



Republic of the Philippines
Office of the President
Housing and Urban Development Coordinating Council
HOUSING AND LAND USE REGULATORY BOARD

Memorandum Circular No. 09
Series of 2016 (07April)

TO : ALL CONCERNED

FROM : THE COMMISSIONER AND CHIEF EXECUTIVE OFFICER

SUBJECT : Supreme Court En Bank Notices:

1. **A.M. No. 15-07-12-SC dated February 2, 2016 re: Enforcement by Court Sheriffs of the Writs of Execution Issued by Quasi-Judicial Bodies.**
2. **A.M. No. 14-7-224-RTC dated August 26, 2014 re: Letters of CoC Marion Gay C. Mirabueno, RTC-OCC, Gen. Santos City on the Designation of a Sheriff to Implement the Writ of Possession Issued by the National Commission on Indigenous Peoples (NCIP).**

Attached herewith are the En Bank Notices issued by the Supreme Court transmitted by Ms. Felipa B. Anama, Clerk of Court.

The Supreme Court in Item 1. above, had resolved to clarify that **court sheriffs cannot enforce writs of execution issued by quasi-judicial bodies** pursuant to the Resolution dated August 26, 2014 in A.M. No. 14-7-224-RTC (Item 2). The Supreme Court in A.M. No. 14-7-224-RTC denied the request of Atty Marion Gay C. Mirabueno, Clerk of Court of the Regional Trial Court, General Santos City, that a sheriff be designated to implement the writ of possession issued by the National Commission on Indigenous Peoples (NCIP) for lack of merit; stating that **“Thus, the NCIP is an agency under the executive, rather than the judicial, branch of government. Its orders are not judicial orders, which are within the authority of sheriffs, as judicial officers, to execute.”**

For your information and guidance.

ANTONIO M. BERNARDO
Code No. 01A



Republic of the Philippines
Supreme Court
Manila

EN BANC

NOTICE


Sirs/Mesdames:

Please take notice that the Court en banc issued a Resolution dated FEBRUARY 2, 2016, which reads as follows:

“A.M. No. 15-07-12-SC (Re: Enforcement by Court Sheriffs of the Writs of Execution Issued by Quasi-Judicial Bodies, e.g., Construction Industry Arbitration Commission, Housing and Land Use Regulatory Board, and PAG-IBIG).- Acting on the Letter dated May 12, 2015 of Atty. Jennifer H. Dela Cruz-Buendia, Clerk of Court and *Ex-Officio* Sheriff and President, Association of Clerks of Court and *Ex-Officio* Sheriffs (ACCES), the Court Resolved to **CLARIFY** that court sheriffs cannot enforce writs of execution issued by quasi-judicial bodies pursuant to the Resolution dated August 26, 2014 in A.M. No. 14-7-224-RTC.


Let a copy of the aforesaid August 26, 2014 Resolution be attached to this resolution.” Caguioa, J., on official leave. (adv6)

Very truly yours,


FELIPA B. ANAMA
Clerk of Court

- Our

HOUSING AND LAND USE REGULATORY BOARD
PUBLIC ASSISTANCE CENTER (PAC)



RECEIVED BY: Mrs. Elizabeth P. Monsod
DATE: 3/23/16
TIME: 1:20 pm

Court Administrator

*HON. JOSE MIDAS P. MARQUEZ (x)

Deputy Court Administrators

*HON. RAUL B. VILLANUEVA (x)

*HON. JENNY LIND R. ALDECOA-DELORINO (x)

*HON. THELMA C. BAHIA (x)

Supreme Court

*ATTY. CARIDAD A. PABELLO (x)

Chief, Office of Administrative Services

*ATTY. LILIAN BARRIBAL-CO (x)

Chief, Financial Management Office

*ATTY. MARINA B. CHING (x)

Chief, Court Management Office

*ATTY. WILHELMINA D. GERONGA (x)

Chief, Legal Office

OCA, Supreme Court

*ATTY. JENNIFER DELA CRUZ-BUENDIA (reg)

Clerk of Court and Ex-Officio Sheriff, and
President, Association of Clerks of Court and
Ex Officio Sheriffs (ACCES)
Office of the Clerk of Court, RTC, Manila

*ATTY. ANTONIO M. BERNARDO (reg)

Commissioner and Chief Executive Officer
Housing and Land Use Regulatory Board (HLURB)
HLURB Office, N.H.A. Compound
Mayaman St., cor. Kalayaan Avenue
Diliman, 1101 Quezon City

*FEDE C. RAMIREZ (reg)

Block 37, Lot 22, Tierra Monte Subdivision
Phase 2, Brgy. Silangan, San Mateo, Rizal

A.M. No. 15-07-12-SC
kat 2/2/16 (adv6) 2/5/16

*With copy of resolution dtd. 8/26/14 in
A.M. No. 14-7-224-RTC

