

FORM 66 - Rule 66

GENERAL HEADING

APPLICATION

(CAS-2023-2-10-15493889940928

FEDERAL COURT

BETWEEN:  
Tony Policella

and

Canada Revenue Agency – Ministry of Revenue

APPLICATION UNDER (TFSA overcontribution – Income Tax

e-document	T-352-23-ID 1
F I L E D	FEDERAL COURT COUR FÉDÉRALE  February 10, 2023 10 février 2023  Kyla Chisholm
TOR	1

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 (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 prepare a notice of appearance in Form 305 prescribed by the Federal Courts Rules and serve it on the applicant's solicitor, or where 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.

February 10, 2023

Issued by: Registry Officer

Address of local office: Toronto Ontario Office

TO: Tony Policella  
1277 County Road 34 Ruthven Ontario  
N0P2G0

Name and address of every other person required to be served

APPLICATION

(Where the application is an application for judicial review)

This is an application for judicial review in respect of

Canada Revenue Agency or Ministry of Revenue

January 11th , 2023 TB220381429426 decision to deny my request for Cancellation of Tax under Pprt X101, TFSA

**The applicant makes application for:**

Due to the reasonable error where I accidentally contributed to my TFSA when my wives account Mary Jo Policella had plenty of TFSA room of over \$21,000 The amount of the tax relief is \$ 535,00 dollars . And in the following year there was another 920 dollar for the same issue.

**The grounds for the application are:**

A reasonable error was made by myself. I would never over contribute in my account when my wife had over 21,000 dollars of TFSA room. The bank accounts were an alpha numerical account and I could not remember which one as mine versus my wife. During that period of time I was dealing with Lyme Disease relapse and mental anxiety over some heart related health issues. At then Covid came along in 2020 and made anxiety levels even higher

**This application will be supported by the following material:**

My wife did submit an document on the 1st appeal that all of our banking is joint and that this was a reasonable error

(If the applicant wishes a tribunal to forward material to the Registry, add the following paragraph:)

The applicant requests name of the tribunal 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: Specify the particular material.

Feburary 10 2023

**Tony Policella**

(Signature of solicitor or applicant)



Tony Policella, 1277 Road 34 , Ruthven Ontario , N0P2G0 519-796-9699