

Administrative Law Cheat Sheet – 2025

Principal of Law/Practice Issue ¹	Recent Cases
Procedural and practice issues	
Availability of judicial review	<ul style="list-style-type: none"> • <i>Gibbons v. Comox Valley (Regional District)</i>, 2024 BCSC 2141 (non-binding advisory opinions) • <i>Watakhayetsxw v. British Columbia (Environmental Assessment Office)</i>, 2025 BCSC 1692 (nature of the decision) • <i>Norris v. Brightside Community Homes Foundation</i>, 2025 BCSC 1862 (RTB record of settlement) • <i>Kurvers v. Strathmore Lodge Ltd.</i>, 2025 BCSC 74 (RTB settlement) • <i>The United Church of Canada v. Lowe</i>, 2025 BCSC 1146 (application of <i>Highwood</i>) • <i>Thompson Rivers University Faculty Association v. Thompson Rivers University</i>, 2025 BCSC 2114 (application of <i>Highwood</i>) • <i>Westcoast Association for Property Rights v. British Columbia</i>, 2025 BCSC 296 (statutory power of decision)
Justiciability	<ul style="list-style-type: none"> • <i>Rogers v. Director of Maintenance Enforcement Program</i>, 2025 YKCA 12 (failure to enact regulation) • <i>MacKinnon v. Canada (Attorney General)</i>, 2025 FC 422 (proroguing Parliament)
Public interest, private standing, party issues and intervenors	<ul style="list-style-type: none"> • <i>Chu v. (British Columbia) Civil Resolution Tribunal</i>, 2025 BCSC 2117 (adding a party) • <i>Lordco Parts Ltd. v. British Columbia (Human Rights Tribunal)</i>, 2025 BCSC 363 (intervention) • <i>Duncan v. British Columbia (Education and Child Care)</i>, 2025 BCSC 1323 (intervention) • <i>Skeena Watershed Conservation Coalition v. BC Energy Regulator</i>, 2025 BCSC 1607 (public interest standing) • <i>Harun-ar-Rashid v. British Columbia (Commissioner for Teacher Regulation)</i>, 2024 BCCA 407 (party status on JR) • <i>Duhamel v. Independent Investigations Office of British Columbia</i>, 2025 BCCA 203 (public interest standing) • <i>Blanke v. West Vancouver (District)</i>, 2025 BCCA 90 (private interest standing) • <i>Air Passenger Rights v. WestJet Airlines Ltd.</i>, 2025 BCSC 2145

¹ This year's "cheat sheet" was prepared by Kaitlyn Chewka and Alandra K. Harlinton of the firm Lovett Westmacott. It is not intended to be an exhaustive list of leading cases on these topics but rather attempts to capture cases decided in the past year with respect to the issues noted to hopefully assist readers. There are, of course, other cases of interest not referenced.

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<p>Preliminary bars to judicial review – unreasonable delay</p>	<ul style="list-style-type: none"> • <i>Sekyer v. British Columbia (Medical Services Commission)</i>, 2025 BCSC 1434 • <i>Li v. British Columbia (Superintendent of Motor Vehicles)</i>, 2025 BCSC 1205 • <i>Kaur v. Residential Tenancy Branch</i>, 2025 BCSC 473 • <i>Fraser v. 1392383 B.C. Ltd.</i>, 2025 BCSC 1669 (s. 57 ATA) • <i>Gardezi v British Columbia (Attorney General)</i>, 2025 BCSC 61 (s. 57 ATA) • <i>Lawrence v. British Columbia (Workers’ Compensation Appeal Tribunal)</i>, 2025 BCCA 343 (limitation periods)
<p>Preliminary bars to judicial review – mootness</p>	<ul style="list-style-type: none"> • <i>HAP Enterprises Ltd. v. The Office of the British Columbia Container Trucking Commissioner</i>, 2024 BCSC 2124 • <i>Savage v. Lu</i>, 2025 BCSC 355
<p>Preliminary bars to judicial review – prematurity and exhaustion of internal remedies</p>	<ul style="list-style-type: none"> • <i>Vancouver Island Health Authority v. Safaei and British Columbia Human Rights Tribunal</i>, 2025 BCSC 340 • <i>Westcoast Association for Property Rights v. British Columbia</i>, 2025 BCSC 296 • <i>British Columbia (Ministry of Children and Family Development) v. KS</i>, 2025 BCSC 1445 • <i>Moradi v. British Columbia (Human Rights Tribunal)</i>, 2025 BCSC 1377 • <i>Sefcikova v. Read Jones Christoffersen Ltd.</i>, 2024 BCSC 2266 • <i>Dr. Aref Tabarsi Inc. v. British Columbia (Workers’ Compensation Appeal Tribunal)</i>, 2025 BCSC 1115 • <i>Northwest Plastics Ltd. v. Bellin</i>, 2025 BCSC 1215
<p>Preliminary bars to judicial review – new arguments</p>	<ul style="list-style-type: none"> • <i>British Columbia (Attorney General) v. British Columbia (Information and Privacy Commissioner)</i>, 2025 BCSC 1365 • <i>Sidhu v. British Columbia (Civil Resolution Tribunal)</i>, 2025 BCSC 1836 • <i>Lawrence v. British Columbia (Workers’ Compensation Appeal Tribunal)</i>, 2025 BCCA 343 • <i>Canada Lands Company CLC Limited v. Schlieper</i>, 2025 BCCA 145
<p>Evidentiary issues (new evidence on JR)</p>	<ul style="list-style-type: none"> • <i>1129728 B.C. Ltd. v. Kassam</i>, 2025 BCSC 160 • <i>Canada Lands Company CLC Limited v. Schlieper</i>, 2025 BCCA 145 • <i>Lamarche v. 447185 B.C. Ltd.</i>, 2025 BCCA 148 • <i>Van Walsh v. Morrell</i>, 2025 BCSC 386 • <i>Ludwig v. Blair</i>, 2025 BCSC 1686 • <i>Besler v. Summerland (District)</i>, 2025 BCSC 1978
<p>Evidentiary issues (document disclosure)</p>	<ul style="list-style-type: none"> • <i>Duncan v. (British Columbia) Minister of Education and Child Care</i>, 2025 BCSC 2011 (under appeal)

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	<ul style="list-style-type: none"> • <i>Levis v. British Columbia (Workers' Compensation Appeal Tribunal)</i>, 2025 BCSC 2152
Petition or statutory appeal	<ul style="list-style-type: none"> • <i>Gilbert v. British Columbia (Mental Health Review Board)</i>, 2025 BCCA 54
Procedural fairness	
Fettering of discretion	<ul style="list-style-type: none"> • <i>Gulzar Transport Inc. v. Office of the BC Container Trucking Commissioner</i>, 2025 BCSC 514 • <i>Uppal v. British Columbia (Container Trucking Commissioner)</i>, 2025 BCSC 1819
Reasonable apprehension of bias	<ul style="list-style-type: none"> • <i>Primary Poultry Processors Association of British Columbia v. British Columbia Farm Industry Review Board</i>, 2025 BCSC 1561 • <i>Environmental Appeal Board v. District Director, Metro Vancouver</i>, 2025 BCCA 303
Subordinate legislation and policies (whether a duty is owed)	<ul style="list-style-type: none"> • <i>Ironclad Developments Inc. v. West Kelowna (City)</i>, 2025 BCCA 191
Duty to give reasons	<ul style="list-style-type: none"> • <i>Fadaei v. The National Dental Examining Board of Canada</i>, 2025 BCSC 1527
Notice and related issues	<ul style="list-style-type: none"> • <i>Dehpour v. Mohammadi</i>, 2025 BCSC 1791 (lack of service) • <i>1070259 B.C. Ltd. v British Columbia (Liquor and Cannabis Regulation Branch)</i>, 2024 BCSC 2180 (expectation of participation) • <i>James v. Stankovic</i>, 2025 BCSC 1404 (new issue raised) • <i>Wong v. Christou</i>, 2025 BCSC 1212 (service issues) • <i>Wang v. Chang</i>, 2025 BCSC 1119 (failure to allow submissions) • <i>Adlani v. Fraser Health Authority (Medical Health Officer)</i>, 2025 BCCA 29 (late delivery not a breach) • <i>Kurvers v. Strathmore Lodge Ltd.</i>, 2025 BCSC 74 (inaccurate info) • <i>Paull v. Quesnel (City)</i>, 2025 BCSC 347 (waiver discussion) • <i>Herar v. Mission (City)</i>, 2025 BCSC 1553 (failure to provide notice)
Standard of Review	
<i>Administrative Tribunals Act</i>	<ul style="list-style-type: none"> • <i>Wolfe v. West Kootenay Women's Association</i>, 2025 BCSC 469 (extricable question of law) • <i>Nanaimo (City of) v. Mema</i>, 2025 BCSC 863

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Correctness review	<ul style="list-style-type: none"> • <i>Clearview AI Inc. v. Information and Privacy Commissioner for British Columbia</i>, 2024 BCSC 2311 (under appeal)
Charter issues	<ul style="list-style-type: none"> • <i>Sikora v. Deputy Director Community Safety Unit</i>, 2025 BCSC 57
Subordinate legislation	
SOR and substantive review	<ul style="list-style-type: none"> • <i>Conifex Timber Inc. v. British Columbia (Lieutenant Governor in Council)</i>, 2025 BCCA 62 • <i>Lorval Developments Ltd. v. Langley (Township)</i>, 2025 BCSC 1148 (under appeal) • <i>Uber Canada Inc. v. Vancouver (City)</i>, 2025 BCSC 1534 • <i>Galiano Forest Lot Owners Association v. Galiano Island Local Trust Committee</i>, 2025 BCCA 15
Statutory interpretation issues	
Importance of statutory interpretation and analysis	<ul style="list-style-type: none"> • <i>British Columbia (Superintendent of Motor Vehicles) v. Seidel</i>, 2024 BCCA 420 • <i>Pepa v. Canada (Citizenship and Immigration)</i>, 2025 SCC 21 • <i>Telus Communications Inc v Federation of Canadian Municipalities</i>, 2025 SCC 15 • <i>Piekut v. Canada (National Revenue)</i>, 2025 SCC 13 • <i>Uber Canada Inc. v. Bauer</i>, 2025 BCSC 1790 • <i>Quebec (Commission des droits de la personne et des droits de la jeunesse) v. Directrice de la protection de la jeunesse du CISSS A</i>, 2024 SCC 43 • <i>Windset Farms (Canada) Ltd. v. BC Farm Industry Review Board</i>, 2025 BCSC 2 • <i>Owners, Strata Plan EPS 3699 v. Siemens</i>, 2025 BCSC 227 • <i>Mangat v. Dhindsa</i>, 2024 BCSC 2406 • <i>Armstrong v. North Saanich (District)</i>, 2025 BCCA 277
Remedies	
Remittal to decision-maker (or not)	<ul style="list-style-type: none"> • <i>Heitner v. Dowling</i>, 2025 BCCA 339 • <i>Wang v. City2City Real Estate Services Inc.</i>, 2025 BCSC 1620 • <i>Urquhart v. British Columbia (Adult Forensic Psychiatric Services)</i>, 2025 BCCA 93
Declaratory relief	<ul style="list-style-type: none"> • <i>Westcoast Association for Property Rights v. British Columbia</i>, 2025 BCSC 296

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Futility and clean hands doctrine	<ul style="list-style-type: none"> • <i>No. 151 Cathedral Ventures Ltd. Dba Summerland Beach R.V. Park & Campground v. McAllister</i>, 2025 BCSC 177 • <i>Jirasek v. Workers’ Compensation Appeal Tribunal</i>, 2024 BCSC 2448
Costs	<ul style="list-style-type: none"> • <i>J.T. v. British Columbia (Workers’ Compensation Appeal Tribunal)</i>, 2025 BCSC 246 (costs for PF breaches) • <i>British Columbia (Ministry of Children and Family Development) v. KS</i>, 2025 BCSC 1445 (special costs rejected) • <i>Samarakoone v. The Law Society of British Columbia</i>, 2025 BCSC 492 (special costs) (under appeal) • <i>Moradi v. British Columbia (Human Rights Tribunal)</i>, 2025 BCSC 1377 (use of ChatGPT came close to warranting special costs)
Charter and constitutional issues	
Charter relief and constitutional issues	<ul style="list-style-type: none"> • <i>Vabuolas v. British Columbia (Information and Privacy Commissioner)</i>, 2025 BCCA 83 • <i>Szezepaniak v. Interior Health Authority</i>, 2025 BCSC 1516 (under appeal) • <i>Shrieves v. British Columbia (Attorney General)</i>, 2025 BCSC 1792 • <i>Sikora v. Deputy Director Community Safety Unit</i>, 2025 BCSC 57 • <i>Kassian v. British Columbia</i>, 2025 BCCA 20 • <i>Warner v. British Columbia (Provincial Health Officer)</i>, 2025 BCCA 21 • <i>Canadian National Railway Company v. British Columbia (Environmental Management Act)</i>, 2025 BCCA 156
Miscellaneous	
Impacts of <i>Yatar</i>	<ul style="list-style-type: none"> • <i>Best Buy Canada Ltd. v. Canada</i>, 2025 FCA 45 • <i>Canadian National Railway Company v. Alberta Pacific Forest Industries Inc.</i>, 2025 FCA 160 • <i>992704 Ontario Limited v. Assessor of Area #09 – Vancouver Sea to Sky</i>, 2025 BCSC 1121 • <i>TELUS Communications Inc. v. British Columbia (Assessor of Areas #08/09 - Vancouver Sea to Sky Region)</i>, 2024 BCSC 2210
Concurrent jurisdiction (HRT and BCPC)	<ul style="list-style-type: none"> • <i>R.R. v. Vancouver Aboriginal Child and Family Services Society</i>, 2025 BCCA 151 (leave to appeal to SCC filed)
Abuse of process and procedures	<ul style="list-style-type: none"> • <i>Morabito v. British Columbia (Securities Commission)</i>, 2024 BCCA 377

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Assessing credibility	<ul style="list-style-type: none">• <i>Noble v. British Columbia (Superintendent of Motor Vehicles)</i>, 2025 BCSC 1337• <i>Anderson Square Holdings Ltd. (Re)</i>, 2025 BCSC 186• <i>Vancouver Island Health Authority v. Safaei and British Columbia Human Rights Tribunal</i>, 2025 BCSC 340
Circumstantial evidence	<ul style="list-style-type: none">• <i>Resurreccion v. Neumann</i>, 2025 BCSC 1647
Impact of counsel error	<ul style="list-style-type: none">• <i>Pooyan v. British Columbia (Ministry of Health)</i>, 2025 BCSC 1210
Judicial review without reasons	<ul style="list-style-type: none">• <i>667895 B.C. Ltd. v. Delta (City)</i>, 2025 BCCA 279• <i>Tantalus at Paradise Valley Inc. v. Squamish (District)</i>, 2025 BCSC 1599