

24 October 2022
Bgy. 1, Roxas, Palawan

MR. PABLO L. CRUZ
DENR – CENR Officer
Roxas Palawan

Sir,

We are writing to submit a formal complaint against Mr. Redento Hamora and Mr. Michael de Pedro and their cohorts, both residents of Barangay 3 Roxas, Palawan for interference of survey of Lot 328, Sitio Araren with approved survey authority from the DENR.

The Heirs of Honorio Cayabo have secured authorization from the DENR for the survey of Lot 328 situated at Araren, Barangay 3 Roxas Palawan. Lot 328 is a parcel of land with portions categorized as A&D and other portion as Timberland. The survey should determine and delineate the extent of the alienable and disposable land which is occupied by the Heirs of Honorio Cayabo and that of the remaining timberland.

Mr. Hamora does not have settlements on the A&D portion of Lot 328. His actual occupation and settlement are on the portion belonging to timberland. We understand that Mr. Hamora's occupation of the timberland was due to "Stewardship" privilege he obtained where he was allowed to introduce developments with certain conditions. His stewardship privilege established the fact that his actual occupation was on timberland and not on A&D as stewardship only applies on timberland, and the same land he occupies remained classified as timberland to date. The peaceful status quo of Lot 328 has remained for many years, with Cayabo family occupying the A&D portion of Lot 328 and Mr. Hamora occupies the timberland portion by virtue of stewardship. Unfortunately, Mr. Hamora seems to have developed a malevolent agenda as he became more aggressive and hostile in the area. In 2021, Mr. Hamora had begun aggressively expanding his fence to include portions of the land claimed by Heirs of Honorio Cayabo which is an A&D, portion of Lot 328.

Mr. De Pedro on the other hand has erected a small house therein after typhoon Odette in 2021 with the pretext that his other house was destroyed by the typhoon. For humanitarian consideration, the Cayabo family had let Mr. de Pedro erect a small house temporarily. Unfortunately, Mr. de Pedro took advantage of the kindness of the Cayabo family and is now attempting to acquire the land for himself and began erecting fences within.

In response, despite frustration and misbelief over the greediness of Mr. de Pedro, the Heirs of Honorio Cayabo had peacefully secured a survey authority in the belief that a proper survey would peacefully settle the matter between them, Mr. de Pedro and Mr. Hamora. Eventually a survey authority was granted in favor of the Heirs of Honorio Cayabo.

For peaceful conduct of the survey, the Heirs upon securing a survey authority, have coordinated with Barangay 3 LGU, PNP-Roxas and CENRO-Roxas for assistance to ensure the safety of the Heirs and the surveying team. Unfortunately, only the Barangay LGU have responded to said request and sent some of their personnel to assist. The PNP-Roxas reasoned that it requires a court order for them to respond whereas CENRO-Roxas reasoned that they simply cannot assist and intervene as per Mr. Lilang. Also, according to Mr. Lilang, the Heirs should be able to execute the survey if they really are the owner of the land without intervention whatsoever from the CENRO-Roxas.

Being so, and armed with survey authority, the Heirs and the surveying team assembled in the area and begun the conduct of the survey. Redento Hamora and Michael De Pedro then arrived on the scene. With them are number of men, all equipped with bolos and they aggressively interfered in the survey. Some people from their group even spew out profanity towards the surveying party. Despite the presence of Barangay officers, Redento Hamora, Michael de Pedro and their cohorts continuously harassed the Cayabo Family and the surveying party. The Heirs have decided not to reciprocate the behavior as it would only escalate to physical violence. For this reason, the surveying party were able to continue the survey of the subject land but the placing of the concrete markings is deferred to avoid further confrontation.

The interference of survey by Redento Hamora, Michael de Pedro and their cohorts are clear disrespect to the DENR who gave the nod for the conduct of the survey of Lot 328. Their aggressive behavior despite the presence of authorities and advise from barangay officials is manifestation of one who does not recognize law and order. Their disregard of survey authority is disregard of the DENR, and disregard of the DENR is disregard of government. On the other hand, the Heirs of Honorio Cayabo have exercised due diligence to secure a survey authority and exerted utmost effort to communicate with proper authorities for the peaceful conduct of survey of Lot 328.

We are of the opinion that the DENR cannot just ignore people who disregard or disrespect a survey authority, or does not put so much value on it, especially when the parcel of land to be delineated involves a timberland which belongs to the state.

Isn't a survey authority an instrument to show the concern that the survey to be conducted are legal, valid and duly authorized? What would be the use of securing a survey authority from the DENR if random people can just disrespect and disregard it, and get away with it, and just cause substantial damages to the ones who possess a survey authority? In what basis Redento Hamora, Michael de Pedro can interfere in the survey of Lot 328 when their "alleged" occupancy has not been raised, heard, recognized, proven nor documented in any forum, offices, department or any public documents or records? Their intrusion to the property which began only in 2021 cannot hold water for adverse claim on the ground that the Heirs of Honorio Cayabo has took continuous possession of Lot 328 since 1950s and have all its tax obligation paid to this day.

Therefore, we are filing this formal complaint against Redento Hamora, Michael de Pedro and their cohorts whose names we will include ones known for interference of survey of Lot 328 as their action had caused significant damages to the Heirs of Honorio Cayabo. We may consider other legal remedy in the future, but for the time being, we respectfully leave it to the authority of the DENR CENRO-Roxas to weigh this matter for appropriate action.

Your action with dispatch is earnestly sought.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Reynaldo B. Cayabo', written in a cursive style.

REYNALDO B. CAYABO
Heir of Honorio M. Cayabo