



REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

MEMORANDUM CIRCULAR No. 08 Series of 2018

TO : ALL DAR OFFICIALS AND EMPLOYEES

**SUBJECT : INTERNAL GUIDELINES AND PROCEDURES ON
THE IMPLEMENTATION OF DAR
ADMINISTRATIVE ORDER NO. 2, SERIES OF
2018, AS AMENDED.**

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In order to ensure clarity and uniformity in the implementation of DAR Administrative Order (A.O.) No. 2, Series of 2018, entitled "*2018 Omnibus Summary Rules for Cancellation Cases of Emancipation Patents, Certificates of Land Ownership Award and Other Titles Issued Under Any Agrarian Reform Program*", as amended,¹ which took effect on March 15, 2018, this Memorandum Circular (M.C.) is hereby issued for the guidance of all concerned.

1. The Rules provided in A.O. No. 2, Series of 2018, as amended, are "administrative" in nature and the process is initiated by the mere filing of an "application" instead of a "petition".

For the new applications, no filing fee is required.

2. In the processing of the application for cancellation, the following procedures shall be observed:

2.1 FOR NEW APPLICATION/S COMMENCED UNDER A.O. NO. 2, SERIES OF 2018, AS AMENDED

- 2.1.1 Cancellation of Emancipation Patents (EPs), Certificates of Land Ownership Award (CLOAs) and other titles issued under any Agrarian Reform Program shall commence by filing an application² in two (2) copies with the Legal

¹ DAR A.O. No. 04, Series of 2018, entitled "Amendment to the Omnibus Summary Rules for Cancellation Cases of Emancipation Patents, Certificates of Land Ownership Award and Other Titles Issued Under Any Agrarian Reform Program" and DAR A.O. No. 6, Series of 2018, entitled "Supplement to DAR Administrative Order No. 2, Series of 2018, as Amended".

² Cancellation Form No. 1 as attached. All forms are downloadable at the Department of Agrarian Reform official website: www.dar.gov.ph or at the Legal Division, DARPO.

Division, DAR Provincial Office (DARPO) where the landholding is located.

2.1.2 The accomplished Cancellation Form No. 1 shall include proof of service to the registered owner/s and Registry of Deeds, certified true copy/ies of EP/CLOA issued not later than six (6) months before the filing of the application, and other pertinent documentary requirements as required by A.O. No. 2, Series of 2018, as amended.

2.1.3 After determination by the Chief, Legal Division (DARPO) of the correctness and completeness of the attached documentary requirements, he/she shall undertake the following:

- a. Docket a Cancellation Application Number (CANC APP-Provincial Code-YEAR-000X)³ to the application form;
- b. Issue to the applicant an acknowledgement receipt of Application for Cancellation and its attachments;
- c. Accomplish Cancellation Form No. 3⁴ (For cancellation cases based on a Final and Executory (FINEX) Judgment in an Agrarian Law Implementation [ALI] Case, DAR Clearance by the Regional Director [RD]) or Cancellation Form No. 3-A⁵ (For cancellation cases based on correction of technical description on the EP/CLOA), not later than five (5) working days from its receipt; and
- d. Forward to the PARPO II the Application for Cancellation with recommendation (Cancellation Form No. 3 or 3-A) for his/her approval and signature within two (2) working days from its receipt.

2.1.4 The PARPO II shall endorse the Cancellation Form No. 1 with original attachments and Cancellation Form No. 3 or 3-A to the Undersecretary, Legal Affairs Office (ULAO) or Undersecretary, Field Operations Office (UFOO), as the case may be. The second copy shall be retained by the PARPO II. The transmittal of the cancellation forms to the

³ e.g. for the province of Iloilo, the provincial code is 0604. The docket number for the first application filed for the year 2018 is CANC APP-0604-2018-0001;

⁴ PARPO II Recommendation (For cancellation cases based on a Final and Executory [FINEX] Judgment in an Agrarian Law Implementation [ALI] Case, DAR Clearance by the Regional Director [RD])

⁵ PARPO II Recommendation (For cancellation cases based on correction of technical description on the EP/CLOA)

ULAO or UFOO shall be done within two (2) working days from its accomplishment.

2.1.5 The ULAO or UFOO shall review and evaluate the transmitted cancellation forms. It shall prepare Cancellation Form Nos. 4⁶/4-A⁷/4-B⁸ with its recommendations and submit the same to the Office of the Secretary within seven (7) working days upon receipt from the PARPO II.

2.1.6 The Secretary shall issue an Order (Cancellation/Dismissal/Denial) based on the appropriate cancellation forms within thirty (30) days from receipt of the recommendation and attached documents transmitted from the concerned Undersecretary in accordance with Section 51 of Republic Act No. (R.A.) 6657, as amended.

2.2 FOR CANCELLATION ACTION PENDING BEFORE THE PARAD WHICH COMMENCED BEFORE THE PASSAGE OF A.O. NO. 2, SERIES OF 2018, AS AMENDED

2.2.1 The Provincial Agrarian Reform Adjudicator (PARAD) shall transmit the pending cancellation cases to the Legal Division, DAR Provincial Office (DARPO), within five (5) working days from the issuance of this Memorandum Circular. A copy of the Notice of Transmittal shall be furnished to all parties and counsel informing them that the cancellation action shall either be processed under A.O. No. 2, Series of 2018, as amended, or A.O. No. 3, Series of 2017 (2017 Rules on Agrarian Law Implementation Cases) and other pertinent ALI Rules.

2.2.2 For cancellation actions already transmitted to the DARPO, the Chief, Legal Division, shall segregate those with FINEX judgment on the ALI case and those with unresolved ALI case within five (5) working days from receipt of its transmittal the case folders or from the effectivity of this Memorandum Circular.

For cancellation actions based on a Final and Executory judgment in an ALI case:

⁶ Order of Cancellation

⁷ Order of Dismissal

⁸ Order of Denial

- 2.2.2.1 The petition for cancellation based on a final and executory ALI case shall be processed under A.O. No. 2, Series of 2018, as amended. The petition for cancellation shall constitute as the application for cancellation under A.O. No. 2, Series of 2018, as amended.
- 2.2.2.2 After proper segregation of the cancellation actions, the Chief, Legal Division (DARPO) shall maintain the old cancellation docket number, and thereafter accomplish Cancellation Form No. 2 and undertake the following:
- a. Evaluate the application and accomplish Cancellation Form No. 3 (For cancellation cases based on a Final and Executory Agrarian Law Implementation Case, DAR Clearance by the Regional Director or Cancellation Form No. 3-A (For cancellation cases based on correction of technical description on the {EP/CLOA}) not later than five (5) working days from receipt of the transmitted case folder; and
 - b. Forward to the PARPO II the Application for Cancellation with recommendation (Cancellation Form No. 3 or 3-A) for his/her approval and signature within two (2) working days from its receipt.
- 2.2.2.3 The PARPO II shall endorse the Cancellation Form No. 1 with original attachments and Cancellation Form No. 3 or 3-A to the ULAO or UFOO, as the case may be. The second copy shall be retained by the PARPO II. The transmittal of the cancellation forms to the ULAO or UFOO shall be done within two (2) working days from its accomplishment.
- 2.2.2.4 The ULAO or UFOO shall review and evaluate the transmitted cancellation forms. It shall prepare Cancellation Form Nos. 4/4-A/4-B/4-C⁹ with its recommendations and submit the same to the Office of the Secretary within seven (7) working days from receipt from the PARPO II.

⁹ Order of Dismissal Without Prejudice

2.2.2.5 The Secretary shall issue an Order (Cancellation/Dismissal/ Denial/Dismissal Without Prejudice) based on the appropriate cancellation forms within thirty (30) days from receipt of the recommendation and attached documents transmitted from the concerned Undersecretary in accordance with Section 51 of R.A. 6657, as amended.

For cancellation actions WITHOUT a Final and Executory judgment in an ALI case:

2.2.2.6 The Chief, Legal Division (DARPO) shall process the case folder/s under A.O. No. 3, Series of 2017 (2017 Rules on Agrarian Law Implementation Cases) or other pertinent ALI Rules, in the following manner:

- a. The case shall be docketed using the pertinent ALI Rules docket system;
- b. Upon docketing of the ALI case, the cancellation docket number shall be considered closed;
- c. The Chief, Legal Division may direct the petitioner to amend the petition, if necessary; and
- d. Documents attached to the petition shall automatically form part of the records of the case.

In the event that the PARPO II is a party to the petition for cancellation, the case shall be transmitted to the RD for resolution of the ALI case in accordance with A.O. No. 3, Series of 2017 or other pertinent ALI Rules.

Further, in the event that the concerned RD is a party to the petition, the said official shall inform the Secretary of such fact. After due consideration, the Secretary shall refer the resolution of the case to another DAR official unless he/she assumes jurisdiction in accordance with A.O. No. 3, Series of 2017.

2.3 FOR CANCELLATION ACTIONS PENDING BEFORE THE ASSISTANT SECRETARY, LEGAL AFFAIRS OFFICE OR BUREAU OF AGRARIAN LEGAL ASSISTANCE WHICH WERE COMMENCED BEFORE THE PASSAGE OF A.O. NO. 2, SERIES OF 2018, AS AMENDED

For cancellation actions based on a Final and Executory judgment in an ALI case, the following shall be undertaken:

2.3.1 The Assistant Secretary, Legal Affairs Office (ALAO)/Bureau of Agrarian Legal Assistance (BALA) shall process the cancellation case in accordance with A.O. No. 2, Series of 2018, as amended, and shall no longer transmit the records to the PARPO II. The petition for cancellation based on a final and executory ALI case shall constitute as the application for cancellation under A.O. No. 2, Series of 2018, as amended;

2.3.2 After determining the completeness of the documentary requirements, the ALAO/BALA shall accomplish Cancellation Form Nos. 2-A¹⁰/2-B¹¹, as well as Cancellation Form Nos. 3-B¹²/3-C¹³ within thirty (30) working days from the effectivity of this Memorandum Circular. The said forms shall then be submitted to the ULAO or UFOO;

2.3.3 The ULAO or UFOO shall review and evaluate the transmitted cancellation forms. It shall prepare Cancellation Form Nos. 4/4-A /4-B /4-C with its recommendations and submit the same to the Office of the Secretary within thirty (30) working days from their receipt; and

2.3.4 The Secretary shall issue an Order (Grant/Denial/Dismissal/Dismissal Without Prejudice) based on the appropriate cancellation forms within thirty (30) working days from receipt of the recommendation and attached documents transmitted from the concerned Undersecretary in accordance with Section 51 of R.A. 6657, as amended.

¹⁰ ALAO Acknowledgment Receipt

¹¹ BALA Acknowledgment Receipt

¹² ALAO Recommendation

¹³ BALA Recommendation

For cancellation actions with an unresolved ALI case:

- 2.3.5 The ALAO shall transmit the case folders and issue a Notice of Transmittal to the RD concerned or BALA for appealed ALI cases or those falling within the original jurisdiction of the Secretary. A copy of the Notice of Transmittal shall be furnished to all parties and counsel. Upon receipt of the Notice of Transmittal, the processing of the case shall be in accordance with A.O. No. 3, Series of 2017 or other pertinent ALI Rules.
- 2.3.6 The BALA shall process and recommend the disposition of the unresolved and appealed ALI case to the ULAO if the same falls within the original or appellate jurisdiction of the Secretary. Otherwise, it shall transmit the same to the RD who has jurisdiction for proper disposition under A.O. No. 3, Series of 2017 or other pertinent ALI Rules.
- 2.3.7 The BALA/RD, as the case may be, shall adopt the existing ALI case number or in its absence, assign a new case number based on existing ALI docketing system. The cancellation case number is deemed "closed" for purposes of the Legal Case Monitoring System (LCMS).
- 2.4 FOR PENDING CANCELLATION ACTIONS WITH MOTION TO DISMISS OR MOTION TO WITHDRAW, THE FOLLOWING RULES SHALL BE OBSERVED:
- 2.4.1 The PARPO II/BALA/ALAO after evaluating the motion shall accomplish Cancellation Form Nos. 3, 3-B, 3-C, respectively, and transmit the same together with the case folder to the ULAO.
- 2.4.2 The ULAO shall review and evaluate the transmitted cancellation forms together with the case folder. It shall prepare Cancellation Form No. 4-A (Order of Dismissal) with its recommendations and submit the same to the Office of the Secretary within thirty (30) working days from their receipt.
- 2.4.3 The Secretary shall issue an Order (of Dismissal) within thirty (30) days from receipt of the recommendation and motion together with the case folder transmitted by the ULAO in accordance with Section 51 of R.A. 6657, as amended.

2.5 FOR ALL PENDING APPLICATIONS FOR CANCELLATION BASED ON ERRONEOUS TECHNICAL DESCRIPTION, THE FOLLOWING RULES SHALL BE OBSERVED:

All pending applications for cancellation based on erroneous technical description shall be processed in accordance with A.O. No. 2, Series of 2018, as amended. Cancellation cases pending in the DAR Regional Office (DARRO) or in the Bureau of Land Tenure and Improvement (BLTI) shall be transmitted to UFOO within five (5) working days after the effectivity of this Memorandum Circular.

2.6 FOR LAND TRANSFER ACTIONS WITH DAR CLEARANCE ISSUED BY THE REGIONAL DIRECTOR (RD) UPON THE EFFECTIVITY OF A.O. NO. 2, SERIES OF 2018, AS AMENDED

The cancellation of CLOAs/EPs and other titles arising from a transfer action with DAR clearance issued by the RD pursuant to A.O. No. 8, Series of 1995, as amended by A.O. No. 1, Series of 2017, shall be processed under A.O. No. 2, Series of 2018, as amended. The party in whose favor the cancellation is to be made shall proceed to the Legal Division, DARPO and accomplish Cancellation Form No. 1.

3. The Order of Cancellation (Cancellation Form No. 4) of the Secretary is immediately executory and the same shall be immediately transmitted to the PARPO II to ensure compliance by the Register of Deeds.

For the guidance of all concerned.

This Circular takes effect immediately.

Issued this DEC 10, 2018 in Quezon City, Philippines.


ATTY. JOHN R. CASTRICIONES
Secretary

Department of Agrarian Reform
Office of the Secretary



ISU-18-05624

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
 Province of _____
 Region No. _____

CANC APPLICATION NO. _____

APPLICATION FOR CANCELLATION

I/We, _____, Filipino/s, of legal age/s, married/single, a resident of _____, do hereby apply for the cancellation of the title/s in accordance with DAR Administrative Order (AO) No. 2, Series of 2018, as amended, described as follows:

EP/CLOA No./Title No.	REGISTRY OF DEEDS (ROD)	AREA (sqms.)	REGISTERED OWNER/S	LOCATION
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

The aforesaid application for cancellation of title/s is based upon any of the following: (Please check appropriate box)

1. ☐ Existence of a final and executory (FINEX) judgment with following Information:

Docket No.	:	_____
Case Title	:	_____
Name of Parties	:	_____
Office/Court	:	_____
Date of Decision	:	_____
Date of Finality	:	_____

2. ☐ Correction of technical description in the aforesaid title/s which do not affect the identity or number of agrarian reform beneficiaries or the size and scope of the landholdings under the said title/s
3. ☐ Transfer of title/s on the basis of a conveyance approved through a valid DAR transfer clearance
4. ☐ Motion of the petitioner/s or all the parties to withdraw the Cancellation Action.

Hereto attached are the required document/s to support the processing of my/our application/s: (Please check appropriate box)

- ☐ Certified true copy/ies of the subject EP/CLOA/other title issued not later than six (6) months before the filing of the application/s
- ☐ Certified True Copy of the Decision of the court/office
- ☐ Certification from the court/office that the Judgment has become final and executory
- ☐ Motion to Dismiss or Withdraw in Case No. _____ pending at _____ docketed as _____
- ☐ DAR Transfer Clearance issued by the Regional Director (RD)
- ☐ Corrected Technical Description of the subject EP/CLOA/other title issued under agrarian reform program certified as true and correct by the DENR-LMS/LRA

Cancellation Form No. 1

- ☐ Proof of service that the registered owner/s of the EP/CLOA/other titles and the Registry of Deeds (ROD) were served with a copy of the Cancellation Form No. 1

I/We hereby certify under oath that all statements I/we made in this application/s are true and correct based on my/our personal knowledge and that all documents attached are authentic.

Signature over Printed Name of Applicant/Owner

Date

SUBSCRIBED AND SWORN to before me this ____ day of ____, 2018 at _____, Philippines, the above named applicant/owner presented to me his Identification No. _____ issued at _____ on _____.

Notary Public

Doc No. _____;
Page No. _____;
Book No. _____;
Series of 20____.

Copy Furnished:

Registry of Deeds

Registered Owner of the EP/CLOA

Proof of Service
(Date/Received by)

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
Province of _____
Region No. _____

CANC APPLICATION NO. _____

ACKNOWLEDGMENT RECEIPT

I acknowledge the receipt of the accomplished Application for Cancellation (Form No. 1) or the verified Petition for Cancellation and the attached applicable documents filed by _____ (name of applicant/s): (Please check appropriate box)

- ☐ Certified true copy/ies of the subject EP/CLOA/other title issued not later than six (6) months before the filing of the application/s
- ☐ Certified True Copy of the Decision of the court/office
- ☐ Certification from the Court/Office that the Judgment has become final and executory
- ☐ Motion to Dismiss or Withdraw in Case No. _____ pending at _____ docketed as _____
- ☐ DAR Transfer Clearance
- ☐ Corrected Technical Description of the subject EP/CLOA/other title issued under agrarian reform program certified as true and correct by the DENR-LMS/LRA
- ☐ Proof of service that the registered owner/s of the EPs/CLOAs/other title/s and the Registry of Deeds (ROD) were served with a copy of the Application for Cancellation (Form No. 1)

I have examined the said application or the verified Petition for Cancellation and the attached documents and found the same complete and in order pursuant to the requirements set forth under Administrative Order No. 2, Series of 2018, as amended.

Done this ____ day of _____ 20____.

Signature over Printed Name of Chief, Legal Division

Date

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

CANC APPLICATION NO. _____

ACKNOWLEDGMENT RECEIPT
(Assistant Secretary, Legal Affairs Office)

I acknowledge the presence of the accomplished Application for Cancellation (Form No. 1) or the verified Petition for Cancellation and the attached applicable documents filed by _____ (name of applicant/s): (Please check appropriate box)

- ☐ Certified true copy/ies of the subject EP/CLOA/other title issued not later than six (6) months before the filing of the application/s
- ☐ Certified copy of the Final and Executory (FINEX) Judgment in an ALI case
- ☐ Motion to Dismiss or Withdraw in Case No. _____ pending at _____ docketed as _____
- ☐ DAR Transfer Clearance
- ☐ Corrected Technical Description of the subject EP/CLOA/other title issued under agrarian reform program certified as true and correct by the DENR-LMS/LRA
- ☐ Proof of service that the registered owner/s of the EPs/CLOAs/other title/s and the Register of Deeds (ROD) were served with a copy of the Application for Cancellation (Form No. 1)

I have examined the said application or the verified Petition for Cancellation and the attached documents and found the same to be:

- ☐ Complete and in order pursuant to the requirements set forth under Administrative Order No. 2, Series of 2018, as amended, and Memorandum Circular No. __, Series of 2018.
- ☐ Incomplete pursuant to the requirements set forth under Administrative Order No. 6, Series of 2011, in relation to Administrative Order No. 02, Series of 2018, as amended.

Done this ____ day of _____ 20____.

Signature over Printed Name of
Assistant Secretary, Legal Affairs Office

Date

Copy Distribution:

Original: ULAO
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Triplicate: Parties

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

CANC APPLICATION NO. _____

ACKNOWLEDGMENT RECEIPT
(Bureau of Agrarian Legal Assistance)

I acknowledge the presence of the accomplished Application for Cancellation (Form No. 1) or the verified Petition for Cancellation and the attached applicable documents filed by _____ (name of applicant/s): (Please check appropriate box)

- ☐ Certified true copy/ies of the subject EP/CLOA/other title issued not later than six (6) months before the filing of the application/s
- ☐ Certified copy of the Final and Executory (FINEX) Judgment in an ALI case
- ☐ Motion to Dismiss or Withdraw in Case No. _____ pending at _____ docketed as _____.
- ☐ DAR Transfer Clearance
- ☐ Corrected Technical Description of the subject EP/CLOA/other title issued under agrarian reform program certified as true and correct by the DENR-LMS/LRA
- ☐ Proof of service that the registered owner/s of the EPs/CLOAs/other title/s and the Register of Deeds (ROD) were served with a copy of the Application for Cancellation (Form No. 1)

I have examined the said application or the verified Petition for Cancellation and the attached documents and found the same to be:

- ☐ Complete and in order pursuant to the requirements set forth under Administrative Order No. 2, Series of 2018, as amended, and Memorandum Circular No. __, Series of 2018.
- ☐ Incomplete pursuant to the requirements set forth under Administrative Order No. 6, Series of 2011, in relation to Administrative Order No. 02, Series of 2018, as amended.

Done this ____ day of _____ 20____.

Signature over Printed Name of
Director, BALA

Date

Copy Distribution:

Original: BALA/File
Duplicate: ULAO/UFOO
Triplicate: Parties

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
 Province of _____
 Region No. _____

CANC APPLICATION NO. _____

PARPO II RECOMMENDATION

Pursuant to DAR Administrative Order No. 2, Series of 2018, as amended, and Memorandum Circular No. ___, Series of 2018, the undersigned hereby recommends the ☐ Grant or ☐ Denial of the following title/s.

EP/CLOA No./Title No.	REGISTRY OF DEEDS (ROD)	AREA (sqms.)	REGISTERED OWNER	LOCATION
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

The recommendation is based on any of the following: (Please check appropriate box)

- ☐ Determination that the aforesaid titles must be cancelled in accordance to the decision, described as follows:

Docket No : _____
 Case Title : _____
 Office/Court : _____
 Date of Decision : _____
 Date of Finality : _____

- ☐ Withdrawal of the Cancellation case:

Motion to Dismiss or Withdraw in Case No. _____ pending at
 _____ docketed as _____.

- ☐ Approved transfer of title on the basis of DAR Transfer Clearance dated _____ with
 Issuance No. _____.

Attached documents: (Please check appropriate box)

- ☐ Certified true copy/ies of the subject EP/CLOA/other title issued not later than six (6) months before the filing of the application/s
☐ Certified True Copy of the Decision of the _____
☐ Certification from the Court/Office of Finality of the Decision has become Final and Executory
☐ Motion to Dismiss or Withdraw the Case
☐ DAR Transfer Clearance
☐ Proof of service that the registered owner/s of the EP/CLOA or other title issued under agrarian reform program and the concerned ROD were served with a copy of the Application for Cancellation (Form No. 1)

Remarks: _____

Respectfully submitted.

 Signature over Printed Name of PARPO II

 Date

Copy Distribution:

Original: ULAO
 Duplicate: DARPO/File

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
 Province of _____
 Region No. _____

CANC APPLICATION NO. _____

PARPO II RECOMMENDATION

Pursuant to DAR Administrative Order No. 2, Series of 2018, as amended, and Memorandum Circular No. _____, Series of 2018, the undersigned hereby recommends the ☐ GRANT or ☐ DENIAL of the cancellation of the following title/s.

EP/CLOA No./Title No.	REGISTRY OF DEEDS (ROD)	AREA (sqms.)	REGISTERED OWNER	LOCATION
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

The recommendation is made to correct the technical description/s in the aforesaid title/s based on the correct technical description as certified by the DENR-LMS/LRA in the following manner:

Title No. (EP/CLOA)	Erroneous Technical Description	Corrected Technical Description
_____	_____	_____
_____	_____	_____
_____	_____	_____

Attached herewith a certified copy of the correct technical description/s as certified by the DAR-LMS/LRA for the aforesaid EPs/CLOAs/other title/s.

Respectfully submitted.

Signature over Printed Name of PARPO II

Date

Copy Distribution:

Original: UFOB
 Duplicate: DARPO/file

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

CANC APPLICATION NO. _____

RECOMMENDATION

(Assistant Secretary, Legal Affairs Office)

Pursuant to DAR Administrative Order No. 2, Series of 2018, as amended, and Memorandum Circular No. _____, Series of 2018, the undersigned hereby recommends the ☐ GRANT or ☐ DENIAL or ☐ DISMISSAL of the cancellation of the following title/s.

EP/CLOA No./Title No.	REGISTRY OF DEEDS (ROD)	AREA (sqms.)	REGISTERED OWNER/S	LOCATION
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

The recommendation is based on any of the following: (Please check appropriate box)

- I. ☐ Determination that the aforesaid titles must be cancelled in accordance to the decision, described as follows:

Docket No.	:	_____
Case Title	:	_____
Office/Court	:	_____
Date of Decision	:	_____
Date of Finality	:	_____

Attached documents:

- ☐ Certified true copy/ies of the subject EP/CLOA/other title issued not later than six (6) months before the filing of the application/s
- ☐ Certified True Copy of the Decision of the _____
- ☐ Certification from the court/office that the Decision has become final and executory
- ☐ Proof of service that the registered owner/s of the EPs/CLOAs or other title/s issued under agrarian reform program, the PARO and the concerned ROD were served with a copy of the Petition for Cancellation (Form No. 1)

- ☐ The final and executory Order in the ALI Case does not result to the cancellation of the abovementioned EP/CLOA or other title issued under any agrarian reform program

- II. ☐ Erroneous Technical description

Attached documents:

- ☐ Certified true copy/ies of the subject EP/CLOA/other title issued not later than six

(6) months before the filing of the application/s

- ☐ DARPO Report and Corrected Technical description certified as true and correct by the DENR-LMS/LRA
- ☐ Proof of service that the registered owner/s of the EPs/CLOAs/other title/s issued under agrarian reform program and the concerned ROD were served with a copy of the Application of Cancellation (Form No. 1)

III. ☐ Approved transfer of title on the basis of DAR Transfer Clearance dated _____ with Issuance No. _____.

Attached documents:

- ☐ DAR Transfer Clearance
- ☐ Certified true copy/ies of the subject EP/CLOA/other title issued not later than six (6) months before the filing of the application/s
- ☐ Proof of service that the registered owner/s of the EPs/CLOAs or other title/s issued under agrarian reform program, the PARO and the concerned ROD were served with a copy of the Petition for Cancellation (Form No. 1)

IV. ☐ Withdrawal of the cancellation case:

Joint Motion to Dismiss, or Motion to Withdraw, or Joint Approval of Compromise Agreement of the Case entitled _____ pending at _____ docketed as _____.

V. ☐ Cancellation case(s) with incomplete documentary requirements under paragraph 1, Section 30 of DAR A.O. No. 6, Series of 2011, in relation to DAR A.O. No. 2, Series of 2018, as amended.

Lacking documents:

- ☐ Certified true copy/ies of the subject EP/CLOA/other title issued not later than six (6) months before the filing of the application/s;
- ☐ Original or Certified True Copy of the final and executory Order and Resolution of the _____;
- ☐ Original or Certified True Copy of the Certificate of Finality of the Decision;
- ☐ Official Receipt issued for the payment of the corresponding filing fee, unless the petitioner is exempt under Section 10 of Article III of DAR A.O. No. 6, Series of 2011; and
- ☐ Any other relevant document.

VI. ☐ Change in technical description based on the corrected technical description/s certified true and correct by the DENR-LMS/LRA affects or changes the number or identities of ARB/s, the area and/or location or the correctness of the coverage of the landholding or any portion thereof.

VII. ☐ Others (e.g., lack of jurisdiction) _____.

Remarks: _____

Respectfully submitted.

Signature over Printed Name of
Assistant Secretary, Legal Affairs Office

Date

Copy Distribution:

Original: ALAO
Duplicate: ULAO/UFO

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

CANC APPLICATION NO. _____

BALA RECOMMENDATION
 (Bureau of Agrarian Legal Assistance)

Pursuant to DAR Administrative Order No. 2, Series of 2018, as amended, and Memorandum Circular No. _____, Series of 2018, the undersigned hereby recommends the

☐ GRANT or ☐ DENIAL or ☐ DISMISSAL of the cancellation of the following title/s.

EP/CLOA No./Title No.	REGISTRY OF DEEDS (ROD)	AREA (sqms.)	REGISTERED OWNER/S	LOCATION
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

The recommendation is based on any of the following: (Please check appropriate box)

- I. ☐ Determination that the aforesaid titles must be cancelled in accordance to the decision, described as follows:

Docket No. : _____
 Case Title : _____
 Office/Court : _____
 Date of Decision : _____
 Date of Finality : _____

Attached documents:

- ☐ Certified true copy/ies of the subject EP/CLOA/other title issued not later than six (6) months before the filing of the application/s
- ☐ Certified True Copy of the Decision of the _____
- ☐ Certification from the court/office that the Decision has become final and executory
- ☐ Proof of service that the registered owner/s of the EPs/CLOAs or other title/s issued under agrarian reform program, the PARO and the concerned ROD were served with a copy of the Petition for Cancellation (Form No. 1)

- ☐ The final and executory Order in the ALI Case does not result to the cancellation of the abovementioned EP/CLOA or other title issued under any agrarian reform program

- II. ☐ Erroneous Technical description

Attached documents:

- ☐ Certified true copy/ies of the subject EP/CLOA/other title issued not later than six (6) months before the filing of the application/s
- ☐ DARPO Report and Corrected Technical description certified as true and correct by the DENR-LMS/LRA
- ☐ Proof of service that the registered owner/s of the EPs/CLOAs/other title/s issued under agrarian reform program and the concerned ROD were served with a copy of the Application of Cancellation (Form No. 1)

III. ☐ Approved transfer of title on the basis of DAR Transfer Clearance dated _____ with Issuance No. _____.

Attached documents:

- ☐ DAR Transfer Clearance
- ☐ Certified true copy/ies of the subject EP/CLOA/other title issued not later than six (6) months before the filing of the application/s
- ☐ Proof of service that the registered owner/s of the EPs/CLOAs or other title/s issued under agrarian reform program, the PARO and the concerned ROD were served with a copy of the Petition for Cancellation (Form No. 1)

IV. ☐ Withdrawal of the cancellation case:

Joint Motion to Dismiss, or Motion to Withdraw, or Joint Approval of Compromise Agreement of the Case entitled _____ pending at _____ docketed as _____.

V. ☐ Cancellation case(s) with incomplete documentary requirements under paragraph 1, Section 30 of DAR A.O. No. 6, Series of 2011, in relation to DAR A.O. No. 2, Series of 2018, as amended.

Lacking documents:

- ☐ Certified true copy/ies of the subject EP/CLOA/other titles issued not later than six (6) months before the filing of the application/s
- ☐ Original or Certified True Copy of the final and executory Order and Resolution of the _____;
- ☐ Original or Certified True Copy of the Certificate of Finality of the Decision;
- ☐ Official Receipt issued for the payment of the corresponding filing fee, unless the petitioner is exempt under Section 10 of Article III of DAR A.O. No. 6, Series of 2011; and
- ☐ Any other relevant document.

VI. ☐ Change in technical description based on the corrected technical description/s certified true and correct by the DENR-LMS/LRA affects or changes the number or identities of ARB/s, the area and/or location or the correctness of the coverage of the landholding or any portion thereof.

VII. ☐ Others (e.g., lack of jurisdiction) _____.

Remarks: _____

Respectfully submitted.

Signature Over Printed Name of
Director, Bureau of Agrarian Legal
Assistance

Date

Copy Distribution:

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ULAO/UFOO

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

CANC APPLICATION NO. _____

ORDER OF CANCELLATION

I. This is to certify that the following title/s bearing the following description/s, thus:

Title No.	:	_____
Issued by	:	_____
Location	:	_____
Area	:	_____
Owner	:	_____

is/are hereby being CANCELLED on the basis of any of the following ground/s: (Please check appropriate box)

1. ☐ Final and Executory ALI Case

Case No.	:	_____
Title	:	_____
Office/Court	:	_____
Date of Decision	:	_____
Date of Finality	:	_____

2. ☐ Change in Technical Description based on the corrected technical description/s certified as true and correct by the DENR-LMS/LRA which does not affect the number or identities of ARB/s, the area and/or location or the correctness of the coverage of the landholding or any portion thereof.

3. ☐ Issuance of new title due to a conveyance on the basis of a DAR Transfer Clearance dated _____ with Issuance No. _____

II. The concerned Register of Deeds (RoD) is hereby ordered to undertake the following on the basis of Section 24 of R.A. No. 6657, As Amended, thus:

1. ☐ Cancel the aforementioned Emancipation Patent(s), Certificate(s) of Land Ownership Award or other Agrarian Reform Title(s).

2. ☐ A) Reinstate the Original Certificate of Title or Transfer Certificate of Title specifically described as follows:

Title No.:	_____
Location:	_____
Area:	_____
Registered Owner:	_____

OR

- ☐ B) Register the newly-generated Emancipation Patent(s), Certificate(s) of Land Ownership Award or other Agrarian Reform Title(s) specifically described as follows:

Location: _____

Area: _____

Registered Owner: _____

3. ☐ Other instructions to the RoD as the circumstances may warrant in accordance with the determinations of the Secretary of DAR.

III. The PARPO II is hereby ordered to ensure the implementation of the Order of the Secretary.

Additional Instructions (if any):

SO ORDERED.

_____, 20 ____.

Secretary

Copy Distribution:

Original: OSEC
Duplicate: Parties
Triplicate: ROD
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Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

CANC APPLICATION NO. _____

ORDER OF DISMISSAL

The Cancellation Case No. ____ titled _____ involves the landholding with the following description:

Title No.	:	_____
Issued by	:	_____
Location	:	_____
Area	:	_____
Owner	:	_____

The Motion to Dismiss or Withdraw action filed by the petitioner/s or all parties is hereby GRANTED. Hence, the abovementioned cancellation case is DISMISSED.

SO ORDERED.

_____, 20 ____.

Secretary

Copy Distribution:

Original: OSEC
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Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

CANC APPLICATION NO. _____

ORDER OF DENIAL

The Cancellation Case No. _____ titled _____ involves the landholding with the following description:

Title No.	:	_____
Issued by	:	_____
Location	:	_____
Area	:	_____
Owner	:	_____

is/are hereby UPHELD on the basis of any of the following ground/s: (Please check appropriate box)

1. ☐ The Final and Executory Order (FINEX) in the ALI Case does not result to the cancellation of the abovementioned EP/CLOA or other title issued under any Agrarian Reform Program.
2. ☐ Change in Technical Description based on the corrected technical description/s certified as true and correct by the DENR-LMS/LRA affects or changes the number or identities of ARB/s, the area and/or location or the correctness of the coverage of the landholding or any portion thereof.
3. ☐ Other grounds

Remarks: _____

The PARPO II is hereby instructed to uphold the validity of the abovementioned EP/CLOA or title issued under any Agrarian Reform Program.

SO ORDERED.

_____, 20 ____.

 Secretary

Copy Distribution:

Original: OSEC
 Duplicate: Parties
 Triplicate: ROD
 Quadruplicate: PARPO II

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

CANC APPLICATION NO. _____

ORDER OF DISMISSAL WITHOUT PREJUDICE

The Cancellation Case No. _____ titled _____ involves the landholding with the following description:

Title No.	:	_____
Issued by	:	_____
Location	:	_____
Area	:	_____
Owner	:	_____

After a thorough evaluation and study of the records of this case, this Office resolves the petition for Cancellation for failure to submit the following documentary requirements under Administrative Order (A.O.) No. 06, Series of 2011, in relation to DAR A.O. No. 02, Series of 2018, as amended.

- ☐ Certified true copy/ies of the subject EP/CLOA/other title issued not later than six (6) months before the filing of the application/s
- ☐ Certified True Copy of the Decision of the _____
- ☐ Certified True Copy of the Finality of the Decision
- ☐ Disclosure Statement
- ☐ Motion to Dismiss or Withdraw the Case
- ☐ DAR Transfer Clearance
- ☐ Proof of service that the registered owners of the EPs/CLOAs/other titles issued under any agrarian reform program and the concerned ROD were served with a copy of the Petition for Cancellation

WHEREFORE, the Petition for Cancellation filed by the petitioner/s is hereby DISMISSED, without prejudice.

SO ORDERED.

Diliman, Quezon City, _____, 20 ____.

Secretary