Republic of the Philippines

Civil Service Commission

Anti-Red Tape Authority

Visayas Avenue, Quezon City

Metro Manila

COMPLAINT-AFFIDAVIT

Compless Com

- I, ROSALINA LAROZA AVILA, of legal age, Filipino, married and a resident of Lot 22, Blk 01 Lousheff St., Pamahay Homes, Brgy. Pasong Putik, Novaliches, Quezon City, Metro Manila, hereby depose and state:
- 1. That I am an Applicant for Residential Free Patent of a parcel of land identified as Lot 2259-A Csd-4B-000412-D located at Brgy. Kaligtasan, Bongabong, Oriental Mindoro herein with address above-mentioned where I can be send with summons and other processes hereinafter called Complainant;
- 2. That Respondent DELIO A. DEL ROSARIO of Barangay Kaligtasan, Bongabong, Oriental Mindoro, where he may send with summons and other processes hereinafter called Respondent6;
- 3. That on November 11, 2022, at 4:00 p.m. Friday, a ready-made Certificate to be signed by Respondent to certify that Complainant is the true and owner and occupant of the aforesaid lot of Complainant attached hereto as Annex "A" is a certified copy;
- 4. Thus Annex "A" was delivered personally by Peterson Fabellon, Land Management Office OIC RPS DENR Oriental Mindoro but the Respondent refused to sign it as shown by the attached signature of Mr. Fabellon dated November 11, 2022;

- 5. That Complainant consulted a lawyer about the refusal of Respondent Barangay Captain del Rosario to sign the Certification and Atty. Avila wrote a letter hereto attached as Annex "B", a xerox copy of the certified copy of the aforesaid Certification personally delivered by the aforesaid Mr. Fabellon of DENR. The letter of Atty. Avila was sent by registered mail with return card as certified by the Philippine Postal Corporation hereto attached as Annex "C";
- 6. That the refusal of Respondent Barangay Captain to sign the attached Certification or Annex "A" on November 11, 2022 without due cause constitute a violation of Rule XIII, Sec. 1 of the Anti-Red Tape Law and its Rules and Regulations to wit:

Rule XIII

XXX

Sec. 1. Violation under the Act

The following shall constitute violation of the act and these rules and regulations:

- (a) Refusal to accept application or request with complete requirement being submitted by an Applicant or requesting party without due cause.
- 7. Certificate of Oath pending case including the same Parties/Non-Forum Shopping. I attest that I have not filed any other case involving the same parties and issues before any other Court or tribunal. If I should I learned am I will inform the authority within five days from knowledge;
- 8. **Verification**. I caused the preparation of this Complaint-Affidavit and I attest to the truthfulness of the same based on my personal knowledge and authentic document in my possession that this case is not filed to

harass, cause unnecessary delay or needless incurred the cost of litigation;

9. I am executing this Complaint-Affidavit to attest to the truth of all foregoing and for the purpose of filing any and all violations of RA No. 11032 of the Ceasing of Doing Business and Efficient Service Delivery Act of 2018 committed in this case.

IN WITNESS WHEREOF, I hereunto affix my signature this 20th day of July 2023 at Quezon City.

ROSALINA LAROZA AVILA
Affiant-Complainant

OATH

Subscribed and sworn to before me this 26 JUL 2023 affiant exhibiting to me her proof of identification

NO LOGO 6474 at 2024 of My de

Doc. No. <u>474</u>; Page No. <u>94</u>; Book No. <u>Xh)</u>;

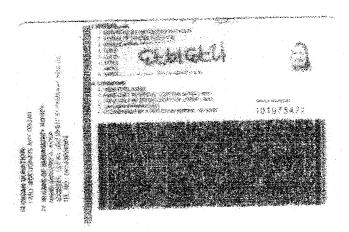
Series of 2023.

Quezon City Notary Public Until Dec. 31, 2023

Notary Public

Roll No. 50183
PTR No. 4007172-D, 01/03/2023, Q.C.
IBP No. 257225, 01/01/23
MCLE Comp. No. VII-0006924 Until April 14, 2025
Adm Matter No. NP-067 (2022-2023)
20 Kamagong St. Sapamanai Village
East Fairview, Quezon City





Alania Plania Plania

Republika ng Pilipinas Lalawigan ng Silangang Mindoro Bayan ng BONGABONG Barangay KALIGTASAN



TANGGAPAN NG PUNONG BARANGAY

PAGPAPATUNAY

SA MGA KINAUUKULAN:

Ito ay isang pagpapatunay na si ROSALINA L. AVILA ang tunay na nagmamayari at aktuwal na nakaukupa sa Lot No. 2259-A. Csd-4B-000412-D equivalent to Lot No. 2299, Pls-138, Bongabong Public Land Subdivision na may sukat na 732 metros kwadrados at matatagpuan sa Kaligtasan, Bongabong, Oriental Mindoro.

Pinatutunayan ko pa rin na ang nasabing lote ay hindi nasasangkot sa anumang usapin o reklamo tungkol sa mga problema ng lupa.

Iginawad ang pagpapatunay na ito ngayon dito sa Barangay <u>Kaligtasan</u> , Bayan ng <u>Bongabo</u>	g ika ong , Lalawi	ng gan ng Silang	ang Mindoro.	
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AVILA LAW OFFICE

211-B Valenzuela St.
U.P. Campus, Diliman, Quezon City
Landline: 921-9095; Mobile No. 0921-6986321

March 10, 2023

Hon. Delio A. del Rosario

Punong Barangay Brgy. Kaligtasan Bongabong, Oriental Mindoro

Re: Request of Rosalina L. Avila
For a Certification of Ownership and
Possession of Lot 2259-A CSd-4B-000412-D
Equivalent to Lot 2299 PLS-138
Bongabong Public Land Subdivision 732 sq.m.
located at Bongabong Oriental Mindoro

Dear Hon. Brgy. Captain del Rosario

My client Mrs. Rosalina L. Avila has referred to me for legal action your refusal to sign the Certification, a Xerox copy attached hereto as annex without even informing my client your refusal to sign and the reason for the same.

This Certification is hereto attached as Annex "A" was in your office since November 11, 2022.

As the matter stand now there is a delay in accordance with the Anti-Red Tape Law (ARTA).

Demand is hereby made on you to comply with the request of my client for a Certification and in case of your refusal the reason thereof.

Should you fail to comply with this demand I will be constrained to take criminal action against you within ten (10) days from your receipt hereof.

Please give this matter your utmost preferential attention.

Respectfully,

Counsel for Rosalina L. Avila

211-B Valenzuela St.

U.P. Campus, Diliman, Quezon City

₹ No. 4056134, 1/11/23 Q.C.

Trans. No. 23024EMD910000001,

1/24/23, Q.C.

No. 27933

₹ VI - 0022412, 4/5/19

ect No. 0921-6986321

....aıl: willy07_avila@yahoo.com.ph

ve this receipt fat reference in case of inquiry 20

818-328 HUI 4,2023

Republic of the Philippines

PHILIPPINE POSTAL CORPORATION

Southern Luzon Area

Southern Luzon Area Bongabong, Oriental Mindoro



O

April 14, 2023

CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that the Registered Mail No. 622818328 addressed to Hon. Delio Del Rosario from its sender, Atty. Wilfredo Avila, was received by this office on April 12, 2023.

)

Issued upon request of Ms. Debie Jane C. Laroza, for whatever legal purpose this may serve.

HOWELL C. VIRTUCIO

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Republic of the Philippines Department of Environment and Natural Resources 1 MIMAROPA Region

Community Environment and Natural Resources Office

Camia St., San Mariano, Roxas, Oriental Mindoro Contact No.: 0917 876 9985 / 0917 169 0232 VOIP: (043) 289-7118

Email: cenroroxasormindoro@denr.gov.ph

APPLICATION FOR RESIDENTIAL FREE PATENT

Application No.: Entry No.:
Name of Applicant: 1208ALINA L. XVILA
Address: KALIGTASAN BONGABONG OR. MINDORD
Application No.: Name of Applicant: Nosalina L. Avila Address: KALIGTASAN, BONGABONG OR. MINDORD Citizenship: Filipino Civil Status: MARRIED to Antonio A. Avila
Age: 52 years old If minor, name of legal guardian N/A
Date of Birth: APAL 30, M70 Place of Birth: Bongabong, Or. Mindoro
Location of residential land applied for KAL1978SAN BONGABONG OK. MINDOKO
Lot No. 2259-A, Csd-4B-000412-D equivalentPho Lot No. 2299, Pls-133,
Land Area: 732 square meters Cad: Bongabong Public Land Subdivisio
Applicant's predecessor-in-interest (if any):
Date of entry by applicant or predecessor-in-interest upon the residential land applied for: (on or
about)
I declare, under the penalties of perjury, that my total land holdings are not more than 12 hectares and that this application has been made in good faith and to the best of my knowledge all information contained herein are true and correct.
ROSALINA L. AVICA
Applicant's Name and Signature
SUBSCRIBED AND SWORN TO before me this day of at Roxas, Oriental Mindoro.

EURIDER M. GABUCO Land Management Inspector

This form is not for sale.

This form must be accomplished in five (5) copies.

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF ORIENTAL MINDORO)S.S
MUNICIPALITY OF ROXAS)

AFFIDAVIT (IN SUPPORT OF RESIDENTIAL FREE PATENT APPLICATION)
1, 120 MGO GUTIGIUM, Filipino, single/married/widow, of legal age and a resident of Kaligtasan, Bongabong, Oriental Mindoro after having been duly sworn to, do hereby depose and state:
 That I personally know <u>ROSALINA L. AVILA</u> who has filed an application for residential free patent over a piece of land located at <u>Kaligtasan</u>, <u>Bongabong</u> <u>Oriental Mindoro</u>.
 That I am an actual resident of Barangay <u>Bongabong</u> of the Municipality of <u>Bongabong</u> and that I know the land applied for very well;
 That I personally know that the said applicant or his/her predecessors-in-interest has actually resided on and continuously possessed and occupied, under a bonafide claim of acquisition of ownership, the subject land for at least ten (10) years by himself of through his predecessors-in-interest;
 That I am not related to the applicant either by consanguinity or affinity and not, in any way, interested in the residential land applied for or in the granting of residential free patent; and
 That to the best of my knowledge, belief and information, he/she has the qualifications to apply for a residential free patent under R.A. 10023.
IN WITNESS WHEREOF, I have hereunto set my hand this day of in the place above first written.
ROMEO B. GUTTERREZ Affiant

CTC NO.	Brivate	Company ID No. L-05-169	
	N/A		

SUBSCRIBED AND SWORN TO before me on the date and place stated above.

EMRIDED M. GABUCO
Land Management Inspector





GUTIERREZ, Romeo B. Security Guard

GINA C. MANAIG President/General Manager

September 08,1918 Birthday 888 No. 04-1467186-3

TIN No.

Blood Typs "O"

. 5'4" Height

60 kgs Weight

Religion 4 square

Signature

This is to certify the person whose picture 2. signature appear hereon is a bonafide member of this agency.

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF ORIENTAL MINDORO)S.S
MUNICIPALITY OF ROXAS)
W.Y	3.7

AFFIDAVIT (IN SUPPORT OF RESIDENTIAL FREE PATENT APPLICATION)

THE RESIDENCE ASSESSMENT OF A RESIDENCE SET OF THE STATE OF A SHAPE OF A SHAP	
1, Hilda & Macasa , Filipino, single/married/widow.	of
legal age and a resident of Kaligtasan, Bongabong, Oriental Mindoro after having been du	ly
sworn to, do hereby depose and state:	
 That I personally know <u>ROSALINA L. AVILA</u> who has filed an application f residential free patent over a piece of land located at <u>Kaligtasan</u>, <u>Bongabon</u> <u>Oriental Mindoro</u>. 	
2. That I am an actual resident of Barangay Bongabong of the Municipality Bongabong and that I know the land applied for very well;	of

actually resided on and continuously possessed and occupied, under a bonafide claim of acquisition of ownership, the subject land for at least ten (10) years by himself or through his predecessors-in-interest:

3. That I personally know that the said applicant or his/her predecessors-in-interest has

 That I am not related to the applicant either by consanguinity or affinity and not, in any way, interested in the residential land applied for or in the granting of a residential free patent; and

5. That to the best of my knowledge, belief and information, he/she has the

IN WITNESS WHEREOF, I have hereunto set my hand this ______ day of ______ in the place above first written.

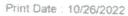
qualifications to apply for a residential free patent under R.A. 10023.

HILDA E. MACASAET
Affiant

CTC NO. Voter's Identification No. 52030094BG2771HEM20000-2
Issued on N/A at N/A

SUBSCRIBED AND SWORN TO before me on the date and place stated above.

Land Management Inspector







Republic of the Philippines. COMMISSION ON ELECTIONS

Office of the Election Officer

BONGABONG, ORIENTAL MINDORO

VOTER'S CERTIFICATION

Voter's Identification Number :

52030094BG2771HEM20000-2

Province :

ORIENTAL MINDORO

Municipality: BONGABONG

VRR No. :

5203300024123

Barangay : KALIGTASAN

Illiterate /

Precinct No. : 0094 B

Disabled :



Name :

MACASAET, HILDA EROLES

Sex :

Female SINGLE

Civil Status :

CENTRO

Residence:

KALIGTASAN BONGABONG

ORIENTAL MINDORO



BIOMETRICS

PERIOD OF RESIDENCE IN :

Municipality:

27 year(s) and 0 month(s)

07/27/1971

Date of Birth:

Date of Registration : 07/23/2013

Registration Type : REGISTRATION

VOTING RECORD

Current : Y 05/09/2022

Previous: Y 05/13/2019

Issued and signed on this 26th day of October, 2022 at BONGABONG, ORIENTAL MINDORO.

Paid Under O.R. #

12644599

Amount Paid

75.00

Date Issued

10/26/2022

CERTIFIED CORRECT:

MARILYN DELA CRUZ LAJA Election Öfficer



8 E		TAX DECL	ARATION OF	REAL	PROPERTY	1	
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Owner: AVILA	. ROSAL	NA LAROZA	· · · · · · ·	-	TII	V:	
			INDORO		Telepho	one No.:	
Administrator/Ber	neficial User:				TIN: _		
					Telepho	one No.:	
Location of Prope			KALIGTASAN		BONGABON	NG, ORIENTAL N	AINDORO
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Classifi	cation	Area (sq.m.)	Market Value		Actual Use	Assessment Level	Assessed Value
RESIDENT	IAI	732	206,424.00	RESIDENTI	AL (RURAL)	20%	41,280.00
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OR No.:_ Amount Paid:_ OR Date :	the Assessor's	Office of the MUNICI	s is a true machine PALITY OF BONGABONG	i.	P. ROMEO EDUA	ARDO L. MEON	

Notes: This declaration is for real property taxation purposes only and the valuation indicated herein are based on schedule of unit market values prepared for the purpose and duly enacted into an Ordinance by the Sangguniang Panialawigan under Ordinance No. 35-2014 dated June 25, 2014. It does not and cannot by itself alone confer any ownership or legal title to the property.



Republic of the Philippines DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES

Suqui, Calapan City, Oriental Mindoro

IN RE: [] Agricultural Free Patent [] Residential Free Patent [] Homestead Patent [] Miscellaneous Sales Patent [] Sales Patent under RA 730 [x] Other Lot No. 2259-A, Csd-4B-000412-D identical to Lot 2299, Pls 138, located at Kaligtasan, Bongabong, Oriental Mindoro Kaligtasan, Bongabong, Oriental Mindoro RODRIGO A. LAROZA (Protestant/Claimant) ROSALINA LAROZA-AVILA (Claimant-Respondent)	ADR Case No: 2022-1752040-0094
XX	

ORDER OF AMICABLE SETTLEMENT

Submitted for consideration and approval is the Amicable Settlement (Kasunduan) forged by and between RODRIGO A. LAROZA and ROSALINA LAROZA-AVILA whereby the parties voluntarily and amicably settled their dispute in the above-entitled case, to wit:

AMICABLE SETTLEMENT AGREEMENT²

"We, the claimants of the parcel of land, Lot 2259-A, Csd-4B-000412-D, situated at Barangay Kaligtasan, Bongabong, Oriental Mindoro, pursuant to DENR Administrative Order No. 2016-30 dated 22 December 2016³ hereby declare that we have voluntarily agreed on the following:

"Terms and Conditions":

Na ako, Unang Panig ay pumapayag na matituluhan sa aking kapatid na si Rosalina Laroza-Avila and nabanggit na lote.

Na ako, Ikalawang Panig ay pumapayag na matituluhan ang karatig na lote na kilala bilang Lote Numero 2259-B, Csd-4B-000412-D, na may sukat na 732 metros kwadrado sa aking nakatatandang kapatid na si Rodrigo A. Laroza.

Form for PENRO/RD to be issued only by said Offices

² Quote the Amicable Settlement signed by parties

³ Section 21 (Amicable Settlement), DENR Administrative Order No. 2016-30 dated 22 December 2016, Guidelines in the Conduct of Alternative Dispute Resolution (ADR) in Land Management and Disposition.

Na kami ay nagkakasundo na tapusin na ang usaping ito at humihiling na ang mga nabanggit na lote ay matituluhan sa bawat isa sa amin sa lalong madaling panahon.

XXX

This Office finds that the Amicable Settlement was duly entered into voluntarily by the parties with the terms and conditions thereof not contrary to law, morals, good customs, public order or public policy. The Amicable Settlement is hereby APPROVED.

The approved settlement has the force and effect of a decision or judgment. The parties are hereby ordered to faithfully comply with the terms and conditions of the agreement.

SO, ORDERED.

Calapan City, Oriental Mindoro, Philippines, September 6, 2022.

ALMA E. GIBE In-Charge, PENRO Oriental Mindoro

Copy furnished:

RODRIGO A. LAROZA Kaligtasan, Bongabong, Oriental Mindoro

ROSALINA LAROZA-AVILA Kaligtasan, Bongabong, Oriental Mindoro

DENR-CENRO, Roxas San Mariano, Roxas, Oriental Mindoro

DENR-MIMAROPA, Region Ermita, Manila

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202				ROSALINA LAROZA-AVILA, et.al.
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A BONGABONG PUBLIC LAND SUBCO	,			0 5 10 15 30 M. I hereby certify that this is a correct plan of the survey mode by me personally, or under my direct supervision in conformity with
\	\$			the provision of RA 8560, as amended, atherwise known as "The Geodetic Engineering Act of 1998" and the rules and regulations of the Department of Engineering and Natural Resources.
	V1510H			I further certify that this plan accurately indicates the boundaries of the property as pointed to me on the ground by the survey claimant or
	Marie			his authorized representative end/or based on the ovailable legal and/or official technical documents and that I assume fall preparability for the technical correctness of the survey and the adjustery of the profession setting.
	~			AND 21, 2010 RODOLFO V.DAYANGHIRANG
	{ F	and contains a sign which do not a considerate philippin and a sign to have been destroyed and the contained and the co		Date of Survey Geödetic Enginéer PRC so to 788 Dote: 12-01-55 PRC No. 3559932 Dote: 02-07-11 TNN NO. 063-117-269-559.NV
•8				Republic of the Philippines Department of Environment and Natural Resources LAND MANAGEMENT SERVICES Region Office MIMAROPA M A M I L A
	V . A	= 732 = 786 = 1596 = 1302 3416		The survey plotted herein is found to be in order to be submitted survey returns of the Geodetic Engineer and therefor recommended for approval. ROMAN S. VESSP APPROVED: At Ab., 281) QC, Regional Survey Drusson
	- D	=1302		This approved plan, however, shall not be construed
	N U	3416/		as title to the land. OSCAR C. DOMINICO OIC Regional Technical Director For Lands
	1.26		11	Date Sandarier Date Sandarier Sandar
	9.14 6.76			Aug 1,001
	1991	e e e e e e e e e e e e e e e e e e e	1	CM-12-38[38]1-12-28E
-4.4.		With my conformity		Projected on Pulk P.U. N. E. by:
	• • • • • • • • • • • • • • • • • • •	6.5		Traverse Computation checked by: Astronomical Computation checked by: Lot Defend Computation checked by: Plotted / Initial by:
Into measure		June Comme		Plotted / Inhed by: Troced by: Cinched and Verified by:
188 IN BION		OR SMPLE SUBDIVISION ONLY)	4	ADDITIONAL INFORMATION NETER DATE OF APPLOVAL
Ill be equivalent to lot	300 Bengabung	VERIFICATION FEE		
amath arranged for the	300 Bengabers 301 Rublic Land 302 Bubdivision	O.R. No. 3873848-4 Date: Sept- 8, 8011		
ginally surveyed for its living to lot 2153-0, and	of ousers.	1 Lot's 29 Corners		Csd-4B-000412-D



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Annex: Fees (Article W on the Revised Revenue Code 2011: Fees for Application For Zoning and Land Use)

Downloadable Forms

Application Form for Locational Clearance

Application Form for Zoning Certification

Service Offered: "Zoning Certificate"

Who my Avail: All Citizens

 Accomplished Application Form 	Documentary Requirements
1. Submit Accomplished	Client Action(detailed steps)
1. Receiving (stamp RECEIVED)	Agency Action (Detailed Steps)
Melvin Angeles	Person in Charge Position Unit / Division
Article W on the Revised	Teess
10 minutes	Max. Processing Time 3 days (Simple Transaction)

ひつけつひ

			Coordinates	(TCT) • Geotagged Photos with	Certificate of Title
•	2. Payment at Treasurer's Office at Window 1, 1st Floor, Municipal Building				Application Form w supporting Home
4) Signing GIS Mapper will endorse the Zoning Certificate to the zoning Officer for approval/signature	3) Receiving of Payment Collecting Officer receives payment and issue OR	Liaison Officer forwards the Order of Payment to the MTO	(If applicant has no geotagged photos, Zoning Enforcer/ GIS Digitizer inspect/ conduct geotagging for the project.)	2). Verification GIS Mapper checks the location in the Zoning Plan	ith Receiving Personnel Aboutind இன்னன் the GIS Mapper
Gregorio S. Reyes, EnP	Collecting Officer (MTO)			Francis Kenneth Dalag	
20 minutes	20 minutes			15 minutes	Revenue HEARTSB@20Transparency Contact (See attached annex)
÷					Gallery V

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7 of 70



3. Receives Zoning 5) Releasing/ Filing Melvin About Government Officials Departments Angeles Poning Cartificate

10 minutes HEARTSPO Transparency Contact Gallery >

and files the document

releases Zoning Certificate

END OF TRANSACTION

and Development Permit for PD 957 and BP 220 Residential Subdivisions, Service Offered: "Issuance of Preliminary Approval/ Locational Clearance Farmlot, Industrial, Memorial Parks and Cemetary"

Who my Avail: All Citizens

For Preliminary and Locational Clearance for Application Form & Form Subdivisions: Application Form & Form List of Sizue Application Form & Requirements 1) Issuance of Application Melvin Article W 5 minutes Angeles on the Issue Application Form & Revised Revenue	Documentary Requiements	Client Action(detailed steps)	Agency Action (Detailed Steps)	Person in Charge Position Unit / Division	Ti O O O	Max. Processing Time 3 days (Simple Transaction)
Code 2011	For Preliminary and Locational Clearance for Subdivisions:	1) Secure an Application Form & List of Requirements	1) Issuance of Application Form Issue Application Form & List of Requirements	Melvin Angeles	Article W on the Revised Revenue Code 2011	5 minutes

following documents