

FORM 301
Rule 301
Notice of Application

Federal Court

BETWEEN:

Marina Komleva
Applicant

and

Canada Revenue Agency
Respondent

e-document	T-1255-21-ID 1	
F I L E D	FEDERAL COURT COUR FÉDÉRALE August 11, 2021 11 août 2021	D É P O S É
John Gornick		
TOR		1

Notice of Application

TO THE RESPONDENT:

A PROCEEDING HAS BEEN COMMENCED by the applicant. The relief claimed by the applicant appears on the following page.

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 *180 Queen Street West Suite 200 Toronto, Ontario M5V 3L6*

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.

August 11, 2021

Issued by:
Federal Court of Canada

Address of local office:
180 Queen Street West
Suite 200
Toronto, Ontario
M5V 3L6

TO: CRA
Sudbury tax centre
1050 Notre Dame Avenue
Sudbury ON P3A 5C2

AND TO: Jakov Bassel
612 - 10 Tapscott Rd.
Scarborough, ON M1B 3L9
jakov.bassel@gmail.com

Application

(Where the application is an application for judicial review)

This is an application for judicial review in respect of

Canada Revenue Agency

Canada Recovery Benefits eligibility validation review of Marina Komleva's application.

July 16, 2021

Re: Second review for Canada Recovery Benefits application.

- You did not earn at least \$5,000 (before taxes) of employment or net self-employment income in 2019, 2020, or in the 12 months before the date of your first application.

The applicant makes application for:

CRA to accept factual evidence of Marina Komleva income from February 2020 to end of March 2020/beginning of April 2020.

The grounds for the application are:

- 1. Starting from the beginning of January 2020, Marina Komleva was helping her husband, Jakov Bassel, to do his work as an architectural visualization and drafting technician under his supervision, due to his illness.***
- 2. The work was negotiated with the clients by Jakov Bassel and the money for Marina Komleva's work was paid as per Jakov Bassel's invoices to the clients, and was coming to their joint account in the bank through online payments.***
- 3. From February 2020 and to the end of March 2020, Marina Komleva had to fully replace Jakov Bassel in his task due to his two surgeries and subsequent recovery periods, and therefore his inability to physically do his usual work, with the nature of the work that requires prolonged sitting in front of the computer.***
- 4. Doctor's operative reports are included with this Application to confirm that Jakov Bassel underwent two surgeries: the first on February 4, 2020, following by the second on February 27, 2020.***
- 5. Also included in this Application bank statements confirming the work income for that period of time.***
- 6. Both facts: Jakov Bassel's illness and proven income are the evident that Marina Komleva was the only person, who earned the money in the given period of time.***

This application will be supported by the following material:

- *CRA Second Review Letter of Decision,*
- *Affidavit of Marina Komleva made August 5, 2021,*
- *Doctors' reports: Dr. Noakes, Dr. Tsvetkov,*
- *Bank statements: February 2020, March 2020, April 2020,*
- *Marina Komleva's 2020 and 2021 income schedule.*

11 August 2021



(Signature of solicitor or applicant)

Marina Komleva
612 - 10 Tapscott Rd.
Scarborough, ON M1B3L9
Phone: 416-271-5413
E-mail: jakov.bassel@gmail.com

- SOR/2004-283, ss. 35, 38
- SOR/2013-18, s. 16