



26 January 2023

**HON. MARIA ANTONIA YULO-LOYZAGA**

Secretary

Department of Environment and Natural Resources (DENR)

DENR Building Visayas Avenue, Diliman

Quezon City

ATTENTION : **MS. LORMELYN E. CLAUDIO, CESO IV**  
Regional Executive Director, DENR – MIMAROPA

: **MR. CONRADO M. CORPUZ**  
CENR Officer, Brooke's Point, Palawan

SUBJECT : **COMPLAINT RECEIVED AGAINST DENR – COMMUNITY  
ENVIRONMENT AND NATURAL RESOURCES OFFICE  
(CENRO), BROOKE'S POINT, PALAWAN**

Dear **Secretary Yulo-Loyzaga**:

We write relative to the complaint we received from Ms. Florecita Palanca, Attorney-in-Fact of Ms. Marissa Cruz Morales (Attached as **Annex A**), regarding the inaction of the Department of Environment and Natural Resources – Community Environment and Natural Resources Office (DENR-CENRO) on the alleged encroachment of Rio Tuba Nickel Mining Corporation (RTNMC) on the parcel of land owned by her principal. The documents highlight, among others, the request of the complainant for a dialogue between RTNMC and DENR-CENRO, as well as the latter's failure to furnish the complainant copies of the reports they prepared on 21 October 2021 and 12 November 2021, that were subsequently attached to their letter, after a year.

Upon careful perusal of the documents, we agree with the DENR-CENRO, in their response letter to Ms. Palanca dated 02 November 2022, that the encroachment complaint should be brought before the appropriate courts since ejectment proceedings require judicial intervention.

However, DENR's failure to furnish the complainant with copies of the reports may fall under:

- a) Section 5 of Republic Act (RA) No. 6713, or the "Case of Conduct and Ethical Standards for Public Officials and Employees", which provides that written requests, petitions, or motions sent by means of letters, telegrams, or the like shall be acted upon within 15 working days from receipt thereof; and
- b) Section 9(b)(1) of RA 11032, or the Ease of Doing Business and Efficient Delivery of Government Services Act of 2018, which states that, "all applications or requests submitted shall be acted upon by the assigned officer or employee within the prescribed processing time stated in the Citizen's Charter which shall not be longer than three (3) working days in the case of simple transactions and seven (7) working days in the case





of complex transactions from the date the request and/or complete application or request was received."

Given the foregoing, we respectfully request your preferential action and assistance to the complainant to provide an update with regards to her request for possible intervention from the DENR.

Should you have inquiries, please feel free to contact our Better Regulations Office – Sectoral Division A via email at [brodiv.a@arta.gov.ph](mailto:brodiv.a@arta.gov.ph).

Sincerely,



**SECRETARY ERNESTO V. PEREZ**  
Director General

Copy furnished:

**MS. FLORECITA PALANCA**  
Atty-in-Fact of Ms. Marissa Cruz Morales  
[agorgenera66@gmail.com](mailto:agorgenera66@gmail.com)



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