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February 27, 2023 27 février 2023			
Lindsay Krieger			
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FEDERAL COURT

Court File No.

BETWEEN  
  
LESLIE SLAGHT

APPLICANT

and

ATTORNEY GENERAL of CANADA

RESPONDENT

APPLICATION UNDER SECTION 18.1 of the FEDERAL **COURTS** ACT  
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 the hearing will be as requested by the Applicant. The Applicant requests that this application be heard at the Edmonton Office.

IF YOU WISH TO OPPOSE THIS APPLICATION to receive notice of any step in the application or 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 upon the applicant's solicitor or, if the Applicant is self-representing, on the Applicant WITHIN 10 DAYS after being served with this notice of application.

Copies of the Federal Court Rules, information concerning the local offices of the Court and other necessary information may be obtained on the request to the Administrator of this Court at Ottawa (telephone 613-992-4236) or any local office.

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



Leslie Slaght

2203 Leger Court NW

Edmonton, Alberta

T6R 3N3

780-435-6237 hm

780-264-1700 cell

slaghtleslie85@gmail.com

Issued by

Edmonton Local Office

Scotia Tower 1, Suite 530

10060 Jasper Ave.

Edmonton, Alberta

TSJ 3R8

TO :

ATTORNEY GENERAL of CANADA

#### APPLICATION

This Is an application for Judicial Review in respect of a decision made by

CANADA EMERGENCXY BENEFIT VALIDATION

“YOU DID NOT EARN AT LEAST \$5000.00 (BEFORE TAXES) of employment or self-employment income in 2019 or in the 12 months before the date of your first application.” This decision was made and delivered and dated February 2, 2023 Reference # C0054380S55-001-45 Account #XXX XX5 103

The Applicant makes application for the following;

”\*Re-review of documents giving precise earnings amount of earnings complete with invoice and followed up with a corresponding BMO deposit. Also attached is Income Tax returns for 2019 and 2020, which were filed, assessed and reassessed confirming self-employed income for Leslie Slaght claimed and accepted by CRA.

\*\*There is no explanation as to why, Canada Emergency Benefit Validation does not accept the filings of the Governing CRA. The income claimed is \$5512.00 prior to Leslie's first Benefit claimed and is clearly enough to qualify for Benefits.

\*\*Asking for Federal Judicial Review to instruct CRA and/or Canada Emergency Benefits Validation to discuss with Leslie and her representative the reason and why they keep referring to "did not earn \$5000.00", when the supplied information clearly shows that number was reached, and accepted by CRA before Validation giving a repeated excuse that bears ABSOLUTELY no fact or merit. EXPLAIN THEMSELVES! Please see comment under "grounds" for irrational and procedural impropriety.

\*\*COVID EMERGENCY BENEFITS WERE ISSUED FOR A PANDEMIC THAT WAS UNPRECEDENTED IN MOST OF EVERYONES LIFETIME, THERE WERE NO PRECEDENTS TO THIS TYPE OF ALLOTMENT AND NONE FOR FOLLOW UP ON VERIFICATION. There was no predetermined policy set in place and the Validation Tribunal is not reasonable in their findings in Leslie's case and their decision lacks responsibility, complete understanding of the duty they were assigned and has no procedural experience to draw upon. To think that a 75 year old senior, who has completed all the application forms, income tax returns in good faith, is doing so fraudulently is HORRIFYING to say the least.

The grounds for the application are: Relief be granted by the Federal Court to declare invalid or unlawful, or quash or set aside or set aside and refer back for determination in accordance with such directions as it considers to be appropriate prohibit or restrain, a decision order act or proceeding of a Federal Board, Commission or Tribunal. This authority is given the Federal Court under subsection 3 of the Powers of Federal Court.

These grounds are further submitted under section 4 subsections

- B) Failed to observe a principle of natural justice procedural fairness or other procedures required by Law to observe.
- C) Erred in law in making a decision or an order whether or not error appears on the face of the record.
- D) Based its decision or order on an erroneous finding of fact.
- E) Blatantly, acted in in any other way contrary to law.

Grounds are further submitted, as per page 41 of the certified copies from the Tribunal, THAT IF, you determine that further documentation is needed, advise the Applicant what needs to be provided to show that they made at least \$5000.00 in 2019 and/or 2020 prior to first filing for Emergency Benefits.

Specifically that invoices, bank deposit receipts and statements, AND referencing material and data from CRA for the tax years 2019 & 2020 , showing the self-employment income claimed, entered, assessed and reassessed by CRA.

What else is needed? To simply repeat as has been on numerous occasion "you did not meet at least \$5000.00.... is contrary to information filed and is of no help or understanding to your findings.

It is also misleading, irresponsible on Canada Emergency Benefits Review Validation, CRA, The Federal Government of Canada and to the Federal Court for needless repetition of work and costs. This is certainly not what the Emergency Benefits were meant to end up. Pitiful!

The Applicant is open to any interim orders or pretrial meeting or mediation if necessary to bring this matter to a quicker mutually beneficial resolution.

This Application can and will be supported with Affidavits, invoices, bank statements of deposit and items filed to Leslie's personal CRA account and information supplied by the Validation Tribunal or CRA.

The Applicant requests that Canada Emergency Benefits Validation to send a certified copy of the following material that is not in accurate possession of the Applicant but is in the possession of Canada Emergency Benefits Validation to the Applicant and Registry: The material that was used to determine that \$5000.00 income was NOT earned to qualify along with an explanation as to why when the numbers clearly indicate that minimum threshold was met.



Leslie "Slaght"

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Edmonton, Alberta

T6R 3N3

780-435-6237 hm

780-26401347 cells

slaghtleslie85@gmail.com