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# **FORM 301 Rule 301** **Application for Judicial Review**

Andrew Clarke

**Applicant**

and

Attorney General of Canada (Canada Revenue Agency)

**Respondent**

## **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 Ottawa.

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.

November 27, 2023

Issued by:

Address of local office:

TO: Canada Revenue Agency  
333 Laurier Ave W, Ottawa, ON K1A 0L9

## Application

This is an application for judicial review in respect of

The Canadian Revenue Agency's decision regarding CRB eligibility.

**The decision date** is October 27, 2023. The application is in contention of a denial of eligibility for periods 1, 2, 3, and 4 (as related to the outstanding document to be reviewed) and periods 22, and 23 (as related to the inability to apply due to system error at those times; an issue that was raised by the applicant but not resolved).

**The applicant makes application for:** Remitting the decision back to the CRA for an appropriate and fair decision to the CRB eligibility periods outlined above, with consideration to all the documents and concerns of the applicant, especially those that were already within the contemplation of the parties during review, but were unfairly and unreasonably dismissed. Such further and other relief as to this Honourable Court seems just and expedient.

**The grounds for the application are:** As acting agent for the respondent, the decision maker wrongfully closed the applicant's file before considering pertinent documents as agreed upon. These documents related to a subset of eligibility periods for which the applicant was consequently considered ineligible for. The decision maker also did not fully address

This application will be supported by the following material: All documents submitted for the eligibility review purposes. Any other document the applicant sees fit.

The applicant requests Canada Revenue Agency to send a certified copy of the following material that is not in the possession of the applicant but is in the possession of the (*tribunal*) to the applicant and to the Registry: Any and all relevant materials contained within the system used to record such materials during the review process. Any and all phone records or other communication records between the parties. Any other notes or documents made by the reviewer, decision maker, or otherwise relevant to the review and decision following. This should include all documents submitted by the applicant in relation to the review that the Canada Revenue Agency is in possession of, per the submission portal on their website, including but not limited to reference number C0061059788-001-45.

November 27, 2023.

X

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Andrew Clarke

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