

[ADMINISTRATIVE ORDER 478, January 30, 1984]

IMPOSING A FINE ON MR. ARTURO P. RICAFORTE, REGISTER OF DEEDS OF BUTUAN CITY

This is an administrative case filed by the Acting Commissioner, National Land Titles and Deeds Registration Administration (NLTDRA, formerly Land Registration Commission), against Mr. Arturo Ricaforte, Register of Deeds of Butuan City.

Respondent stands charged of alleged violation of Department (Ministry) of Finance Order No. 20-73, dated June 14, 1973, as amended by Joint Circular No. I-81, dated January 1, 1981, of the Commission on Audit and the Ministry of Finance, for failure to deposit/remit on time the collections of his Registry with the Bureau of Treasury or to an authorized government depository bank.

The case stemmed from the letter, dated October 22, 1981, of Ms. Floresa Simbajon, Acting Treasury Regional Director, Region X, Cagayan de Oro City, advising respondent that he had unremitted collections of P71,100.00 as of August 31, 1981. By a 1st Indorsement, dated February 23, 1982, the Minister of Justice transmitted to the then Land Registration Commission a copy of the aforementioned letter.

On the basis thereof, respondent was formally charged by the Acting Land Registration Commissioner on March 10, 1982 with violation of Finance Department Order No. 20-73 and Joint Circular No. 1-81 of the Commission on Audit and the Ministry of Finance for failure to deposit/remit on time his registry collections in the amount of P71,100.00.

In his answer, dated April 5, 1982, respondent did not deny the charge, but manifested that he had already remitted the full amount of P71,100.00 on September 1 and 22, 1981, regarding which the Acting Treasury Regional Director, through his Provincial Fiscal Examiner, had been duly informed. As to the causes of the delay in the remittance of the amount, respondent explained that they were brought about by the typhoon that ravaged Butuan City for two months, the holding of the plebiscite and the presidential election, the energization of Butuan City and the celebration of the city fiesta.

Respondent further admitted that he was aware of Commission on Audit Circular No. 82-A, dated October 4, 1963, requiring him to remit his collections to authorized banks once they reached the amount of P500.00. According to respondent, however, he could not religiously comply with the circular because of the distance from his registry to the DBP and on account of the prevailing peace and order situation in Butuan City.

Respondent likewise explained that he issued receipts evidencing payment of