

**FORM 301 Rule 301**  
**Notice of Application**

APPLICATION

(Court File No.)

FEDERAL COURT (or FEDERAL COURT OF APPEAL)

BETWEEN:

Shamayal Hussain

Applicant

and

Canada Revenue Agency

Respondent

APPLICATION UNDER disagreement to the Second review letter - no adjustment from the CRA

Notice of Redetermination

(Text of Document)

# 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 the *Federal Court*.

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)

Issued by: (Registry Officer)

Address of local office:

TO: Attorney General of Canada

Subbury ON, P3A 5C1

# Application

This is an application for judicial review in respect of a decision rendered by Canada Revenue Agency on November 9, 2022, letter coming by regular mail and received by Shamayal Hussain only on November 29<sup>th</sup>, 2022 advising the applicant that he was not eligible for the Canada Recovery Benefit (CRB) and Canada Emergency Response Benefit (CERB).

In his letter dated November 9, 2022, the Canadian Emergency Response Benefits Validation Manager, S. Constantin, after his second review of the request made by the applicant and acknowledge by Shamayal Hussain on November 29<sup>th</sup>, 2022, states the following:

"You are ineligible for the CRB the following period(s)"

- Period 1: September 27 to October 10, 2020
- Period 2: October 11 to October 24, 2020
- Period 3: October 25 to November 7, 2020
- Period 4: November 8 to November 21, 2020
- Period 5: November 22 to December 5, 2020
- Period 6: December 6 to December 19, 2020
- Period 7: December 20 to January 2, 2021
- Period 8: January 3 to January 16, 2021
- Period 9: January 17 to January 30, 2021
- Period 10: January 31 to February 13, 2021
- Period 11: February 14 to February 27, 2021
- Period 12: February 28 to March 13, 2021
- Period 13: March 14 to March 27, 2021
- Period 14: March 28 to April 10, 2021
- Period 15: April 11 to April 24, 2021
- Period 16: April 25 to May 8, 2021
- Period 17: May 9 to May 22, 2021
- Period 18: May 23 to June 5, 2021
- Period 19: June 6 to June 19, 2021

Period 20: June 20 to July 3, 2021

Period 21: July 4 to July 17, 2021

“Shamayal Hussain is ineligible for the CERB for the following periods:”

Period 1: March 15, 2020 to April 11, 2020

Period 2: April 12, 2020 to May 9, 2020

Period 3: May 10, 2020 to June 6, 2020

Period 4: June 7, 2020 to July 4, 2020

Period 5: July 5, 2020 to August 1, 2020

Period 6: August 2, 2020 to August 29, 2020

Period 7: August 30, 2020 to September 26, 2020

The applicant makes application for: Disagree with the Notice of redetermination.

The grounds for the application are: Shamayal Hussain is eligible for the CRB for the following periods:

Period 1: September 27 to October 10, 2020

Period 2: October 11 to October 24, 2020

Period 3: October 25 to November 7, 2020

Period 4: November 8 to November 21, 2020

Period 5: November 22 to December 5, 2020

Period 6: December 6 to December 19, 2020

Period 7: December 20 to January 2, 2021

Period 8: January 3 to January 16, 2021

Period 9: January 17 to January 30, 2021

Period 10: January 31 to February 13, 2021

Period 11: February 14 to February 27, 2021

Period 12: February 28 to March 13, 2021

Period 13: March 14 to March 27, 2021

Period 14: March 28 to April 10, 2021

Period 15: April 11 to April 24, 2021

Period 16: April 25 to May 8, 2021

Period 17: May 9 to May 22, 2021

Period 18: May 23 to June 5, 2021

Period 19: June 6 to June 19, 2021

Period 20: June 20 to July 3, 2021

Period 21: July 4 to July 17, 2021

Shamayal Hussain is eligible for the CERB for the following periods:

Period 1: March 15, 2020 to April 11, 2020

Period 2: April 12, 2020 to May 9, 2020

Period 3: May 10, 2020 to June 6, 2020

Period 4: June 7, 2020 to July 4, 2020

Period 5: July 5, 2020 to August 1, 2020

Period 6: August 2, 2020 to August 29, 2020

Period 7: August 30, 2020 to September 26, 2020

Shamayal Hussain is eligible and did earn at least \$5,000 (before taxes) of employment or self-employment income in 2019 or in the 12 months before the date of your first application.

This application will be supported by the following material: Notice of redetermination, Second review of notice of determination in three parts, Income tax return documents and payslips of Shamayal Hussain for years 2018, 2019, 2020 and 2021.

2022-12-19

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