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alter the real value of goods and services on the basis of a rumor or anything else that will cause a herd of speculative traders to move one way or the other. Put in another way, those who participate in it must be charged with knowledge that getting rich in this way is accompanied with great risk. Given its real effects on the real economy and on real people, it will be unfair for this Court to provide greater warranties to the parties in currency trading. They should bear their own risks perhaps to learn that their capital is better invested more responsibly and for the greater good of society.

Be that as it may, to arrive at these conclusions, this Court has to extensively review the evidence submitted by the parties. If, as petitioners claim, the Petition only raised pure questions of law, there would have been no need to re-examine the evidence. As it stands, the Petition must be denied.

WHEREFORE, the Petition is **DENIED**. The January 31, 2008 Decision and March 31, 2008 Resolution of the Court of Appeals in CA-G.R. CV No. 88439 are **AFFIRMED**.

SO ORDERED.

Velasco, Jr. (*Chairperson*), *Bersamin, Martires*, and *Gesmundo, JJ.*, concur.

THIRD DIVISION

[G.R. No. 187186. June 6, 2018]

ALICIA C. GALINDEZ, *petitioner, vs.* **SALVACION FIRMALAN; THE HON. OFFICE OF THE PRESIDENT, THROUGH THE HON. OFFICE OF THE EXECUTIVE SECRETARY; and THE REGIONAL EXECUTIVE DIRECTOR, DENR-REGION IV,** *respondents.*

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SYLLABUS

1. **CIVIL LAW; COMMONWEALTH ACT NO. 141 (THE PUBLIC LAND ACT); SALE OF PUBLIC LAND; PUBLIC LANDS SUITABLE FOR AGRICULTURAL PURPOSES MAY BE DISPOSED OF BY SALE TO PERSONS ELIGIBLE TO PURCHASE AGRICULTURAL AND DISPOSABLE LANDS.—** Commonwealth Act No. 141, or the Public Land Act, enumerates the ways in which the State may dispose of agricultural lands x x x. When it comes to the sale of public land, the Public Land Act provides that the following persons are eligible to purchase agricultural and disposable land:1) Filipino citizen of lawful age; 2) Filipino citizen not of lawful age but is the head of a family; 3) A corporation or association organized and constituted under the Philippine laws with at least 60% of its capital stock or interest in its capital belonging wholly to Filipino citizens; and 4) Corporations organized and constituted under Philippine laws who are allowed by their charters to purchase tracts of public agricultural and disposable land.

2. **REMEDIAL LAW; CIVIL PROCEDURE; APPEALS; APPEALS FROM QUASI-JUDICIAL AGENCIES TO THE COURT OF APPEALS; FINDINGS OF FACT OF A QUASI-JUDICIAL AGENCY, WHEN SUPPORTED BY SUBTANTIAL EVIDENCE SHALL BE BINDING ON THE COURT OF APPEALS.—** The Public Land Act x x x provides that the Director of Lands, under the immediate control of the Secretary of Agriculture and Commerce, now the Department of Environment and Natural Resources Secretary, has executive control over the survey, classification, lease, concession, disposition, and management of lands under the public domain. In pursuance of its functions, the Director of Lands is empowered to put in place such rules and regulations, which would best carry out the provisions of the Public Land Act. The Public Land Act also states that the decisions of the Director of Lands "as to questions of fact shall be conclusive when approved by the Secretary of Agriculture and Commerce." This respect accorded to the factual findings of an administrative body is echoed in Rule 43, Section 10 of the Rules of Civil Procedure x x x. [T]his Court has consistently accorded respect and even finality to the findings of fact of administrative bodies, in

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recognition of their expertise and technical knowledge over matters falling within their jurisdiction. Moreover, Rule 43, Section 10 of the Rules of Civil Procedure provides that findings of fact of a quasi-judicial agency, when supported by substantial evidence, shall be binding on the Court of Appeals. Consequently, the Court of Appeals did not err in upholding the findings of fact of the Department of Environment and Natural Resources and of the Office of the President.

3. CIVIL LAW; COMMONWEALTH ACT NO. 141 (THE PUBLIC LAND ACT); SALE OF PUBLIC LAND; MISCELLANEOUS SALES APPLICATION; AN APPLICANT IS NOT PROHIBITED TO PREMATURELY ENTER OR OCCUPY THE LOT APPLIED FOR; CASE AT BAR.— There is nothing in the miscellaneous sales application which forbade the applicant from entering into or occupying the lot being applied for. Instead, what the miscellaneous sales application provides is an acknowledgment from the applicant that he or she has no right over the lot while the application is still pending and while the lease contract has not yet been executed x x x. The miscellaneous sales application warns the applicant that submission of a false statement or false affidavit in support of an application may cause the cancellation of the application, forfeiture of all amounts paid and prohibition from applying for any public land. However, there is no similar warning or an equally dire consequence for applicants who prematurely enter or occupy the lot applied for. At most, it is merely implied that applicants bear the risk of introducing improvements to a lot that has not yet been awarded to them since the application may be denied or the lot may be awarded to some other applicant.

APPEARANCES OF COUNSEL

Franklin Delano Sacmar for petitioner.
Office of the Solicitor General for public respondents.
Paciano Fallar, Jr. for respondent.

D E C I S I O N

LEONEN, *J.*:

Findings of fact by the Director of Lands shall be conclusive when approved by the Department of Environment and Natural Resources Secretary and supported by substantial evidence.

This resolves the Petition for Review on Certiorari[1] filed by Alicia C. Galindez (Alicia) assailing the Court of Appeals November 27, 2008 Decision[2] and March 13, 2009 Resolution[3] in CA-G.R. SP No. 95114, which upheld the Office of the President's January 31, 2006 Decision[4] in O.P. Case No. 05-D-118.

On May 16, 1949, Salvacion Firmalan (Firmalan) filed an application with the Bureau of Lands for a 150-m² parcel of land in Barrio Capaclan, Romblon, Romblon. Her application was docketed as Miscellaneous Sales Application (MSA) No. V-7861.[5]

The District Land Office reported that the vacant lot which Firmalan applied for was suited for residential purposes and recommended the approval of her application.[6]

On February 23, 1950, the Chief of the Public Land Division directed the District Land Office to re-appraise the lot covered

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[1] *Rollo,* pp. 11-35.

[2] *Id*. at 37-46. The Decision was penned by Associate Justice Sixto C. Marella, Jr. and concurred in by Associate Justices Amelita G. Tolentino and Japar B. Dimaampao of the Thirteenth Division, Court of Appeals, Manila.

[3] *Id*. at 48-49. The Resolution was penned by Associate Justice Sixto C. Marella, Jr. and concurred in by Associate Justices Amelita G. Tolentino and Japar B. Dimaampao of the Former Thirteenth Division, Court of Appeals, Manila.

[4] *Id*. at 73-83. The Decision was penned by Undersecretary Enrique D. Perez.

[5] *Id*. at 73-74.

[6] *Id*. at 74.

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by Firmalan's application. Records showed that no action was taken on the order for reappraisal of Firmalan's application.[7]

On April 25, 1967, or almost 18 years after filing her first application, Firmalan filed another application. Her second application was for Lot No. 915 Cad-311-D in Romblon Cadastre and was docketed as MSA No. (V-6) 23. Lot No. 915 had an area of 325 m² and included the 150-m² lot subject of Firmalan's first application.[8]

The Acting District Land Officer recommended the approval of Firmalan's second application.[9]

Alicia filed a protest to Firmalan's second application. She claimed that from November 1951, she and her family had been in constant possession of a portion of the 325-m² lot covered by Firmalan's second application. She also claimed that she had built a house and planted coconut trees on the lot which Firmalan applied for.[10]

Alicia stated that on February 20, 1964, she filed an application over the lot occupied by her family and that her application was docketed as MSA No. (V-6) 44.[11]

On June 23, 1968, the Acting District Land Officer requested that all actions on Firmalan's second application be held in abeyance due to the protest filed against it.[12] The Director of Lands then ordered the Regional Land Director to conduct a formal investigation on the matter.[13]

On July 11, 1978, Land Inspector Mabini Fabreo (Inspector Fabreo) reported to the Director of Lands that after conducting

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[7] *Id*.

[8] *Id*. at 38 and 74.

[9] *Id*. at 74.

[10] *Id*.

[11] *Id*.

[12] *Id*.

[13] *Id*. at 38.

an ocular inspection and investigation, he discovered that the lot covered by Firmalan's second application was occupied by Firmalan and Felipe Gaa, Sr. (Gaa), with the lot equally divided between them. Inspector Fabreo recommended that the area occupied by Gaa be excluded from Firmalan's application.[14]

On March 20, 1981, Inspector Fabreo submitted a second report[15] where he corrected his earlier statement that Firmalan occupied the lot covered by her second application. He clarified that when he made his ocular inspection, it was Elmer Galindez (Elmer), son of Alicia,[16] he saw occupying the lot beside Gaa, not Firmalan.[17]

On May 5, 1982, Firmalan filed a complaint for forcible entry against Elmer. This was docketed as Civil Case No. 110 before the Municipal Trial Court of Romblon, Romblon.[18]

On February 1, 1984, the Municipal Trial Court[19] dismissed the complaint and declared that it was only the Bureau of Lands that could determine who between Firmalan and Elmer had the better right over the disputed lot:

> On the decisional rules and jurisprudence of our Supreme Court already cited, this Court is legally powerless really to determine as to who is entitled or as to who has the right to occupy the lot in question – this, according to It, is committed to the Bureau of Lands.
>
> FOR ALL THE FOREGOING, this Court hereby orders this case DISMISSED. Let a copy of this decision be also furnished the Bureau of Lands with the suggestion that the applications of the parties be determined as soon as possible. Without pronouncement as to costs.
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> IT IS SO ORDERED.[20] (Emphasis in the original)

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[14] *Id*. at 75.

[15] *Id*. at 92.

[16] *Id*. at 90.

[17] *Id*. at 92.

[18] *Id*. at 93.

[19] *Id*. at 93-95. The Decision was penned by Judge Jeoffrey N. Fabic.

[20] *Id*. at 95.

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On March 11, 1985, after receiving testimonies and documentary evidence from the parties, Supervising Land Examiner Dionico F. Gabay (Examiner Gabay) of the Bureau of Lands submitted a report[21] where he wrote that there was no dispute as regards the area occupied by Gaa.[22] Nonetheless, Examiner Gabay opined that between Firmalan and Alicia, Firmalan had the superior right over the lot in question because she was the rightful applicant, while Alicia obtained possession of the lot through trickery and willful defiance of the law.[23]

Examiner Gabay then recommended that the portion occupied by Gaa be segregated from the area subject of the conflicting claims between Firmalan and Elmer, and for Firmalan's claims and that of Alicia, through Elmer, to be resolved.[24] His report was elevated to the Department of Environment and Natural Resources.[25]

On August 27, 1990,[26] the Department of Environment and Natural Resources Regional Executive Director (the Regional Executive Director) concluded that Firmalan filed her miscellaneous sales application over the disputed portion of Lot No. 915 earlier than Alicia. The Regional Executive Director upheld Firmalan's right to acquire the portion of Lot No. 915, reasoning out that Firmalan's first application on May 16, 1949 was given due course even if records showed that no subsequent actions were taken. On the other hand, Alicia was informed that the lot which she was applying for was already covered by a subsisting application. The Regional Executive Director emphasized that a claim of actual ownership, no matter how long an occupant has possessed a public land, will never ripen

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[21] *Id*. at 85-91.

[22] *Id*. at 90.

[23] *Id*. at 90-91.

[24] *Id*. at 91.

[25] *Id*. at 39.

[26] *Id*. at 73.

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into ownership since public land can only be acquired under the provisions of the Public Land Act.[27]

Alicia moved for the reconsideration of the Regional Executive Director's August 27, 1990 Order, but her motion was denied in the subsequent Regional Executive Director's November 15, 1991 Order.[28]

Alicia then appealed her case before the Department of Environment and Natural Resources, but on June 29, 1998,[29] the Department of Environment and Natural Resources Secretary affirmed the Regional Executive Director's Orders.

The dispositive portion of the Department of Environment and Natural Resources June 29, 1998 Decision read:

> WHEREFORE, Miscellaneous Lease Application No. (IV-A-9) 35 of Alicia Galindez is hereby, as it is ordered REJECTED and whatever amount paid on account thereof is forfeited in favor of the Government. Alicia Galindez and/or Elmer Galindez is/are hereby ordered to vacate the premises. The Miscellaneous Lease Application No. V-1612 of Felipe Gaa, Sr. is ordered REINSTATED and given due course. The Miscellaneous Sales Application No. . . . V-7861 of Salvacion Firmalan is ordered REJECTED and her other Miscellaneous Sales Application No. (V-6) 23 is ordered amended to cover the other half-portion of Lot 915 and is hereby given due course. Both applications, the M.L.A. V-1612 of Felipe Gaa, Sr. and M.S.A. No. (V-6) 23 of Salvacion Firmalan are subject to the road-right-of-way as suggested by the Department of Public Works and Highways.[30]

Alicia moved for the reconsideration of this Decision, but on March 28, 2005,[31] the Department of Environment and Natural Resources Secretary denied her motion.

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[27] *Id*. at 40.

[28] *Id*. at 40 and 73.

[29] *Id*. at 73. The Decision was docketed as DENR Case No. 7340.

[30] *Id*.

[31] *Id*. at 40-41.

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On April 19, 2005,[32] Alicia appealed the Department of Environment and Natural Resources' decisions before the Office of the President.

On January 31, 2006, the Office of the President denied the appeal and affirmed the Department of Environment and Natural Resources' decisions.[33]

The Office of the President brushed aside Alicia's claim that she was denied due process. It noted that she was represented by counsel during the proceedings and that she was able to present her evidence during the hearings.[34]

The Office of the President then upheld the findings of fact of the Department of Environment and Natural Resources and of its field officers that Firmalan filed her application over Lot No. 915 ahead of Alicia.[35] The *fallo* of the Office of the President's Decision read:

> **WHEREFORE,** in view of all the foregoing, the instant appeal is hereby **DENIED**. Accordingly, the appealed Decisions of the Department of Environment and Natural Resources are hereby **AFFIRMED**.[36] (Emphasis in the original)

Alicia moved for the reconsideration of the Office of the President's January 31, 2006 Decision, but on June 1, 2006,[37] the Office of the President denied her motion for reconsideration.

Alicia filed an appeal[38] before the Court of Appeals.

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[32] *Id*. at 73.

[33] *Id*. at 73-83.

[34] *Id*. at 82.

[35] *Id*. at 83.

[36] *Id*.

[37] *Id*. at 84. The Resolution was penned by Undersecretary Enrique D. Perez.

[38] *Id*. at 52-72.

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On November 27, 2008, the Court of Appeals[39] denied her appeal and upheld the decision of the Office of the President.

The Court of Appeals found that Firmalan filed her application over Lot No. 915 ahead of Alicia. It held that Firmalan's failure to occupy the lot should not be taken against her because she did so in compliance with the terms of the miscellaneous sales application.[40]

The Court of Appeals indicated that Alicia's lengthy possession of the disputed lot could not be taken in her favor and could not vest her with preferential status on her application because it violated the terms of the miscellaneous sales application.[41]

The *fallo* of the Court of Appeals November 27, 2008 Decision read:

WHEREFORE, the petition is denied and the decision of the Office of the President is affirmed.

SO ORDERED.[42] (Emphasis in the original)

Alicia moved for the reconsideration of this decision, but her motion was denied in the Court of Appeals March 13, 2009 Resolution.[43]

On May 4, 2009, Alicia filed a Petition for Review on Certiorari before this Court.[44]

Petitioner Alicia does not deny that respondent Firmalan filed a miscellaneous sales application over a portion of Lot No. 915 on May 16, 1949, but she insists that the application was treated as if it was never filed because the lot had not yet been

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[39] *Id*. at 37-46.

[40] *Id*. at 43.

[41] *Id*. at 43-44.

[42] *Id*. at 45.

[43] *Id*. at 48-49.

[44] *Id*. at 11-35.

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surveyed or appraised, and the order for its appraisal was not complied with.[45]

Petitioner asserts that her family has freely and openly occupied the lot as early as November 1, 1950 and has declared it for taxation purposes in 1956. Furthermore, on February 20, 1964, as the true occupants of the lot, petitioner even filed a miscellaneous sales application over a portion of Lot No. 915 with the Bureau of Lands.[46]

Petitioner also maintains that respondent's daughter admitted that respondent and her family entered the disputed lot and fenced it after her mother filed an application, thereby violating the terms of the miscellaneous sales application.[47]

Petitioner concedes to also violating the miscellaneous sales application when she and her family entered the lot before their application was approved. Nonetheless, she contends that between respondent, who admitted occupying the lot at one time, and herself, who possessed the same continuously for more than 50 years, her application should have been given preference over that of respondent's.[48]

Petitioner likewise draws attention to her long years of continued and uninterrupted stay over the disputed lot and states that as its actual occupant, she should have been given preferential status, as mandated by the Public Land Act.[49]

Petitioner accuses respondent of applying for as many lots as she could, regardless of whether there were actual occupants on the lots being applied for and of having "unlawful support from some elements in the Bureau of Lands and the [Department

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[45] *Id*. at 15.

[46] *Id*. at 16.

[47] *Id*. at 24.

[48] *Id*. at 24-25.

[49] *Id*. at 27.

of Environment and Natural Resources]."[50] Hence, their support led to the approval of her applications.[51]

In her Comment,[52] respondent stresses that the Department of Environment and Natural Resources, the Office of the President, and the Court of Appeals made unanimous factual findings that she adhered to the terms of her miscellaneous sales application. She points out that the administrative bodies and the Court of Appeals all ruled that petitioner acted in bad faith when she occupied the disputed lot; hence, her possession of the lot will not ripen into ownership.[53]

In her Reply,[54] petitioner underscores that the conclusion contained in the Bureau of Lands Report submitted by Examiner Gabay—that respondent never entered into or possessed the lot—contradicts the testimony of respondent's own daughter. She avers that the testimony of respondent's daughter was mentioned in Examiner Gabay's report, yet he still concluded that respondent never occupied the disputed lot, showing his undeniable bias in Firmalan's favor.[55]

Petitioner repeats that as the long-time occupant of the lot, she has a preferential status over it.[56]

The sole issue for this Court's resolution is whether or not petitioner Alicia Galindez's application should have been given preference over respondent Salvacion Firmalan's application, in light of the former's long-time possession of the disputed lot.

The Petition must fail.

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[50] *Id*. at 28.

[51] *Id*.

[52] *Id*. at 135-139.

[53] *Id*. at 137-138.

[54] *Id*. at 142-152.

[55] *Id*. at 145-146.

[56] *Id*. at 149.

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I

Commonwealth Act No. 141, or the Public Land Act, enumerates the ways in which the State may dispose of agricultural lands:

Section 11. Public lands suitable for agricultural purposes can be disposed of only as follows, and not otherwise:

(1) For homestead settlement;

(2) By sale;

(3) By lease;

(4) By confirmation of imperfect or incomplete titles:

(a) By judicial legalization;

(b) By administrative legalization (free patent).

When it comes to the sale of public land, the Public Land Act provides that the following persons are eligible to purchase agricultural and disposable land:

1) Filipino citizen of lawful age;

2) Filipino citizen not of lawful age but is the head of a family;

3) A corporation or association organized and constituted under the Philippine laws with at least 60% of its capital stock or interest in its capital belonging wholly to Filipino citizens; and

4) Corporations organized and constituted under Philippine laws who are allowed by their charters to purchase tracts of public agricultural and disposable land.[57]

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[57] Com. Act No. 141 (1936), Sec. 22 provides:

Section 22. Any citizen of lawful age of the Philippines, and any such citizen not of lawful age who is a head of a family, and any corporation or association of which at least sixty *per centum* of the capital stock or of any interest in said capital stock belongs wholly to citizens of the Philippines, and which is organized and constituted under the laws of the Philippines,

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The Public Land Act further provides that the Director of Lands, under the immediate control of the Secretary of Agriculture and Commerce, now the Department of Environment and Natural Resources Secretary, has executive control over the survey, classification, lease, concession, disposition, and management of lands under the public domain.[58] In pursuance of its functions, the Director of Lands is empowered to put in place such rules and regulations, which would best carry out the provisions of the Public Land Act.[59]

The Public Land Act also states that the decisions of the Director of Lands "as to questions of fact shall be conclusive when approved by the Secretary of Agriculture and Commerce."[60] This respect accorded to the factual findings of an administrative

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and corporate bodies organized in the Philippines authorized under their charters to do so, may purchase any tract of public agricultural land disposable under this Act, not to exceed one hundred and forty-four hectares in the case of an individual and one thousand and twenty-four hectares in that of a corporation or association, by proceeding as prescribed in this chapter: Provided, That partnerships shall be entitled to purchase not to exceed one hundred and forty-four hectares for each member thereof, but the total area so purchased shall in no case exceed the one thousand and twenty-four hectares authorized in this section for associations and corporations.

[58] Com. Act No. 141 (1936), Secs. 3 and 4 provide:

Section 3. The Secretary of Agriculture and Commerce shall be the executive officer charged with carrying out the provisions of this Act through the Director of Lands, who shall act under his immediate control.

Section 4. Subject to said control, the Director of Lands shall have direct executive control of the survey, classification, lease, sale or any other form of concession or disposition and management of the lands of the public domain, and his decisions as to questions of fact shall be conclusive when approved by the Secretary of Agriculture and Commerce.

[59] Com. Act No. 141 (1936), Sec. 5 provides:

Section 5. The Director of Lands, with the approval of the Secretary of Agriculture and Commerce, shall prepare and issue such forms, instructions, rules, and regulations consistent with this Act, as may be necessary and proper to carry into effect the provisions thereof and for the conduct of proceedings arising under such provisions.

[60] Com. Act No. 141 (1936), Sec. 4.

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body is echoed in Rule 43, Section 10 of the Rules of Civil Procedure, which provides:

> Section 10. Due course. — If upon the filing of the comment or such other pleadings or documents as may be required or allowed by the Court of Appeals or upon the expiration of the period for the filing thereof, and on the basis of the petition or the records the Court of Appeals finds *prima facie* that the court or agency concerned has committed errors of fact or law that would warrant reversal or modification of the award, judgment, final order or resolution sought to be reviewed, it may give due course to the petition; otherwise, it shall dismiss the same. *The findings of fact of the court or agency concerned, when supported by substantial evidence, shall be binding on the Court of Appeals*. (Emphasis supplied)

II

Petitioner faults the Court of Appeals for upholding the ruling of the Office of the President when it supposedly showed bias and was unsubstantiated by evidence.

Petitioner fails to convince.

Bureau of Lands Examiner Gabay, after an ocular inspection of Lot No. 915 and a formal hearing between the parties, who were then represented by counsels and were given the opportunity to present their evidence,[61] concluded that there was no conflicting claim as to the portion of the lot occupied by Gaa. The conflict was limited to the northern side of Lot No. 915, or the portion occupied by petitioner.[62] Examiner Gabay then opined that between petitioner and respondent, respondent was the rightful applicant over the disputed lot:

> The conflict between Salvacion Firmalan and Alicia Galindez thru her son Elmer Galindez is a . . . case of an applicant as Salvacion Firmalan, who did no[t] exercise actual occupation or possession of the lot in question because of her sincere compliance and faithful obedience of the conditions set forth by the Public Land Law, providing among others, that, "Unless and until your application is approved,

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[61] *Rollo,* pp. 86-90.

[62] *Id*. at 90.

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you are not authorized to enter upon the land and introduced (sic) valuable improvements thereon as any improvements that you may introduced (sic) will be at your own risk."

And here comes another claimant, thru trickery and scheme and willful defiance of such provisions of the law introduces his own improvements at his own risk and who succeeded in actually exercising occupation of the land in question despite the vehement objection and protest of the applicant, as it is shown from the letter-protests of Salvacion Firmalan addressed to the Provincial Commander, Ministry of Public Works & Highways and to the Ministry of Natural Resources, requesting for assistance regarding the alleged entry and construction of a house on the lot in question by certain P.C. Sgt. Elmer Galindez.

It is also worthy (sic) mentioning that on May 7, 1968, Atty. Sydicious Panoy, the Actg. [District Land Officer] of this Office had wrote (sic) a letter to the father of Elmer Galindez, a certain Adriatico Galindez, informing him of his liability under the provisions of RA 947, providing among others as follows: Sec. 1. "It shall be unlawful for any person, corporation or association to enter or occupy through force, intimidation, threat, strategy or stealth any public agricultural land including such public land as are granted to private individual[s] under the provis[i]ons of the Public Land Act. . . ."[63]

The Bureau of Lands Report was elevated to the Regional Executive Director who found that respondent filed two (2) applications for the same lot in 1949 and 1967, and paid the required guaranty fees for both applications. Respondent's applications were both acknowledged and recommended for approval by the District Land Officer.[64]

As for petitioner, the Regional Executive Director pointed out that the records belied her assertion that she filed a miscellaneous sales application on February 20, 1964. Petitioner was advised to file an application, which she did on July 16, 1970. However, she was informed that the lot she was applying for was already covered by respondent's application and that even if her application was converted into a miscellaneous lease

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[63] *Id*. at 90-91.

[64] *Id*. at 78.

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application, it would still conflict with respondent's miscellaneous sales application.[65]

The Regional Executive Director then concluded that petitioner never occupied the disputed lot continuously, as she claimed, because in 1971, petitioner sold to Margie Royo the house that her husband built in 1951. Thus, petitioner vacated the premises. The house was then sold to Florentino Mendez who, thereafter, sold it to Toribio Firmalan, respondent's husband.[66]

Sometime in 1982, Elmer built a house on the disputed lot.[67] The Regional Executive Director held that this was made in bad faith, since possession of the lot had, by then, passed on to respondent. The construction of the house also violated the terms of petitioner's application.[68]

The Regional Executive Director confirmed that respondent had a better right than petitioner over the disputed lot because respondent filed her miscellaneous sales application ahead of petitioner and complied with the rules and regulations governing her application.[69]

On appeal, the Department of Environment and Natural Resources Secretary affirmed the Regional Executive Director's Orders and denied petitioner's motion for reconsideration.[70]

The Office of the President likewise upheld the findings of fact of the Department of Environment and Natural Resources officers, which, it emphasized, were arrived at after conducting "ocular inspections, investigations and hearings on the subject land."[71] The Office of the President stated:

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[65] *Id*.

[66] *Id*. at 78 and 86-87.

[67] *Id*. at 87.

[68] *Id*. at 78-79.

[69] *Id*. at 80.

[70] *Id*. at 40-41.

[71] *Id*. at 82.

At any rate, the findings of fact of the DENR and its field offices, admittedly an administrative agency which have acquired expertise because [of] their jurisdiction is confined to specific matters like the processing, inspections and/or investigation of public land sale applications, are generally accorded respect, if not finality. . . .

It must be borne in mind that this Office is persuaded strongly by the principle that findings of fact of administrative bodies charged with specific field[s] of expertise are afforded great weight in the absence of substantial showing that such findings are patently erroneous. Considering therefore that the findings of facts by the DENR as well as the justifications made thereon are given weight and respect, and absent any error of abuse of discretion, this Office finds the same to be in order.[72]

In *Solid Homes v. Payawal,*[73] this Court explained that administrative agencies are considered specialists in the fields assigned to them; hence, they can resolve problems in their respective fields "with more expertise and dispatch than can be expected from the legislature or the courts of justice."[74] Thus, this Court has consistently accorded respect and even finality to the findings of fact of administrative bodies, in recognition of their expertise and technical knowledge over matters falling within their jurisdiction.[75]

Moreover, Rule 43, Section 10 of the Rules of Civil Procedure provides that findings of fact of a quasi-judicial agency, when supported by substantial evidence, shall be binding on the Court of Appeals. Consequently, the Court of Appeals did not err in upholding the findings of fact of the Department of Environment and Natural Resources and of the Office of the President.

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[72] *Id*. at 83.

[73] 257 Phil. 914 (1989) [Per *J*. Cruz, First Division].

[74] *Id*. at 921.

[75] *JMM Promotions and Management v. Court of Appeals*, 439 Phil. 1, 10-11 (2002) [Per *J*. Corona, Third Division]; *Spouses Calvo v. Spouses Vergara*, 423 Phil. 939, 947 (2001) [Per *J*. Quisumbing, Second Division]; *Alvarez v. PICOP Resources, Inc.*, 538 Phil. 348, 397 (2006) [Per *J*. Chico-Nazario, First Division].

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Petitioner likewise faults the Court of Appeals for ruling in respondent's favor despite admission from respondent's daughter that respondent occupied and fenced in the lot after filing her first application in 1949, thereby contradicting the Department of Environment and Natural Resources' finding that respondent never entered or introduced improvements on the lot she applied for.[76]

Petitioner further claims that since she and respondent both did not abide with the undertakings in their respective applications, her application should be given preference as she was the first to occupy the lot and has continuously done so with her family.[77]

Again, petitioner fails to convince.

There is nothing in the miscellaneous sales application which forbade the applicant from entering into or occupying the lot being applied for. Instead, what the miscellaneous sales application provides is an acknowledgment from the applicant that he or she has no right over the lot while the application is still pending and while the lease contract has not yet been executed:

> 6. *I understand that this application conveyed no right to me to enter upon, occupy, cultivate, to make clearing on the land until the same has been finally approved and a lease contract executed*, and that any lease applicant who shall willfully and knowingly submit false statements or execute false affidavit in connection with the foregoing application shall be deemed guilty of perjury and punished by a fine of not more than two thousand pesos and . . . by imprisonment for not more than five years, in addition there, his application shall be cancelled and all amount paid on account thereof forfeited to the Government, and they shall not be entitled to apply for any public land in the Philippines.[78] (Emphasis supplied)

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[76] *Rollo,* pp. 23-24.

[77] *Id.* at 25.

[78] *Id.* at 43.

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The miscellaneous sales application warns the applicant that submission of a false statement or false affidavit in support of an application may cause the cancellation of the application, forfeiture of all amounts paid, and prohibition from applying for any public land. However, there is no similar warning or an equally dire consequence for applicants who prematurely enter or occupy the lot applied for. At most, it is merely implied that applicants bear the risk of introducing improvements to a lot that has not yet been awarded to them since the application may be denied or the lot may be awarded to some other applicant.

As it is, the facts are not disputed that respondent filed her application for a portion of Lot No. 915 on May 16, 1949. Meanwhile, petitioner only built a house on that same portion of Lot No. 915 on November 1, 1950 and filed her own application on February 20, 1964.[79] Clearly, the Bureau of Lands did not err in favorably endorsing respondent's applications:

> Based on the foregoing factual backdrop, the [Regional Executive Director] pointed out that Firmalan filed her Miscellaneous Sales Application (MSA No. 7861) on May 16, 1949 and paid the corresponding Guaranty Fee in the amount of P5.00 under Postal Money Order No. 1064-8820 dated May 18, 1949; that on February 23, 1950, the former Chief of the Public Lands Division (Vicente Tordesillas), Bureau of Lands, Manila, directed the District Land Officer in Bacolod City, to reappraise the land covered by the said application, and referred on June 26, 1950 to the Provincial Land Officer in Capiz, Capiz for compliance. According to the [Regional Executive Director], *this is a clear indication that the said application of Firmalan was given due recognition;* however, records do not show that subsequent actions were taken thereon.
>
> Moreover the [Regional Executive Director] noted that on April 25, 1967, Firmalan again filed a Miscellaneous Sales Application (MSA No. (V-6) 23) covering Lot 915, Cad-311-D, Romblon Cadastre with an area of 325 square meters which included the area first applied for by her; that the investigation of the lot was conducted and a report was submitted by the Public Land Inspector (Alexander M. Diola), and attested to by the Municipal Treasurer of Romblon, Casareo

[79] *Id*. at 16.

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Mangao; that another report of appraisal was submitted on August 22, 1967 by the same Land Inspector and also attested to by the same Municipal Treasurer; and *that the said report of appraisal was favorably endorsed to the Director of Lands by then Acting District Land Officer in Odiongan, Romblon, Sudicious F. Panoy, per 1st Indorsement dated November 18, 1967.*[80] (Emphasis supplied)

In *Castillo v. Rodriguez*,[81] this Court affirmed the ruling of the Director of Lands and of the Department of Environment and Natural Resources Secretary upholding Elias L. Casals' miscellaneous sales application over that of Andres Castillo, because the facts showed that the former filed his application ahead of the latter:

As a matter of fact, the very numbers and dates of the contestants' miscellaneous sales applications conclusively show that Elias L. Casals filed his application way ahead of the petitioner. The former filed his M.S.A. No. 16888 on June 4, 1952 while the latter's application, M.S.A. No. 19124, was filed only on May 19, 1953. Neither has Elias L. Casals been shown by the petitioner or the records to be suffering from any legal disqualification to be awarded the lot in dispute. Consequently, and conformably with settled jurisprudence, We shall not disturb the decisions of the Director of Lands and the Secretary of Agriculture and Natural Resources on the matter.[82] (Emphasis supplied)

WHEREFORE, premises considered, the Petition is **DISMISSED.** The Court of Appeals November 27, 2008 Decision and March 13, 2009 Resolution in CA-G.R. SP No. 95114 are **AFFIRMED.**

SO ORDERED.

Velasco, Jr. (*Chairperson*), *Bersamin, Martires,* and *Gesmundo, JJ.,* concur.

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[80] *Id*. at 76.

[81] 121 Phil. 1107 (1965) [Per *J*. Regala, *En Banc*].

[82] *Id*. at 1111-1112.