Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
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Archived: June 3, 2025 8:50:03 AM
From: [redacted]
Mail received time: Fri, 4 Apr 2025 15:38:48
Sent: April 4, 2025 8:38:49 AM
To: Immigration Representatives / Représentants immigration (IRCC)
Subject: Re: FW: Failure to establish common-law relationship and PA eligibility - REP-2025-0132-- REP-2025-0426 - Due 10-Mar-25
Importance: Normal
Sensitivity: None

> **\intbl\cbpat3CAUTION:** This email originated from outside the Government of Canada. Do not click on links or open attachments unless you recognize the sender and know the content is safe.
> **ATTENTION:** Ce courriel provient de l'ext¨¦rieur du gouvernement du Canada. Ne cliquez pas sur les liens et n'ouvrez pas les pi¨¨ces jointes sauf si vous reconnaissez l'exp¨¦diteur et sachez que le contenu est sûr.

Hello,

[redacted] I appreciate it.

Regards,

Regulated Canadian Immigration Consultant

Note: According to Canadian immigration laws, only lawyers or Regulated Canadian Immigration Consultants (RCIC) can represent or advise a person for consideration in connection with the submission of an immigration application. Please beware of immigration fraud by unauthorized representatives.

On Fri, Apr 4, 2025 at 11:17 AM Immigration Representatives / Repr¨¦sentants immigration (IRCC) [redacted] wrote:

Good day,

[redacted] **Immigration Representatives Mailbox.**

Please note that this mailbox is intended for general guidance and does not provide responses to case-specific inquiries but have provided the following information as guidance. If you have case specific questions about a file, you are encouraged to submit the IRCC Web form.

Please see our response to your question.

***

Please be advised that we are not able to answer case-specific enquiries or intervene on a decision made by a delegated officer, as we must adhere to appropriate procedures. Case-specific enquiries should be routed via the IRCC Web form.

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In principle, an Express Entry application may be approved after an accompanying or non-accompanying family member is removed, if the applicant satisfies the officer they meet all the requirements of the program outlined in the Immigration and Refugee Protection Act and [redacted] final decision in each case, however, will rest solely on the officer.

Also, please note that partners who are separated and living apart may not meet the definition of common-law, as co-cohabitation is one of the key criteria of this relationship.

Please be advised that the assessment of an application is conducted on a case-by-case basis, taking into consideration the specific circumstances and the supporting documentation available to the officer. It is the applicant's responsibility to provide sufficient documentation to demonstrate that they meet the requirements.

***

[redacted]

The Immigration Representatives Mailbox

De
Envoy¨¦ : 7 f¨¦vrier 2025 08:47
[redacted] Immigration Representatives [redacted] immigration (IRCC) <IRCC[redacted]
Representantsimmigration.IRCC[redacted]
Objet : Re: Failure to establish common-law relationship and PA eligibility - REP-2025-0132- Due 11-Feb-25

Hello,

[redacted]

I would like to further clarify regarding this paragraph:

Should an applicant fail to satisfy an officer that their relationship meets the requirements, the officer may remove the accompanying family member from the application; in case of an accompanying common-law partner or spouse being removed, the Comprehensive Ranking System (CRS) score will be affected and may result in the refusal of an application.

If the principal applicant remains eligible both in terms of minimum entry criteria and CRS score for that round of ITA after removing the accompanying family member, would this principal applicant be approved of PR despite the removal of the family member? Or, if the family member was declared as non-accompanying, would the principal applicant be able to continue with his/her APR after removing this family member?

I want to reassure you that this is not a case of attempting to misrepresent facts. I am asking this question for clients who are in a common-law relationship but are separated and living apart for various reasons so they have concerns about successfully proving their relationship to IRCC.

[redacted] time.

Regards,

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On Thu, Feb 6, 2025 at 12:08 PM Immigration Representatives / Repr¨¦sentants immigration (IRCC) [redacted] wrote:

Good day,

[redacted] **Immigration Representatives Mailbox**

Please note that this mailbox is intended for general guidance and does not provide responses to case-specific inquiries but have provided the following information as guidance.. If you have case specific questions about a file, you are encouraged to submit the IRCC Web form.

Please see our response to your question:

Question:

I am reaching out to seek clarification on an issue related to common-law partner relationships included in immigration applications. Specifically, I would like to confirm the potential impact on the principal applicant's eligibility and status in the event IRCC determines that a declared common-law partner relationship is not established.

- If IRCC concludes that the evidence provided is insufficient to verify the common-law partnership, does this decision affect the principal applicant¡¯s eligibility for permanent residence?
- Would the principal applicant's application be assessed independently from that of the declared common-law partner, provided all other requirements are met?

I was referring to applications under the Express Entry (CEC/FSW). So the principal applicant is applying for permanent residence and the spouse is included as an accompanying family member.

Answer:

Please be advised that it is an obligation for the applicant to declare all information truthfully and accurately. Failure to satisfy an officer that the accompanying common-law partner has a genuine relationship with the principal applicant (PA) may have a number of impacts on the application, depending on the circumstances in each case.

Under the Express Entry program, family members, such as common-law partners, must be assessed on each application; PA will not be assessed independently from their common-law partner. Please refer to our website to learn more about common-law relationship assessment.

Should an applicant fail to satisfy an officer that their relationship meets the requirements, the officer may remove the accompanying family member from the application; in case of an accompanying common-law partner or spouse being removed, the Comprehensive Ranking System (CRS) score will be affected and may result in the refusal of an application.

Furthermore, if an officer is not satisfied that a relationship is genuine, the officer may determine that a misrepresentation has occurred, rendering the PA and their common-law partner inadmissible to Canada. A foreign national found inadmissible for misrepresentation may not apply for Permanent Residence during the prescribed period of inadmissibility, and may be removed from Canada.

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Please be advised that the assessment of an application is conducted on a case-by-case basis, taking into consideration the specific circumstances and the supporting documentation available to the officer. It is the applicant's responsibility to provide sufficient documentation to demonstrate that they meet the requirements.

We trust that this information will be of assistance to you.

Sincerely,

The Immigration Representatives Mailbox

De :
Envoy¨¦ : 28 janvier 2025 08:24
[redacted] Immigration Representatives [redacted] immigration (IRCC) [redacted]
Representantsimmigration.IRCC[redacted]
Objet : Re: Failure to establish common-law relationship and PA eligibility - REP-2025-0132- Due 11-Feb-25

Good morning,

Sorry for being unclear about this. I was referring to applications under the Express Entry (CEC/FSW). So the principal applicant is applying for permanent residence and the spouse is included as an accompanying family member.

Regards,

On Tue, Jan 28, 2025 at 7:41 AM Immigration Representatives / Repr¨¦sentants immigration (IRCC) [redacted]@c[redacted] wrote:

> Good Day,
>
> [redacted] I[redacted] Representatives mailbox.
>
> In order for us to better address your question and speak to eligibility requirements, can you please specify which program or immigration category you are referring to?
>
> Thank you,
>
> **The Immigration Representatives Mailbox**

Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
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De :
Envoy¨¦ : 14 janvier 2025 15:46
[redacted] : Immigration Representatives [redacted] immigration [redacted]
Representantsimmigration.IRC[redacted]
Objet : Failure to establish common-law relationship and PA eligibility

Dear Officer,

I am reaching out to seek clarification on an issue related to common-law partner relationships included in immigration applications. Specifically, I would like to confirm the potential impact on the principal applicant's eligibility and status in the event IRCC determines that a declared common-law partner relationship is not established.

- If IRCC concludes that the evidence provided is insufficient to verify the common-law partnership, does this decision affect the principal applicant¡¯s eligibility for permanent residence?
- Would the principal applicant's application be assessed independently from that of the declared common-law partner, provided all other requirements are met?

Your guidance in this matter would be greatly appreciated. Please do not hesitate to contact me if further details are required.

[redacted] to your response.

Regards,