau Complex
East Tower, 9th Floor
200 René-Lévesque Boulevard West
Montréal, Quebec H2Z 1X4
Telephone: 514-283-4934

APPLICATION

This is an application for judicial review in respect of

Canada Emergency Benefits Validation (Canada Revenue Agency)

As of June 19, 2023, my second review of Canada Emergency Response Benefits was deemed ineligible.

THE APPLICANT MAKES APPLICATION FOR:

I feel that I met all the CERB benefits requirements and should not have to repay these benefits.

THE GROUNDS FOR THE APPLICATION ARE:

- I made over \$5000 for the income tax period year 2019.
- I could not get work because of COVID-19.
- I meet all of the eligibility requirements which include:
 - You did not apply for, nor receive, CERB or EI benefits from Service Canada for the same eligibility period
 - You did not quit your job voluntarily
 - You reside in Canada and are at least 15 years old
 - You earned a minimum of \$5,000 (before taxes) in the last 12 months, or in 2019, from one or more of the following sources:
 - employment income
 - self-employment income
- You were unable to work because of COVID-19
- If you were applying for the first time: You stopped working, or you were working reduced hours due to COVID-19, and you have not earned more than \$1,000 in employment or self-employment income (before deductions) for at least 14 days in a row during the 4-week period.

The above eligibility requirements can be found at the following CRA website page: <https://www.canada.ca/en/revenue-agency/services/benefits/apply-for-cerb-with-cra.html>

THIS APPLICATION WILL BE SUPPORTED BY THE FOLLOWING MATERIAL:

- Exhibit 1: Eligibility Requirements
- Exhibit 2: Self-Employment Proof of Income
- Exhibit 3: Employment Proof of Income

July 17, 2023

Tracy Sanders

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