

SIXTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
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Senate
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SENATE
P. S. R. No. 856

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Introduced by Senator Aquilino "Koko" Pimentel III

**A RESOLUTION
DIRECTING THE SENATE COMMITTEE ON JUSTICE AND HUMAN
RIGHTS AND OTHER APPROPRIATE SENATE COMMITTEE/S TO
INQUIRE, IN AID OF LEGISLATION, INTO THE REPORTED
PROLIFERATION OF FAKE LAND TITLES IN MANY PARTS OF THE
COUNTRY, SPECIFICALLY IN GENERAL SANTOS CITY, AND TO
RECOMMEND FEASIBLE SOLUTIONS TO END THIS NEFARIOUS
ACTIVITY AND THEREBY ALLEVIATE THE PLIGHT OF THE
INNOCENT VICTIMS THEREOF**

WHEREAS, *Article II, Section 27 of the 1987 Philippine Constitution* provides that the State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption;

WHEREAS, *Article III, Section 1 of the 1987 Philippine Constitution* provides that no person shall be deprived of life, liberty, or property without due process of law;

WHEREAS, land certificates of title are meant, among other things, to secure and quiet the ownership, and even the possession by people of real estate all over the land;

WHEREAS, anomalous issuances of falsified certificates of title of land have reportedly proliferated all over the country for decades thereby undermining the very rationale of certificates of title under the Torrens System of land registration;

WHEREAS, the widespread proliferation of fake land titles is indicative that land syndicates are operating in many areas of the country;

WHEREAS, a place where over 6,000 fake land titles have been reported to be circulating is General Santos City ;

WHEREAS, this phenomenon in General Santos City of the proliferation of fake land titles could not have been made possible without the

connivance of officials and employees of the Government, and of lawyers, Judges, and law enforcement officers;

WHEREAS, to cite a specific example in General Santos City, there is a 973-hectare lot located in Barangay Labangal and Barangay Apopong that was initially covered by Sales Patent No. 6834 dated January 21, 1926 in the name of Olarte Hermanos y Cia;

WHEREAS, on June 28, 1929, said Sales Patent paved the way for the issuance of Original Certificate of Title (OCT) No. (12) P-4732 in Olarte Hermanos y Cia's name;

WHEREAS, instead of quieting the ownership of the purchaser Olarte Hermanos y Cia over the lot under OCT No. (12) P-4732, said certificate of title was thereafter cancelled, albeit fraudulently, and was subsequently duplicitously superseded on January 27, 1934 by Transfer Certificate of Title No. 886 ("TCT No. 886") in the name of El Hogar Filipino and other persons or corporations;

WHEREAS, TCT No. 886 did not legitimately originate from OCT No. (12) P-4732 of Olarte Hermanos y Cia and the same TCT NO. 886 sired several other bogus certificates of title that are still circulating in the City of General Santos with no signs of abating;

WHEREAS, the widespread presence of fake land titles system has spawned protracted litigations to the detriment not only of our Court dockets, but also of the so-called "innocent purchasers for value";

WHEREAS, the government has likewise been bilked of hundreds of thousands, if not millions, of taxpayer's money to pay for the right of way of public roads that had passed through a good number of lots with fictitious titles;

WHEREAS, given the proliferation of fake land titles, it could be said that the whole system of land registration and titling of land in our country may be institutionally flawed and corrupted, and, hence, there is a pressing need to survey the entire country to identify *bona fide* landowners and to conduct a systemic and systematic review of our land registration system to curb the proliferation of these fake land titles;

WHEREAS, the Supreme Court itself has recognized the proliferation of fake land titles and declared that the stability of the country's Torrens System is menaced by the infestation of fake land titles and deeds and that any

decision of the Court that breathes life into spurious or inexistent titles all but contributes to the blight¹;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED THAT THE SENATE COMMITTEE ON JUSTICE AND HUMAN RIGHTS AND OTHER APPROPRIATE SENATE COMMITTEE/S BE DIRECTED TO INQUIRE, IN AID OF LEGISLATION, INTO THE REPORTED PROLIFERATION OF FAKE LAND TITLES IN MANY PARTS OF THE COUNTRY, SPECIFICALLY IN GENERAL SANTOS CITY, AND TO RECOMMEND FEASIBLE SOLUTIONS TO END THIS NEFARIOUS ACTIVITY AND THEREBY ALLEVIATE THE PLIGHT OF THE INNOCENT VICTIMS THEREOF.

Adopted,


AQUILINO "KOKO" PIMENTEL III

¹ *Manotok Realty v. CLT Realty* (G.R. No. 123346) and *Araneta Institute of Agriculture, Inc. v. Heirs of Dimson* (G.R. No. 134385), December 14, 2007.