



Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Third Division, issued a Resolution dated **June 15, 2022**, which reads as follows:*

“A.C. No. 11896 [Formerly CBD Case No. 18-5673](Atty. Fernando C. Campos, *Complainant* vs. Atty. Reina Villa-Guro and Atty. Kristian G. Barzaga, *Respondents*). – This resolves the disbarment Complaint¹ filed by Atty. Fernando C. Campos (complainant) against Atty. Reina M. Villa-Guro (Atty. Villa-Guro) and Atty. Kristian G. Barzaga (Atty. Barzaga) (collectively, respondents) for alleged violations of the Code of Professional Responsibility (CPR).

A big house purportedly owned by Congresswoman Jennifer Austria-Barzaga (Congresswoman Austria-Barzaga) was being constructed at the Orchard Golf and Country Club, Dasmariñas City, Cavite.² Complainant, finding no building permit displayed at the construction site, decided to write a Letter³ dated December 23, 2016 asking the city building official of Dasmariñas City, Cavite to submit the following information to him, within 15 days from receipt of his letter: (1) the name and address of the owner of the house; (2) the size of the house; (3) the number of floors; (4) the estimated cost; (5) the transfer certificate of title (TCT); and (6) other information as required by the National Building Code.⁴ Acting as legal consultants, respondents informed complainant through a Letter⁵ dated January 24, 2017 that per records of the Building Office, and contrary to his allegations, there is neither a building constructed nor any property registered under the name of Congresswoman Austria-Barzaga in the country club. Arent the other pieces of information that complainant sought to elicit, respondents informed the latter that they could not provide them considering the property owner’s right to privacy, safety, and security.⁶

Hence, the complaint.

¹ *Rollo*, pp. 1-5.

² *Id.* at 163.

³ *Id.* at 51.

⁴ *Id.*

⁵ *Id.* at 6-7.

⁶ *Id.* at 6.

Complainant alleged that respondents, in refusing to furnish him with a copy of the building permit, the construction plans, and the owner's TCT, among others, committed concealment of evidence in violation of Rules 1.01,⁷ 1.02,⁸ 1.03,⁹ and 1.04¹⁰, Canon 1 of the CPR.¹¹

In their Answer,¹² respondents denied, among others, complainant's allegations against them and explained that only the property owner or his/her duly authorized representative can obtain a copy of the building permit together with the other plans and building documents from the Building Office.¹³

In its Report and Recommendation¹⁴ dated December 19, 2019, the Investigating Commissioner found nothing anomalous in the Answer¹⁵ of respondents to complainant's Letter,¹⁶ and accordingly, recommended the dismissal of the Complaint¹⁷ for utter lack of merit.¹⁸ Then, on April 10, 2021, the Integrated Bar of the Philippines (IBP) Board of Governors resolved to adopt the Investigating Commissioner's findings and recommendation after finding that it was fully supported by the evidence on record and the applicable laws and rules.¹⁹

The Issue

The issue to be resolved in this case is whether respondents should be held administratively liable.

The Court's Ruling

The Court adopts the findings and the recommendation of the IBP Board of Governors to dismiss the instant disbarment Complaint²⁰ against respondents.

In disbarment proceedings, complainants bear the burden of proving

⁷ Rule 1.01 – A lawyer shall not engage in unlawful, dishonest, immoral or deceitful conduct.

⁸ Rule 1.02 – A lawyer shall not counsel or abet activities aimed at defiance of the law or at lessening confidence in the legal system.

⁹ Rule 1.03 – A lawyer shall not, for any corrupt motive or interest, encourage any suit or proceeding or delay any man's cause.

¹⁰ Rule 1.04 – A lawyer shall encourage his clients to avoid, end or settle a controversy if it will admit of a fair settlement.

¹¹ *Rollo*, pp. 3A-4.

¹² *Id.* at 43-49.

¹³ *Id.* at 45-46.

¹⁴ *Id.* at 162-166. Penned by Commission – Commissioner on Bar Discipline Vicente C. Andiano.

¹⁵ *Id.* at 43-50.

¹⁶ *Id.* at 51.

¹⁷ *Id.* at 1-5.

¹⁸ *Id.* at 165-166.

¹⁹ *Id.* at 160-161.

²⁰ *Id.* at 1-5.

the allegations in their complaints by substantial evidence.²¹ Reliance on mere allegations, conjectures and supposition of an attorney's alleged acts, absent proof by substantial evidence, cannot be given credence,²² as in this case.

Contrary to complainant's bare and unsubstantiated allegations, there is nothing sinister in respondents' refusal to grant his request to which he is not legally entitled. As correctly reasoned by respondents, the Building Office cannot just give copies of the property owner's names, building plans, and specifications, as well as their TCT, among others, to total strangers such as complainant. Otherwise, the property owner's privacy, security, and safety would be compromised.²³

While the Court will not hesitate to mete out proper disciplinary punishment upon lawyers who are shown to have failed to live up to their sworn duties, it will also not hesitate to extend its protective arm to lawyers when the accusation against them is not indubitably proven.²⁴

WHEREFORE, the disbarment complaint against Atty. Reina Villaguro and Atty. Kristian G. Barzaga is **DISMISSED** for utter lack of merit.

The Notice of Resolution in CBD Case No. CBD-2021-04-08 dated April 10, 2021 of the Integrated Bar of the Philippines Board of Governors transmitted through letter dated November 17, 2021 by Atty. Avelino V. Sales, Jr., Director for Bar Discipline, together with the records of the case and flash drive file, is **NOTED**.

SO ORDERED."

By authority of the Court:

Mis-DCBatt
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court *JB 9/1/22*

Atty. Fernando C. Campos
Complainant
No. 2 Orchard Avenue
Orchard Golf & Country Club
City of Dasmarinas, 4114 Cavite

²¹ *Philippine School of Business Administration, Inc.-Quezon City v. Atty. Paulino*, A.C. No. 12947 (Notice), February 10, 2021, citing *Alag v. Atty. Senupe, Jr.*, A.C. No. 12115, October 15, 2018.

²² *Villanueva v. Marcaida*, A.C. No. 11034 (Notice), February 14, 2022, citing *Tan v. Atty. Alvarico*, A.C. No. 10933, November 3, 2020.

²³ *Rollo*, p. 46.

²⁴ *Anacin v. Atty. Salonga*, A.C. No. 8764 (Notice), January 8, 2020, citing *Atty. Guanzon v. Atty. Dojillo*, 838 Phil. 228, 235 (2018).

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