



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
REGION XIII (Caraga Region)
1559 MATIMCO Bldg., Km. 4, Libertad, Butuan City
Telefax No. (085) 342-2134 / 815-1299
Website: www.dilg13.org / Email Address: dilgxiii@yahoo.com



September 24, 2012

DILG-13 OPINION NO. 27

MR. JULIUS R. CARRIDO
MILGOO - DILG
Tingig, Surigao del Sur

To: Mr. Pedrito P. Alacaba
Provincial Director, DILG
Surigao del Sur

UBC 12996454352
DILG - REGION XIII
RELEASED

DATE: SEP 25 2012

TIME: 8:15

BY: 9/

Dear Mr. Carrido:

This refers to your letter dated September 3, 2012, pertaining to the payment of just compensation of properties, where you posed the following queries:

- a) Whether a tax declaration is bearing for the barangay government obliged to pay a just compensation on his property where the project of the barangay has been constructed considering that he paid real property tax to the municipal governments?
- b) Invoking Section 19 of the Local Government Code through Power of Eminent Domain and assuming the requirements therein are fully complied by the Barangay Government of Mahayahay, does approved Land Title is a requisite for just compensation on his property taken for public purpose?
- c) Pending the approval of his application for land title for unresolved protests in the meantime, does the Barangay Government is still obliged to make a just compensation when land title has been approved several years from the completion of the project?"


As of this time we refrain from entertaining your questions considering that the property is still subject to protests by other claimants. We believed that the barangay government shall only pay just compensation to the real owner otherwise the barangay officials may be liable criminally, civilly and administratively if it would turn out that the

of NR or other competent agencies would declare that Mr. Cartajenas is not the real owner

Therefore, we believed that the appeal of Mr. Cartajenas may be denied for the meantime pending final resolution on the true ownership of the property.

We hope to have clarified you on this matter.

Very truly yours,


LILIBETH A. FAMACION, CESO IV
OIC – Regional Director