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		April 30, 2024 30 avril 2024	
Frank Fedorak			
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BETWEEN:

FEDERAL COURT

Court File No. _____

PARVINDER SINGH SANDHU and DEVINDER SINGH SANDHU

Applicant

- and –

**THE COLLEGE OF IMMIGRATION AND CITIZENSHIP
CONSULTANTS**

Respondent

Notice of Application
Application under s. 18.1(1) of the *Federal Courts Act*

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.

April 30, 2024

Issued by: _____

(Registry Officer)

Address of local office:
Pacific Centre
P.O. Box 10065 701
West Georgia Street
Vancouver, British Columbia
V7Y 1B6

TO:

The College of Immigration and Citizenship Consultants

Lisa Feinberg
Glick Law
Simcoe Chambers
116 Simcoe Street, Suite 100
Toronto, ON M5H 4E2
T: 647-336-4430

Counsel for the Respondent

Application

This is an application for judicial review in respect of the final decision by the Discipline Committee of the Respondent, the College of Immigration and Citizenship Consultants (the “CICC”), dated April 10, 2024, and of which was communicated to the Applicants on April 10, 2024.

This decision pertains to the following file numbers: CD.2015.271; CD.2016.193; CD.2016.208; CD.2016.373; CD.2017.128; CD.2017.181; CD.2017.313; CD.2017.334; CD.2017.379; CD.2018.063; CD.2018.407; CD.2018.460; CD.2018.490; CD.2015.272; CD.2016.192; CD.2016.207; CD.2016.265; CD.2016.371; CD.2017.314; CD.2017.333; CD.2017.380; CD.2018.062; CD.2018.093; CD.2018.168; CD.2018.406; CD.2019.461.

The final decision is the culmination of a series of interlocutory decisions listed below. Given that interlocutory decisions of administrative bodies are generally not reviewable until a final decision has been rendered and applicants must wait the final decision of the adjudicator before seeking judicial review,¹ the following interlocutory decisions are part of this application for judicial review.

I. Order of the Discipline Committee of CICC dated April 25, 2022 making the following orders:

1. A Case Management Conference will be scheduled for June 7, 2022
2. By May 31, 2022, the Respondent’s counsel will notify the Applicant’s counsel and copy the Tribunal Office (tribunal@college-ic.ca) as to whether the Respondents are requesting oral adjudication instead of written adjudication and whether they oppose the consolidation of these matters.
3. By May 31, 2022, the Respondent’s counsel will file documentary disclosure and a proposed witness list with the Applicant’s counsel and copy the Tribunal Office.

II. Order of the Discipline Committee of CICC dated June 7, 2022 making the following orders:

1. The Respondent’s will notify the College and the Tribunal Office in writing of any new legal representation, once retained.
2. The parties will exchange Witness Evidence Forms (including the Witness Evidence Forms of the Respondents) and copy the Tribunal Office at tribunal@college-ic.ca by September 2, 2022;
3. The parties will exchange replies to the Witness Evidence Forms and copy the Tribunal Office by September 16, 2022;
4. Any cross-examinations of the witnesses who have signed Witness Evidence Forms will take place before October 7, 2022;

¹ See *C.B. Powell Ltd v Canada (Border Services Agency)*, [2010 FCA 61](#).

5. The parties will file their written submissions with each other and the Tribunal Office as follows:
 - a. The College will file their written submissions by November 7, 2022;
 - b. The Respondents will file their written submissions by November 21, 2022; and
 - c. The College will file their reply written submissions, if any, by December 5, 2022.
6. Should the Respondents or their counsel determine that they are unable to comply with this schedule, they will immediately advise counsel for the College, however this request must be made no later than August 1, 2022. If the Respondents request a revision to the above-noted schedule, the parties will notify the Tribunals Office to request that a further CMC be convened.

III. Order of the Discipline Committee of CICC dated August 23, 2022 making the following orders:

1. The Respondent will provide disclosure respecting the seven new matters (listed above) by September 6, 2022.
2. The parties will exchange of the Witness Evidence Forms for all complaints by October 21, 2022.
3. The parties will exchange replies to the Witness Evidence Forms for all complaints by November 4, 2022.
4. The cross-examinations of the witnesses who have signed the Witness Evidence Forms, if any, will occur by November 25, 2022.
5. The College's written submissions on Findings will be filed by December 23, 2022.
6. The Respondent's written submissions and reply submissions will be filed by January 23, 2023.
7. The College's reply submissions, if any, will be filed by February 6, 2023.

IV. Order of the Discipline Committee of CICC dated December 12, 2022 making the following orders:

1. By **December 20, 2022**, the Respondent(s) or their legal counsel will file a Notice of Motion and include all materials they are relying on as well as any affidavits attesting to the truth of the materials filed and Factum, if possible.
2. By **January 4, 2023**, should the Applicant's Counsel require time to cross-examine any of the Respondent's witnesses regarding the affidavits and materials, the Applicant's Counsel will file a proposal for timelines to cross examine the witnesses and file their written submissions on the Motion. The Respondent(s) may make submissions respecting the Applicant's timetable proposal within 48 hours of receipt of the proposal. This CMC Chair will set dates following the receipt of the proposed timetable on the Motion.
3. By **January 6, 2023**, should the Applicant's Counsel not require cross-examining any of the Respondent's witnesses, the Applicant's Counsel will file its written submissions on the Motion.

4. By **January 13, 2023**, should the Applicant's Counsel file written submissions on January 6, 2023, the Respondent(s) or their legal counsel shall file reply-submissions on the Motion.
5. Once the Discipline Committee issues its written Decision, Reasons and Order on the Motion, the Parties will have seven (7) days from the date of the decision to file with the Tribunal Office a proposed timetable for the adjudication of these matters. The timetable should address proposed dates for the filing of 1) the College's written submissions on Findings; 2) the Respondent's written submissions and reply submissions and 3) the College's reply submissions, if any. This CMC Chairperson will set new dates following the receipt of the proposed timetable.
6. If the Respondent(s) or their legal counsel do not bring a Motion by December 20, 2022, this matter will proceed in accordance with the timetable set on August 23, 2022, subject to any written submissions of the Parties.

V. Decision and Order of the Discipline Committee of CICC dated February 1, 2023 making the following orders:

1. The Licensee's motion is dismissed.
2. On or before February 13, 2023, the College shall provide the Licensee with:
 - a) all emails from the College's witnesses attaching the WEFs subsequently submitted by the College; and
 - b) a functioning link to the recording of the interview of Parvinder Sandhu conducted by the College Investigator.
3. In accordance with the terms of the December 12, 2022, Order of the Discipline Committee, the Parties have seven (7) days from the date of this decision to file with the Tribunal Office a proposed timetable for the adjudication of these matters. The timetable should address proposed dates for the filing of 1) the College's written submissions on Findings; 2) the Respondent's written submissions and reply submissions and 3) the College's reply submissions, if any. The CMC Chairperson will set new dates following the receipt of the proposed timetable.
4. On or before February 13, 2023, the Licensee shall pay costs to the College's Finance Department in the amount of \$3,000.00.

VI. Decision and Order of the Discipline Committee of CICC dated February 13, 2023 making the following orders:

1. The College's written submissions are to be filed by **February 20, 2023**;
2. The Respondents' written submissions (including reply, if any) are to be filed by **March 6, 2023**;
3. The College's reply submissions (if any) are to be filed by **March 13, 2023**.

VII. Decision and Order of the Discipline Committee of CICC dated August 3, 2023 making the following orders:

1. The motions brought by Parvinder Sandhu and Devinder Sandhu are dismissed.
2. By August 25, 2023, Parvinder Sandhu will pay the amount of \$2,000 to the College for its costs of this motion.
3. By August 25, 2023, Devinder Sandhu will pay the amount of \$2,000 to the College for its costs of this motion.

VIII. Decision and Order of the Discipline Committee of CICC dated November 24, 2023 making the following orders:

1. The counter motion brought by the College is granted.
2. The motion brought by Mr. D. Sandhu to re-open this proceeding to hear additional evidence is dismissed.

IX. Decision and Order of the Discipline Committee of CICC dated November 24, 2023 making the following orders:

1. Within 45 days (January 8, 2024) of the date this decision is released, the College will provide its submission as to the appropriate penalty in this matter.
2. Within 45 days (February 22, 2024) of the date on which the College provides its submissions as to penalty, the Sandhu brothers will provide their submissions as to the appropriate penalty in this matter.
3. Within 21 days (March 14, 2024) of the date on which the Sandhu brothers have provided their submissions as to penalty, the College will provide its reply.
4. The Parties may also provide their respective submissions as to the costs that might be awarded in this matter.

X. Decision and Order of the Discipline Committee of CICC dated April 10, 2024 making the following orders:

1. The licences of Mr. Parvinder Sandhu and Mr. Devinder Sandhu are revoked immediately.
2. Mr. P. Sandhu and Mr. D. Sandhu will return their original registration certificate and College membership identification to the College's Registration Department within 15 days (April 25, 2024) of the date of release of this Order.
3. Mr. P. Sandhu and Mr. P. Sandhu will, within 30 days (May 10, 2024) of the date of this Order, give written notice to each and every client of the WWICS Group of their revocation in the following words:

We, Devinder Sandhu and Parvinder Sandhu, are advising you that our licences to practice as Regulated Canadian Immigration Consultants have been revoked by the College of Immigration and Citizenship Consultants. This means that we can no longer practice as Regulated Immigration Consultants and we can no

longer offer, or hold ourselves out as qualified to offer, any immigration consulting service which requires an immigration consulting licence to provide.

4. Mr. D. Sandhu and Mr. P. Sandhu will, within 30 days of providing the notice set out in paragraph 45 of this Order, provide the College's PC Compliance Department (compliance-conformite@college-ic.ca) with a statutory declaration confirming that this notice has been sent to all current clients of the WWICS Group.
5. Mr. D. Sandhu and Mr. P. Sandhu will post prominently on the home page of any website of the Sandhu brothers that offers or promotes immigration consulting services the following notice, which will be contained in a bordered box. The notice will read:

This is to advise that the licences of Mr. Parvinder Sandhu and of Mr. Devinder Sandhu as Regulated Canadian Immigration Consultants have been revoked by order of the College of Immigration and Citizenship Consultants. This means that Mr. P. Sandhu and Mr. D. Sandhu may no longer practice as licenced immigration consultants and may no longer offer, or hold themselves out as qualified to offer, any immigration consulting services which require an immigration consulting licence to provide.

6. Mr. D. Sandhu and Mr. P. Sandhu will be prohibited from applying for new licences as Regulated Canadian Immigration Consultants for a period of two years from the date of this Order.
7. Mr. D. Sandhu and Mr. P. Sandhu will be jointly and severally liable to refund to the Complainants amounts paid by the Complainants totaling \$22,057 and set out in Section A of Schedule I to this Order.
8. Mr. D. Sandhu will refund to the Complainants amounts paid by the Complainants, totaling \$10,649 and set out in Section B of Schedule I to this Order.
9. Mr. P. Sandhu will refund to the Complainants amounts paid by the Complainants, totaling \$7,736 as set out in Section C of Schedule I to this Order.
10. The amounts payable in paragraphs 49, 50 and 51 of this Order will be paid within 6 months (October 10, 2024) of the date of this Order. Those liable for the payments of the refunds will pay the refunds to the Complainants and will provide the College with a Statutory Declaration that the payments have been made. This Statutory Declaration will include the name and address of each Complainant and the amount refunded.
11. Mr. D. Sandhu and Mr. P. Sandhu will be jointly and severally liable to pay a fine in the amount of \$10,000 to the College's Finance Department. This amount will be paid within 6 months (October 10, 2024) of the date of this Order.
12. Mr. D. Sandhu and Mr. P. Sandhu will pay the amount of \$152,800 to the College's Finance Department to partially reimburse the College for its costs of investigating and litigating this matter. This amount will be paid within 12 months (April 25, 2025) of the date of this Order.

The ss seek the following relief:

1. An order of the court setting aside the above-noted decisions.
2. An order that the matter be referred back to a different decision-maker for reconsideration in accordance with such directions as this Honourable Court deems appropriate.
3. Such further and other relief counsel may advise and the Court may permit.

The grounds for the application are that the Respondent:

- (i) acted without jurisdiction, acted beyond its jurisdiction or refused to exercise its jurisdiction;
- (ii) failed to observe a principle of natural justice, procedural fairness or procedure that it was required by law to observe;
- (iii) erred in law in making its decision, whether or not the error appears on the face of the record;
- (iv) based its decision on an erroneous finding of fact that it made in a perverse or capricious manner or without regard for the material before it;
- (v) acted, or failed to act, by reason of fraud or perjured evidence;
- (vi) acted in a way that was contrary to law.

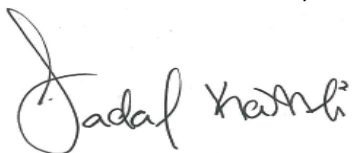
This application will be supported by the following material: *(List the supporting affidavits, including documentary exhibits, and the portions of transcripts to be used.)*

1. An affidavit from Parvinder Singh Sandhu;
2. An affidavit from Devinder Singh Sandhu;
3. An affidavit of Kevin Tjia; and
4. Such further and other material as counsel may advise and this the Court may permit.

The applicants request that the CICC to send a certified copy of the following material that is not in the possession of the applicants but is in the possession of the CICC to the applicants and to the Registry:

1. All materials related to the application that was before the Tribunal;
2. All policy manuals related to the adjudication of the applicant's discipline proceedings;
3. And all material related to the above-noted decisions.

ALL OF WHICH IS RESPECTFULLY SUBMITTED at the City of Vancouver, in the Province of British Columbia, this 30th day of April, 2024.



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TO: Registry
Federal Court of Canada
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AND TO:

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