



Community Environment and Natural Resources Office

So. Balud, Sto. Niño, Sablayan, Occidental Mindoro

Email: cenrosablayan@denr.gov.ph

August 16, 2023

MEMORANDUM:

FOR : USEC. MARILOU G. ERNI
Department of Environment and
Natural Resources
Visayas Ave., Diliman Quezon City

FROM : The CENR Officer

SUBJECT : LETTER COMPLAINT OF ROSELYN E. ALZATE TO 8888
CITIZENS' COMPLAINT CENTER WITH TICKET REFERENCE NO.
20230721-213-3.

This pertains to the letter complaint of Ms. Roselyn E. Alzate addressed to the 8888 Citizens' Complaint Center with Ticket Reference No. G20230721-213-3 regarding her follow-up on processing of unreleased land title at DENR Mamburao, Occidental Mindoro.

Please be informed that based on the investigation report submitted by the representative of this office, it was ascertained that the lot identified as Lot 339, Cad 1296-D located at Sitio Lagundian, Barangay Balansay, Mamburao, Occidental Mindoro is the subject of an Alternative Dispute Resolution (ADR) Case between Ms. Alzate and a certain Mr. Manolo Navarro. On February 9, 2022, on Order of Failure of ADR was issued due to the refusal of Ms. Alzate to undertake ADR proceedings and Mr. Navarro was given fifteen (15) days from receipt of the order to submit/file his verified protest against the public land application of Ms. Alzate.

Despite the letters and notifications, Mr. Navarro failed to submit his protest against the Free Patent Application of Ms. Alzate and on June 27, 2022, this office deny/dismiss his protest without prejudice.

In this connection, the representative of this office recommended that the Free Patent Application of Ms. Roselyn E. Alzate be given due course, provided that she comply with all the requirements of Free Patent Application as per RA 11573.

Attached is the copy of the investigation report dated August 8, 2023 for your ready reference.

For information and record.

FOR. ANASTACIO A. SANTOS, MPA
CENR Officer

Cc:

1. 8888 Citizens' Complaint Center
Malacañang, Manila
Ticket Reference No. G20230721-213-3
2. The Regional Executive Director
DENR MIMAROPA Region
Roxas Blvd, Ermita, Manila
3. The PENRO
Mamburao, Occ. Mindoro

Republic of the Philippines
Department of Environment and Natural Resources
Mamburao Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

August 08, 2023

MEMORANDUM

TO : The CENR Officer
Sablayan, Occidental Mindoro

THRU : The Chief, RPS

FROM : The Land Management Officer II

SUBJECT : **INVESTIGATION REPORT REGARDING THE LETTER COMPLAINT OF MS. ROSELYN ALZATE**

BACKGROUND OF THE COMPLAINT

This is in connection with the 8888 Citizens' Complaint Hotline of Ms. Roselyn Espinol Alzate dated July 21, 2023 with Ticket Reference Number G20230721-213-3 on follow-up on processing of unreleased land title in Department of Environment and Natural Resources (DENR) Mamburao, Occidental Mindoro.

On February 24, 2017, Roselyn Alzate filed a Free Patent Application No. F-045106-1042 on Lot 339, CAD 1296-D, Case 9 with a total land area of 2,648 square meters. As per approved survey plan, the subject lot was claimed by a certain Romeo Garcia. On her application for land titled, Ms. Alzate presented a "Kasunduan" dated November 05, 2014 executed by Ms. Rosemar Garcia, widow of the previous claimant, transferring all her rights on Lot 339 to Ms. Roselyn Alzate for Php85,000.00.

The application was not submitted to the PENR Office due to conflicting claim with a certain Manolo Navarro whom also requested for an ocular inspection on the same parcel of land. The land dispute was endorsed to CENRO Sablayan on January 10, 2019 by Brgy. Captain Rondel Pedraza of Balansay, Mamburao, Occidental Mindoro citing that their office was unable to serve SUMMON because the respondent, Mr. Manolo Navarro, was not in his place of residence every time this office serves the notice.

Several notices were sent to Ms. Roselyn Alzate, Rosemarie Garcia and Manolo Navarro from 2019-2021 for a meeting to settle the land dispute. The meeting was always reset/reschedule because the other party couldn't attend.

On February 09, 2022, an Order of Failure of ADR was issued due to the refusal of Ms. Roselyn E. Alzate to undertake Alternative Dispute Resolution Proceedings. The protestant, Mr. Manolo S. Navarro, was given 15 days from receipt of the Order to submit/file his verified Protest

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against the Public Land Application No. F-045106-1042 of Roselyn Alzate under Section 4 of DAO 2016-31. Otherwise, the Public Land Application shall be processed or given due course.

"DAO 2016, 31, Section 4. Formal Requirements of a Protest. The Protest shall be written in clear, simple, brief and concise language either in Filipino or English and must contain the names of the parties, their addresses, the material allegations, the grounds relied upon, and the documentary and other forms of evidence to support the allegations. The Protest must be accompanied by the following documents: (a) Certificate to file action from the barangay concerned, if applicable; (b) Verification and Certification of Non-Forum Shopping; (c) Proof of payment of the Protest Fee; and (d) A recent 2x2 picture of the protestant and his or her duly authorized representative and the subject lot/s. The Protest and its supporting documents must be filed in three (3) copies."

The letter and Order of Failure of ADR was sent to the Postal Office of Mamburao, Occidental Mindoro on February 16, 2022 but it was only delivered and received by Mr. Manolo Navarro on March 07, 2022 as per Registry Return Receipt.

On March 14, 2022, instead of a formal protest, Mr. Navarro submitted a photocopy of Foreshore Land Record Sheet dated July 09, 1976, Certification from Juanito E. Silao Secretary of KAMIFCI, and Certification from Antonio Estigoy, Chairman of KAMIFCI.

On April 28, 2022, another letter was sent to Mr. Manolo Navarro giving the latter another non-extendible period of fifteen (15) days to comply with the requirements. Failure to comply shall be deemed a waiver and his protest will be dismissed without prejudice. Mr. Navarro received the letter on May 05, 2022.

On June 02, 2022, Mr. Manolo Navarro another letter filing his protest on the application of Ms. Roselyn Alzate on Lot 339, CAD 1296-D, Case 9. However, the said protest letter is not in due form and the required attachments are still lacking.

Considering the time given to Mr. Navarro to file his verified protest and his failure to do so, DENR CENRO Sablayan decided to deny/dismiss his protest without prejudice. On June 27, 2022, the office sent a letter to Mr. Navarro to inform him of this decision. On the other hand, Ms. Alzate was not informed nor furnished of the same letter sent to Mr. Navarro.

With this, it is respectfully recommended that Ms. Roselyn Alzate's application on Lot 339, CAD 1296-D, Case 9 be given due course, provided that the latter comply with all the requirements on Free Patent Application as per RA 11573.


HONEYLETH T. JUAN