

**[HLURB MEMORANDUM CIRCULAR NO. 05, S.
1997, January 06, 1997]**

**RESOLUTION NO. R-593, APPROVING THE GUIDELINES AND
PROCEDURE ON ENTRY OF JUDGMENT PURSUANT TO RULE XIX D
THE 1996-HLRB RULES OF PROCEDURE**

1. Herewith is the subject resolution, with the attachments as stated in the text thereof, approved by the Board of Commissioners on 18 December 1996.

2. The Officer-in-Charge, Appeals Review Group and the Regional Officers are hereby directed to:

2.1 Assign responsible personnel to implement the prescribed procedures;
and

2.2 Undertake measures necessary and incidental to compliance with the guidelines, paying particular attention to monitoring and reporting requirements.

For strict compliance and immediate implementation.

Adopted: 06 Jan. 1997

(SGD.) ROMULO Q.M. FABUL
Commissioner and Chief Executive Officer

ATTACHMENT:

HLRB Guidelines and Procedures on Entry of Judgment

Pursuant to Section 5, (c) and (j) of Executive Order No. 648, Series of 1981, as amended by Executive Order No. 90, Series of 1986 and Rule XIX of HLRB Resolution No. R-586, Series of 1996, known as the 1996 Rules of Procedure of the Housing and Land Use Regulatory Board, the following guidelines and procedures for Entry of Judgment are hereby adopted for the guidance of all concerned:

A

Objectives

These guidelines and procedures have been formulated in order to attain the following objectives:

a. To operationalize the Board's mandate of simplifying and ensuring the just and expeditious resolution of cases, thru the adoption of objective and reliable system of ascertaining the finality of its judgments, decisions and resolutions; and

b. To aid and assist the Arbiters and operating offices of this Board, as well as the parties and their counsels, in determining and ensuring the finality and propriety of execution of said judgments, decisions and resolutions and avoiding controversies and delays relative thereto.

B

Coverage

Entry of Judgment shall cover final and executory decisions which shall consist of the following:

- a. Decisions of the Housing and Land Use Arbiter that were not appealed within thirty (30) days after receipt by the parties.
- b. Judgments upon Compromise Agreements/Amicable Settlements between parties.
- c. Decisions of the Board that were not appealed to the Office of the President despite the lapse of fifteen (15) days after receipt by parties.
- d. Decisions of the Board acted upon by the Office of the President, after thirty (30) days from receipt of Notice of the Decision.
- e. Decisions of the Board acted upon by the Supreme Court, forty-five (45) days after receipt of Notice of Supreme Court Decisions.
- f. Interlocutory Orders/Resolutions directing specific acts and/or imposing sanctions and administrative fines after thirty (30) days upon receipt by the parties.

C

Officers Responsible for the System of Entry of Judgment

At the Central Office, under the supervision of the Director of ARG, the Dockets Processing Officer (DPO) assisted by the Records Officer of the said group, shall have overall responsibility for the implementation of the system of entry of judgments, and keep in his care and custody the Book of Judgments and Folders of Judgments.

In the Regional Offices, under the supervision of the Regional Officer, the Head of the Legal Services Section, assisted by the Regional Records Officer, shall be responsible for maintenance and safe-keeping of the Regional Book and Folders of Judgments.

In the performance of their respective functions, the ARG Dockets Processing Officer (DPO) and the Heads of the Legal Services Sections of the Regional Offices shall also be assisted by the Mailing of the General Services Division of the Central Office and the Administrative Sections of Regional Offices, respectively.

Relative thereto, the Head, GSD Central Office and the Administrative Heads of the

Regional Offices shall ensure that Registry Return Receipts and Return Cards are properly secured from the post office and immediately turned-over to the custody of the ARG DPO or Head of the Legal Services Section, attention/care of their respective Records Officer. For this purpose, they shall assign one of their staff to coordinate on a regular basis with the ARG or the Regional Legal Services Section, as the case may be, with respect to the retrieval and turn-over of Registry Return Receipts and Return Cards.

D

Measures for Ensuring Finality of Decisions/Orders

The officers responsible for maintaining the system shall see to it that the following measures are observed, to ensure finality of the Board or Arbiters decision, to wit:

1. Every decision furnished to the parties shall be mailed through registered mail (and special delivery, if available); for this purpose the Records Officers of Central and Regional Offices, and the heads of mailing units of such offices shall ensure that no decision, order or resolution of the Board or any Arbiters, as the case may be shall be released for mailing unless the same are accompanied by duly accomplished Registry Return Cards attach thereto;
2. After the mailing of the decision, the designated mailer of the mailing units of the Central and Regional Offices shall secure from the postal office copies of the Registry Return Receipt (RRRs) for each decision, order or resolution mailed, and immediately forward or turn-over the same to the ARG Dockets Processing Officer or the Head of the Regional Legal Services Section, as the case may be, care or attention of their Records Officers;
3. The Records Officer of the ARG or the Regional Office, shall immediately attach said RRRs to the original copy of the Decision, as proof of mailing thereof; and he shall then also immediately FILE the said original copy of the decision with the docket of the case and turn-over the docket to his records custodian;
4. Upon instructions from the ARG DPO or in the case of Regional Offices, the heads of their Legal Services Sections, and their respective Records Officers shall regularly ascertain from the mailing unit if the Central or Regional Office, as the case may be, the date of receipt of the parties of the decision through the Registry Return Card;
5. If despite the lapse of thirty (30) days from mailing of the decision, the Records Officer of either the ARG or the Regional Office concerned finds that the Registry Return Card of the decision he is monitoring is not yet with the mailing unit, he shall forthwith prepare a letter request to the postal office to verify the status of delivery/transmittal of the decision.
6. In case where the Registry Return Cards concerned cannot be found or have not been received by this Office, receipt of a certification from the postmaster(s) concerned as to the delivery and receipt of the letter by the addressee or his representative on the date specified therein shall be considered as conclusive proof of such delivery.