

## SECOND DIVISION

**[ G.R. No. 172841, December 15, 2010 ]**

**RENATO REYES, REPRESENTED BY RAMON REYES, PETITIONER,  
VS. LEOPOLDO BARRIOS, SUBSTITUTED BY LUCIA MANALUS-  
BARRIOS, RESPONDENT.**

### D E C I S I O N

**CARPIO, J.:**

#### The Case

This petition for review<sup>[1]</sup> assails the 8 February 2006 Decision<sup>[2]</sup> and the 29 May 2006 Resolution<sup>[3]</sup> of the Court of Appeals in CA-G.R. SP No. 90212. The Court of Appeals affirmed the 29 June 1998 Decision and the 7 December 2004 Resolution of the Department of Agrarian Reform Adjudication Board (DARAB) in DARAB Case No. 5504, declaring Leopoldo Barrios as bona fide tenant of the subject landholding. The DARAB reversed the 31 October 1996 Decision of the Provincial Agrarian Reform Board (PARAD) of San Fernando, Pampanga.

#### The Facts

On 26 September 1995, petitioner Renato Reyes (petitioner) filed before the Department of Agrarian Reform, Region III, PARAD of San Fernando, Pampanga, a complaint for ejectment against respondent Leopoldo Barrios (respondent). The case was docketed as DARAB CASE No. 1089-P'95.

The case involves a parcel of land measuring approximately 3.6 hectares (landholding)<sup>[4]</sup> which forms part of the property with an aggregate area of 527,695 square meters (property)<sup>[5]</sup> located at Mapaniqui, Candaba, Pampanga covered by Transfer Certificate of Title (TCT) No. 14488.<sup>[6]</sup> The property was co-owned by petitioner and his four sisters.<sup>[7]</sup> Petitioner claimed that the property became subject of the Operation Land Transfer under Presidential Decree No. 27 (PD 27), except the 3.6-hectare landholding which was allegedly retained. In his Memorandum<sup>[8]</sup> dated 18 September 2007, petitioner averred that he and his sister Leticia V. Reyes are the co-owners of the landholding. Petitioner hired respondent as the overseer of the farm and piggery on the landholding. However, petitioner contended that respondent never remitted the proceeds from the piggery business and the fruits from the landholding.<sup>[9]</sup>

On the other hand, respondent alleged that he was a tenant of the landholding since 1972 and he even built his house on the subject landholding. Respondent also acted as the caretaker of the piggery business on the landholding. Contrary to petitioner's

allegations, respondent stated that petitioner's wife took all the proceeds from the piggery business, which later ceased operation due to an epidemic.

When respondent failed to appear during the scheduled hearings, petitioner moved to submit the case for decision on the basis of the evidence presented. Respondent alleged that his failure to attend the scheduled hearings was because he received the Notice for the 29 February 1996 hearing only on 6 March 1996. Respondent moved for the postponement of the hearing because he was bedridden due to hypertension and heart ailment.<sup>[10]</sup> However, the PARAD again heard the case *ex-parte* on 28 March 1996, of which respondent alleged that he was still not notified.

On 31 October 1996, the PARAD rendered a decision, the dispositive portion of which reads:

WHEREFORE, premises considered, this Office renders judgment declaring that herein plaintiff [Renato Reyes] is entitled to recover the possession of the property subject of this present litigation; ordering the defendant [Leopoldo Barrios] or anyone claiming any right or authority under him to vacate the premises in question and surrender possession thereof to the plaintiff; and ordering the defendant to pay the sum of P3,000.00 to the plaintiff as attorney's fees.

No pronouncement as to cost.

SO ORDERED.<sup>[11]</sup>

Respondent appealed to the DARAB. Meanwhile, respondent passed away on 13 February 1997<sup>[12]</sup> and was substituted by his spouse Lucia Manalus-Barrios.<sup>[13]</sup>

On 29 June 1998, the DARAB reversed the PARAD decision and held that respondent is a bona fide tenant of the landholding and that he cannot be ejected from the landholding absent any justifiable cause. The DARAB held:

It appears that Respondent-Appellant is listed as farmer-beneficiary of the land transfer program, as evidenced by the Certification issued by the Officer-in-charge of Arayat-Sta. Ana-Candaba Agrarian Reform Team. The fact of tenancy is buttressed by the joint statement dated March 5, 1989 of residents of neighboring lots who attest to Respondent-Appellant's cultivation of subject lot. As tenant thereon, Respondent-Appellant, therefore, cannot just be ejected. The causes for extinguishment of Leasehold Relation pursuant to Section 36, Republic Act No. 6657 are:

1. Abandonment of the landholding without the knowledge of the lessor;
2. Voluntary surrender of the landholding by the lessee, written notice of which shall be served three (3) months in advance;
3. Absence of successor or qualified heir, in case of death or permanent incapacity of the lessee;

4. Judicial ejectment of the lessee for causes provided under Sec. 36 of the Code;
5. Acquisition by the lessee of the landholding;
6. Termination of the leasehold under Sec. 38;
7. Mutual consent of the parties; and
8. Conversion of the landholding for non-agricultural purposes subject to the conditions required by law.

The records are bereft of evidence showing the existence of any of the above-quoted circumstances to justify ejectment of Respondent-Appellant from said landholding.

Under the prevailing circumstances, we hold that Respondent-Appellant Barrios is a bona fide tenant of the landholding.

WHEREFORE, premises considered, the appealed decision is SET ASIDE, and a new one entered:

1. Declaring Respondent-Appellant Leopoldo Barrios a bona fide tenant of the subject landholding. However, due to his death during the pendency of this case, the surviving spouse, if qualified, shall succeed; if not, the eldest descendant will succeed or the descending descendant in the order of their age;
2. Directing the plaintiff-landowner Renato Reyes to reinstate the qualified heir of Respondent-Appellant and to maintain him in peaceful possession as cultivator thereof; and
3. Directing the DAR Regional Office, through its Municipal Agrarian Reform Officer (MARO) to issue Certificate of Agricultural Lease (CAL) after fixing the lease rental therefor.

SO ORDERED.<sup>[14]</sup>

Petitioner filed a Motion for Reconsideration, asking for the reversal of the DARAB decision and the reinstatement of the PARAD decision. Respondent, substituted by his spouse Lucia Manalus-Barrios, also filed a Motion for Partial Reconsideration, asking for the modification of the decision by declaring respondent as a beneficiary under PD 27 and to issue an Emancipation Patent in favor of respondent's surviving spouse Lucia Manalus-Barrios.

In its 7 December 2004 Resolution, the DARAB denied petitioner's Motion for Reconsideration for lack of merit and granted respondent's Motion for Partial Reconsideration, thus:

In the Motion for Partial Reconsideration, Movant alleged that this Board in its decision has declared that the deceased Defendant-Appellant Leopoldo Barrios is a bona fide tenant on the subject landholding. Moreover, Plaintiff-Appellee maintains that page three (3) of the decision rendered by this Board finds and provides that "Operation Land Transfer (OLT) or Presidential Decree No. 27 was signed into law decreeing the emancipation of tenants from the bondage of the soil, transferring to them the ownership of the land they till and providing the instruments and mechanisms therefore." Hence, movant prayed that an Emancipation Patent be issued in lieu of the Certificate of Agricultural Lease in consonance with the findings of this Board and DAR Administrative Order No. 13, Series of 1988.

Acting on said motion, this Board finds that the appealed decision shows substantial appreciation that deceased Defendant-Appellant was a bona fide tenant on the subject landholding. Likewise, this Board, in the assailed decision sustained the provisions of Presidential Decree No. 27, providing "the emancipation of tenants from the bondage of the soil . . ."

From the foregoing findings, the pronouncement of this Board specifically paragraph three (3) of the decision seeks modification. In finding that deceased Defendant-Appellant was a bona fide tenant of the subject landholding and declaring the emancipation of tenants from the bondage of the soil, the subsequent issuance of a Certificate of Agricultural Lease as provided in the assailed decision is not in consonance with the findings of the Board. Hence, this Board is constrained to modify or apply the correct conclusions drawn from the facts of the case.

WHEREFORE, premises considered, the herein Motion for Reconsideration dated September 30, 1995 is hereby DENIED for lack of merit. Whereas, the Motion for Partial Reconsideration dated October 5, 1998 is GRANTED and a new judgment is rendered, as follows:

1. Paragraph three (3) of the decision dated June 29, 1998 is hereby modified;
2. Directing the DAR Regional Director, through the Municipal Agrarian Reform Officer (MARO), to issue Emancipation Patent in favor of Defendant-Appellant or his heir, herein substitute Defendant-Appellant Lucia Manalus-Barrios;
3. Directing Plaintiff-Appellee's successors, co-owners, and the alleged former tenants and all those persons acting on their behalf to vacate the subject landholding and to immediately reinstate the substitute Defendant-Appellant thereto and to maintain her in peaceful possession thereof;
4. Declaring the landholding fully paid by the defendant-appellant;
5. Directing the Plaintiff-Appellee's successors and co-owners to reimburse 75% of palay harvest, of its cash equivalent, on the

remaining 12½ croppings to the Defendant-Appellant and deducting therefrom the amount of the expenses incurred by the Plaintiff-Appellee's successors and co-owners in the present planting season.

Let records of this case be remanded to the Sala of the Honorable Provincial Adjudicator of Pampanga for the immediate issuance of a writ of execution.

SO ORDERED.<sup>[15]</sup>

Petitioner filed another Motion for Reconsideration, which the DARAB denied in its Resolution dated 5 May 2005.<sup>[16]</sup> Petitioner then appealed to the Court of Appeals, which denied the petition for review in its 8 February 2006 Decision. The Court of Appeals likewise denied petitioner's motion for reconsideration in its 29 May 2006 Resolution.

Hence, this petition for review.

### **The Ruling of the Court of Appeals**

The Court of Appeals concurred with the findings of the DARAB, thus:

But the petitioner insists that public respondent decided the case at bench against him in defiance of the evidence on record. We do not agree. The DARAB based its findings on the certification dated December 7, 1982 of then Ministry of Agrarian Reform (now Department of Agrarian Reform) of Sta. Ana, Pampanga finding Leopoldo Barrios as legitimate farmer-beneficiary over a four (4) hectare unirrigated land owned by Renato Reyes, located at Mapaniqui, Candaba, Pampanga; on the certification issued by the Officer-in-charge of Arayat-Sta. Ana-Candaba Agrarian Reform Team listing respondent-appellant as farmer-beneficiary; and on the joint statement dated March 5, 1989 of residents of neighboring lots who attested to respondent-appellant's cultivation and occupation of the subject lot.

It bears stressing that in administrative proceedings, as in the case at bench, the quantum of evidence required to sustain a judgment is only substantial evidence. It is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion, even if other minds equally reasonable might conceivably opine differently. Thus, findings of fact of quasi-judicial agencies are generally accorded respect, and even finality, by the appellate tribunal, if supported by substantial evidence, this in recognition of their expertise on the specific matters under their consideration.<sup>[17]</sup>

### **The Issues**