



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF DAGAMI

\*

Item No.: 39

Date: 24 2026 MAR

BAGONG PILIPINAS

**Office of the Sangguniang Bayan**

FOR: **Honorable Members**  
Sangguniang Panlalawigan  
Province of Leyte

FROM: **Office of the Sangguniang Bayan**  
Municipality of Dagami, Leyte

DATE: **March 16, 2026**

SUBJECT: **Transmittal of Requested Documents**

Sangguniang Panlalawigan  
Province of Leyte  
**RECEIVED**

Date: MAR 19 2026  
By: [Signature]

Dear Honorable Members:

This is in response to Resolution No. 696-2026, received by this Office on March 16, 2026, requesting documents relative to the case decided by the Sangguniang Bayan, filed by Ley Mart L. villas ante, et. Al. against Hon. Basilio D. Calda, Punong Barangay of Barangay Cabuloran, Dagami, Leyte.

We respectfully submit herewith the complete records of the said complaint, which have been duly received and are now part of the official records of this Office. In compliance with your request, we respectfully transmit the requested documents contained in the attached folder for your reference and appropriate action.

**The documents transmitted are as follows:**

1. COMPLAINT AFFIDAVIT (LEY MART L. VILLASANTE)
2. VERIFICATION CERTIFICATION OF NON-FORM SHOPPING (LEY MART L. VILLASANTE)
3. PBC FEBRUARY 01, 2024 (HONORARIUM, ELECTRIC BILL, PAYMENT FOR GRASS CUTTER, PAYMENT FOR STEEL BAR, PAYMENT FOR IT SUPPLIES & PAYMENT FOR SUPPLIES)
4. CHECK DEPOSIT SLIP
5. DEVELOPMENT BANK OF THE PHILIPPINES (DBP)
6. AFFIDAVIT (MARIVIC NEVALIZA ARGUTA)
7. COMPLAINT AFFIDAVIT (ALFONSO S. ENERO)
8. VERIFICATION AND CERTIFICATION OF NON-FORM SHOPPING (ALFONSO S. ENERO)
9. APPOINTMENT (HON. BASILIO D. CALDA)
10. CERTIFICATE OF ASSUMPTION TO OFFICE (HON. BASILIO D. CALDA)
11. PANUNUMPA SA KATUNGKULAN (ALFONSO S. ENERO)
12. CERTIFICATE OF COMPLETION (ALFONSO ENERO)

13. AFFIDAVIT (MARIVIC NEVALIZA ARGUTA)
14. ATTENDANCE (SPECIAL SESSION)
15. COMPLAINT-AFFIDAVIT (ANACITA M. PALACIO)
16. VERIFICATION AND CERTIFICATION OF NON-FORUM SHOPPING (ANACITA M. PALACIO)
17. TERMINATION ORDER (ANACITA M. PALACIO)
18. PBC (HONORARIUM)
19. COMPLAINT-AFFIDAVIT (REYMART D. NEVALIZA)
20. VERIFICATION AND CERTIFICATION OF NON-FORUM SHOPPING (REYMART D. NEVALIZA)
21. APPOINTMENT (REYMART D. NEVALIZA)
22. CERTIFICATE OF ASSUMPTION TO OFFICE (REYMART D. NEVALIZA)
23. PANUNUMPA SA KATUNGKULAN (REYMART D. NEVALIZA)
24. RESOLUTION NO. \_\_\_\_, SERIES OF 2024 (TERMINATION ORDER OF ANACITA M. PALACIO & CONFIRMING THE APPOINTMENT OF REYMART D. NEVALIZA AS NEW BRGY. SECRETARY)
25. PBC (HONORARIUM FOR THE MONTH OF JULY 2024)
26. JOINT POSITION PAPER
27. VERIFICATION AND CERTIFICATION OF NON-FORUM SHOPPING (REYMART D. NEVALIZA, MARITES O. AURILLO S. ENERO, LEYMART L. VILLASANTE, ANACITA M. PALACIO)
28. COMPLAINT-AFFIDAVIT (MARITES O. AURILLO)
29. VERIFIED ANSWER (BASILIO D. CALDA)
30. ISSUES (HON. BASILIO D. CALDA)
31. PRAYER (HON. BASILIO D. CALDA)
32. VERIFICATION (HON. BASILIO D. CALDA)
33. SHOW CAUSE ORDER (HON. BASILIO D. CALDA)
34. JOINT AFFIDAVIT OF WITNESSES (HON. EDGAR TOBIAS, HON. SALVADOR FUMAR, JR., HON. AILENE ALIPAR AND REYMART D. NEVALIZA)
35. PAYROLL HONORARIA (NOVEMBER 15-30, 2023)
36. PAYROLL HONORARIA (DECEMBER 2023)
37. PAYROLL HONORARIA (JANUARY 2024)
38. PAYROLL HONORARIA (FEBRUARY 2024)
39. PAYROLL HONORARIA (MARCH 2024)
40. PAYROLL HONORARIA (APRIL 2024)
41. PAYROLL HONORARIA (MAY 2024)
42. PAYROLL HONORARIA (JUNE 2024)
43. PAYROLL HONORARIA (JULY 2024)

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47. VERIFICATION (HON. BASILIO D. CALDA)
48. SHOW CAUSE ORDER (HON. BASILIO D. CALDA)
49. PAYROLL (MID-YEAR BONUS F.Y. 2024)
50. JOINT AFFIDAVIT OF WITNESSES (MARY JANE BANTULA, JOSEPH CLEMENSO, JOEL ARPON, ALWIN AURILLO AND JOCELYN MASUCOL)
51. MOTION TO WITHDRAW AS COUNSEL (CHARMAINE LYNN B. TAN-CALZADO)
52. VERIFIED ANSWER (HON. BASILIO DOLOR CALDA)
53. ISSUES (HON. BASILIO D. CALDA)
54. PRAYER (HON. BASILIO D. CALDA)
55. VERIFICATION (HON. BASILIO D. CALDA)
56. PAYROLL HONORARIA (JANUARY 2024)
57. PAYROLL HONORARIA (FEBRUARY 2024)
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59. PAYROLL HONORARIA (APRIL 2024)
60. PAYROLL HONORARIA (MAY 2024)
61. PAYROLL HONORARIA (JUNE 2024)
62. PAYROLL HONORARIA (JULY 2024)
63. VERIFIED ANSWER (HON. BASILIO DOLOR CALDA)
64. ISSUES (HON. BASILIO D. CALDA)
65. PRAYER (HON. BASILIO D. CALDA)
66. VERIFICATION (HON. BASILIO D. CALDA)
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69. JOINT AFFIDAVIT OF WITNESSES (MARY JANE BANTULA, JOSEPH CLEMENSO, JOEL ARPON, ALWIN AURILLO AND JOCELYN MASUCOL)
70. TERMINATION ORDER (ANACITA M. PALACIO)
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73. RESOLUTION NO. 2025-49 (SANGGUNIANG BAYAN)
74. RESOLUTION NO. 2022-41 (SANGGUNIANG BAYAN)
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94. REGISTRY RETURN RECEIPT (SENDER: BASILIO D. CALDA)
95. TERMINATION ORDER (ANACITA M. PALACIO)
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111. PAYROLL HONORARIA (JANUARY 2024) TANOD
112. PAYROLL HONORARIA (FEBRUARY 2024) TANOD
113. PAYROLL HONORARIA (MARCH 2024) TANOD
114. PAYROLL HONORARIA (APRIL 2024) TANOD
115. PAYROLL HONORARIA (NOVEMBER 15-30, 2024) TANOD
116. PAYROLL HONORARIA (DECEMBER 2024) TANOD
117. JOINT AFFIDAVIT OF WITNESSES (MARY JANE BANTULA, JOSEPH CLEMENSO, JOEL ARPON, ALWIN AURILLO AND JOCELYN MASUCOL)
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119. VERIFICATION (BASILIO D. CALDA AND ANACITA M. PALACIO)
120. PAYROLL HONORARIA (JANUARY 2024) PUNONG BRGY., BRGY. KAGAWAD, SK CHAIRPERSON, BRGY. TREASURER & BRGY. SECRETARY
121. PAYROLL HONORARIA (FEBRUARY 2024) PUNONG BRGY., BRGY. KAGAWAD, SK CHAIRPERSON, BRGY. TREASURER & BRGY. SECRETARY
122. REPLY TO THE RESPONDENT'S VERIFIED ANSWER (ALFONSO S. ENERO)
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133. PAYROLL HONORARIUM (DEC., 2023) CDW, BHW, BNS, BSPO UTILITY & LUPON
134. PAYROLL HONORARIUM (JULY, 2024) PUNONG BRGY., BRGY. KAGAWAD, SK CHAIRPERSON, BRGY. TREASURER & BRGY. SECRETARY
135. PAYROLL HONORARIUM (JAN. 2024) PAYROLL HONORARIUM (JAN. 2024) CDW, BHW, BNS, BSPO UTILITY & LUPON
136. PAYROLL HONORARIUM (FEB. 2024) PUNONG BRGY., BRGY. KAGAWAD, SK CHAIRPERSON, BRGY. TREASURER & BRGY. SECRETARY
137. PAYROLL HONORARIUM (MARCH 2024) PUNONG BRGY., BRGY. KAGAWAD, SK CHAIRPERSON, BRGY. TREASURER & BRGY. SECRETARY
138. PAYROLL HONORARIUM (APRIL 2024) PUNONG BRGY., BRGY. KAGAWAD, SK CHAIRPERSON, BRGY. TREASURER & BRGY. SECRETARY
139. PAYROLL HONORARIUM (MAY 2024) PUNONG BRGY., BRGY. KAGAWAD, SK CHAIRPERSON, BRGY. TREASURER & BRGY. SECRETARY

140. PAYROLL HONORARIUM (JUNE 2024) PUNONG BRGY., BRGY. KAGAWAD, SK CHAIRPERSON, BRGY. TREASURER & BRGY. SECRETARY
141. PAYROLL MID-YEAR BONUS F.Y. 2024 (PUNONG BRGY., BRGY. KAGAWAD, SK CHAIRPERSON, BRGY. TREASURER & BRGY. SECRETARY)
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143. APPOINTMENT (REYMART D. NEVALIZA)
144. CERTIFICATE OF ASSUMPTION TO OFFICE (REYMART D. NEVALIZA)
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149. TERMINATION ORDER (ANACITA M. PALACIO)
150. VERIFIED ANSWER (LEY MART L. VILLASANTE & BASILIO D. CALDA)
151. VERIFICATION (BASILIO D. CALDA & LEYMART L. VILLASANTE)
152. SHOW CAUSE ORDER (HON. BASILIO D. CALDA)
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155. MOTION TO DISMISS (ALFONSO S. ENERO VERSUS HON. BASILIO D. CALDA)
156. MOTION TO DISMISS (MARITES O. AURILLO VERSUS HON. BASILIO D. CALDA)
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158. MOTION TO DISMISS (ANACITA M. PALACIO VERSUS HON. BASILIO D. CALDA)
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161. LETTER TO HON. HOMOBONO U. BARDILLON FROM ACTING DIRECTOR, REGIONAL OFFICE VIII, JANICE G. GABRITO
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163. RESPONSE TO JANICE G. GABRITO, ACTING DIRECTOR, REGIONAL OFFICE VIII
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165. NOTICE OF PRELIMINARY CONFERENCE (JAN. 16, 2025)
166. RESCHEDULING OF THE PRELIMINARY CONFERENCE
167. SUMMONS (HON. BASILIO D. CALDA)
168. ITEMIZED LIST OF DOCUMENTS IN THE ENVELOPE WITH RETURN CARD (DEC. 09, 2024)
169. SUMMONS (LEY MART L. VILLASANTE) NOV. 22, 2024
170. SUMMONS (REYMART D. NEVALIZA) NOV. 22, 2024
171. SUMMONS (ANACITA M. PALACIO) NOV. 22, 2024
172. SUMMONS (MARITES O. AURILLO) NOV. 22, 2024
173. SUMMONS (ALFONSO S. ENERO) NOV. 22, 2024
174. RESOLUTION NO. 2022-41 (SANGGUNIANG BAYAN)

175. REGISTRY RETURN RECEIPT (ADDRESSED TO: BASILIO CALDA)
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178. PRE-TRIAL BRIEF OF RESPONDENT (REYMART D. NEVALIZA VERSUS HON. BASILIO D. CALDA)
179. PRE-TRIAL BRIEF OF RESPONDENT (ANACITA M. PALACIO VERSUS HON. BASILIO D. CALDA)
180. PRE-TRIAL BRIEF OF RESPONDENT (ALFONSO S. ENERO VERSUS HON. BASILIO D. CALDA)
181. MINUTES OF THE PRE-TRIAL CONFERENCE (BRGY. OFFICIALS VS. HON. BASILIO D. CALDA)
182. LETTER TO JANICE G. GABRITO, ACTING DIRECTOR, REGIONAL OFFICE VIII, FROM MUNICIPAL VICE MAYOR OF DAGAMI, LEYTE
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186. NOTICE OF PRE-TRIAL CONFERENCE (REYMART D. NEVALIZA VERSUS HON. BASILIO D. CALDA)
187. NOTICE OF PRE-TRIAL CONFERENCE (ANACITA M. PALACIO VERSUS HON. BASILIO D. CALDA)
188. NOTICE OF PRE-TRIAL CONFERENCE (ALFONSO S. ENERO VERSUS HON. BASILIO D. CALDA)
189. JOINT VERIFICATION AND CERTIFICATE OF NON-FORUM SHOPPING (REYMART D. NEVALIZA, MARITES O. AURILLO, ALFONSO S. ENERO, LEYMART L. VILLASANTE, ANACITA M. PALACIO)
190. MOTION TO WITHDRAW AS COUNSEL (MARITES O. AURILLO VS. HON. BASILIO D. CALDA)
191. JOINT DECISION (QUASI-JUDICIAL FUNCTION COMMITTEE)

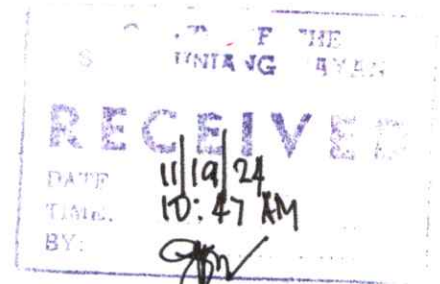
We trust that this submission will aid in your deliberations and appropriate action.

**Respectfully submitted:**

  
**HON. ALVARO P. LORENO, JR.**  
*Sangguniang Bayan Member*

  
**FLOR G. YAP**  
*Secretary to the Sangguniang Bayan*

Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
**SANGGUNIAN BAYAN**



**LEY MART L. VILLASANTE**  
Complainant,

- versus -

For: Grave Misconduct,  
Abuse of Authority, and  
Gross Neglect of Duty

**BASILIO D. CALDA**  
Respondent,

X-----X

**COMPLAINT-AFFIDAVIT**

The undersigned Complainant, after having been sworn to in accordance with law, hereby depose and state that:

1. Complainant LEY MART L. VILLASANTE is of legal age, Filipino, single and the incumbent Sanggunian Kabataan Chairperson of the Barangay Cabuloran, Dagami, Leyte. For purposes of this present complaint, all notices and processes may be served to his address at Barangay Cabuloran, Dagami, Leyte.

2. Respondent BASILIO D. CALDA is likewise of legal age, Filipino, married and the incumbent Barangay Chairman of Barangay Cabuloran, Dagami, Leyte. For purposes of this present complaint, all notices and processes may be served to his address at District 5, Poblacion, Dagami, Leyte and Zone 5, Barangay Cabuloran, Dagami, Leyte.

3. Complainant files this complaint based on the following unlawful and unreasonable acts of the respondent, to wit:

- a. Unreasonable delay in the release of the Sangguniang Kabataan Fund;
- b. Unreasonable withholding of the mid-year bonus of the complainant; and
- c. Unjustified non-release of the honorarium of the complainant for the months of August 2024 to November 2024.
- d. Deliberate failure to attend regular and special sessions.

[Signature: Villasante]

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

[Signature: Flor G. Yap]  
FLOR G. YAP  
SECRETARY TO THE SANGGUNIAN

4. Section 329 of the Local Government Code and Section 20(a) of Republic Act No. 10742 or the SK Reform Act of 2015, as amended provides that "ten percent (10%) of the general fund of the barangay shall be set aside for the Sangguniang Kabataan."

5. In the case of the Sangguniang Kabataan of Barangay Cabuloran, there has always been a delay in the release of the SK fund because the Barangay Chairman, herein respondent, refuses to immediately sign and release the check for the SK fund. He decides when to release the SK fund based on his personal discretion.

6. The 10% SK funds for the months of December 2023, January and February 2024 were released to the complainant only on April 5, 2024 and were deposited to the SK bank account on April 8, 2024. Upon verification, based on the Punong Barangay's Certification (PBC)<sup>1</sup>, complainant learned that Check No. 0091272909 for the December 2023 SK fund and Check No. 009127210 for the January and February 2024 SK fund were issued and verified on March 21, 2024. It was the respondent who kept the checks and gave these to the complainant only on April 5, 2024 or two (2) weeks after the check became available.

7. For March and April 2024 SK funds, the check was issued and verified on April 24, 2024 and was deposited to the SK bank account on April 29, 2024. Then for the May and June 2024 SK funds, the check was issued and verified on May 10, 2024 and was deposited to the SK bank account on May 14, 2024. The July 2024 SK fund was only deposited on August 15, 2024 and the August and September 2024 SK funds were deposited on September 3, 2024. *The Punong Barangay's Certifications are hereto attached as **Annex A and series** while the deposit slips are hereto attached as **Annex B and series**.*

8. The SK funds for October and November 2024 were not yet released.

9. The delays in the release of the SK fund because of the unlawful exercise of discretion and abuse of power of the respondent is a clear violation of the law. Joint Memorandum Circular (JMC) No. 1, s. 2019 "Guidelines on the Appropriation, Release, Planning and Budgeting Process for the SK Funds" of the DBM, DILG and the NYC states that:

Villasanta

"Xxx

### **3.2 Release of the SK Fund by the Barangay**

CERTIFIED TRUE XEROX COPY  
FROM THE ORIGINAL



FLOR G. YAP  
SECRETARY TO THE SANGGUNIANG

3.2.1 *The SK funds shall be automatically released by the barangay to the SK, and shall not be subject to any lien or holdback that may be imposed by the barangay for whatever purpose.*

3.2.2 *Xxx*

3.2.3 *The SK funds shall be deposited by the barangay in the current account of the SK not later than five (5) working days after the crediting of the monthly internal revenue allotment (IRA) share of the barangay consistent with the rules and regulations issued by the Commission on Audit (COA).*

*For all other income accruing to the general fund of the barangay, the corresponding SK funds shall be deposited not later than five (5) working days after the end of the month.*

*The barangay may opt to transfer/release the SK funds earlier than herein prescribed on an annual, semestral or quarterly basis, subject to the written agreement between the barangay and the SK.*

*Failure by the barangay to release any amount of the SK fund shall subject the erring officials to penalties under existing laws."*

10. Upon examination of the bank statement issued by the Development Bank of the Philippines, it is evident that the monthly national tax allotment (NTA) of Brgy. Cabuloran, Dagami, Leyte is credited every first day or second of the month, except for June 2024 wherein it was credited on the third day of the month. Hence, the SK fund should have been released not later than the 8<sup>th</sup> day of the month following the guidelines that it should be deposited in the account of the SK not later not five (5) working days after the crediting of the monthly NTA. *The bank statement is hereto attached as **Annex C**.*

*Villanueva*

11. Additionally, as the SK Chairman, complainant is entitled to receive the mid-year bonus given to public officials. However, complainant was not able to receive the same.

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

*[Signature]*  
FLOR G. YAP  
SECRETARY TO THE SANGGUNIANG

issued for the mid-year bonus. According to the barangay treasurer, the said amount corresponds to the mid-year bonus of the barangay chairman, three (3) barangay kagawads, the SK chairman, the barangay secretary and the barangay treasurer.

13. Complainant was informed by the barangay treasurer that the mid-year bonuses had been turned over to the barangay chairman after the encashment of the check. When complainant went to the respondent to get his mid-year bonus, it was not given to him despite the fact that the mid-year bonus has already been disbursed and the check has been encashed. Respondent unlawfully withheld the mid-year bonus of the complainant without any justifiable reason. The Affidavit of the Barangay Treasurer is hereto attached as **Annex D**.
14. Furthermore, complainant also has not received yet his honoraria for the months of August 2024 to October 2024. However, upon checking the DBP bank statement, the disbursements for August 2024 already exceeded the barangay's monthly NTA of P234,677.00. Also, the NTA for September 2024 has been almost fully disbursed. There is no fund anymore for the honorarium of the barangay officials because of the disbursements made by respondent without the approval of the barangay council. Hence, the delays in the release of the honorarium.
15. On another note, respondent has not been attending regular or special sessions since March 2024. Sometimes, respondent goes to the barangay hall during sessions but would walk out if there are matters discussed during the proceedings which he does not like. There was even a time when respondent just wrote his name in the attendance sheet then left thereafter even if the session has not yet started.
16. The unlawful and unreasonable acts of the respondent of deliberately delaying the release of SK funds despite the availability of the monthly NTA and unjustly withholding the mid-year bonus and honorarium of complainant constitute abuse of authority;
17. "Abuse of authority is defined as the denial of justice when discretion, by virtue of one's position, has not been justly and properly exercised and signifies the use of that discretion in such a way as to deprive a person of his right or of the remedy to protect or enforce such right." (*DILG Opinion No. 11, Series of 2006, dated February 20, 2006*)

*Vell...*

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

*[Signature]*

FLOR G. YAP  
SECRETARY TO THE SANGGUNIANG

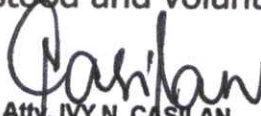
18. Moreover, these unlawful and unreasonable acts of the respondent also constitute grave misconduct;
19. "Misconduct is a transgression of some established and definite rule of action, particularly, as a result of a public officer's unlawful behavior, recklessness, or gross negligence. This type of misconduct is characterized for purposes of gravity and penalty as simple misconduct. The misconduct is grave if it involves any of the additional elements of corruption, clear willful intent to violate the law, or flagrant disregard of established rules, supported by substantial evidence." (*Domingo v. Civil Service Commission, G.R. No. 236050, June 17, 2020*)
20. Furthermore, the unlawful and unreasonable acts of respondent also constitute gross neglect of duty.
21. "Gross neglect of duty or gross negligence refers to negligence characterized by the want of even slight care, acting or omitting to act in a situation where there is a duty to act, not inadvertently but willfully and intentionally, with a conscious indifference to consequences, insofar as other persons may be affected. It denotes a flagrant and culpable refusal or unwillingness of a person to perform a duty." (*Samonte vs. Jumawak, et al., G.R. No. 249135, January 11, 2023*)

IN WITNESS WHEREOF, I have hereunto affixed my signature this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines.


  
**LEY MART L. VILLASANTE**  
 Affiant/Complainant

SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines, affiant exhibiting to me his Philippine Identification Card with No. 4632-7015-7918-9734 as competent evidence of identity. I hereby certify that I have examined the affiant and I am satisfied that he understood and voluntary signed his Complaint-Affidavit.

Doc. No. 167  
 Page No. 35  
 Book No. VI

  
**Atty. IVY N. CASILAN**  
 Notary Public until December 31, 2025  
 Within the territorial jurisdiction RTC Tacloban City  
 Notarial Commission No. 2024-01-69  
 Roll of Attorneys' No. 79916  
 IBP OR No. 331742 | 12/20/2023 | Leyte Chapter  
 DTD No. 8481700 | 01/04/2024 | Tacloban City

CERTIFIED THRU XEROX COPY  
 FROM THE ORIGINAL

  
**FLOR C. YAP**  
 SECRETARY TO THE SANGGUNIANG

Republic of the Philippines )  
Tacloban City ) S.S.

### VERIFICATION AND CERTIFICATION OF NON-FORUM SHOPPING

I, **LEY MART L. VILLASANTE**, of legal age, Filipino, single and a resident of Barangay Cabuloran, Dagami, Leyte, after having been sworn to in accordance with law, hereby depose and state that:

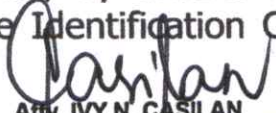
1. I am the Complainant in the above-entitled Complaint-Affidavit;
2. I have caused the preparation of the foregoing Complaint-Affidavit;
3. I have read and understood the contents of this pleading, and that (a) the allegations contained here are true and correct based on my personal knowledge and authentic documents; (b) the pleading is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation; and (c) the factual allegations herein have evidentiary support after reasonable opportunity for discovery; and
4. I have not commenced any action or filed any claim involving the same issues in any court, tribunal or quasi-judicial agency, and to the best of my knowledge, no such other action or claim is pending therein. If I should thereafter learn that the same or similar action or claim has been filed or is pending, I shall report that fact within five (5) calendar days therefrom to this Court.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines.


  
**LEY MART L. VILLASANTE**  
*Affiant*

**SUBSCRIBED AND SWORN** to before me this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines, by affiant who has proven to me his identity thru his Philippine Identification Card No. 4632-7015-7918-9734.

Doc. No. 168  
Page No. 35

  
Atty. IVY N. CASILAN  
Notary Public until December 31, 2025  
Within the territorial jurisdiction RTC Tacloban City  
Notarial Commission No. 2024-01-69  
Roll of Attorneys' No. 79916  
IBP OR No. 331742 | 12/20/2023 | Leyte Chapter

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR G. YARI  
SECRETARY TO THE SANGGUNIANG

80-27 page



Barangay Cabuloran  
Municipality of Dagami  
Province of Leyte



ANNEX "A"

### PUNONG BARANGAY'S CERTIFICATION (PBC)

PBC No. 100-24-01-C

Date: 02/01/2024

To: The Bank Manager  
Development Bank of the Philippines (DBP)  
Tacloban City

Sir/Madam:

This is to certify that the following checks were duly issued by Barangay Cabuloran complete with respective Disbursement Vouchers and supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0011 86 77 53	008024 26 87	FEB. 1, 2024	MARIVIC N. ARGUTA	₱ 156,750.00	Honorarium
0011 86 77 53	008024 26 88	FEB. 1, 2024	DORELOU	₱ 20,477.33	Electric bill
0011 86 77 53	008024 26 89	FEB. 1, 2024	MMD ENTERPRISES	₱ 76,500.00	Payment for Ground
0011 86 77 53	008024 26 90	FEB. 1, 2024	MMD ENTERPRISES	₱ 57,600.00	Payment for steel bar
0011 86 77 53	008024 26 91	FEB. 1, 2024	MMD ENTERPRISES	₱ 144,000.00	Payment for IT equip
0011 86 77 53	008024 26 92	FEB. 1, 2024	CANCELLED	-	-
0011 86 77 53	008024 26 93	FEB. 1, 2024	MMD ENTERPRISES	₱ 86,400.00	Payment for office supplier

Very truly yours,

HON. BASILIO D. CALDA  
Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated February 01, 2024, as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:

MARIVIC N. ARGUTA  
Barangay Treasurer

Date: FEB 01, 2024

CERTIFIED TRUE COPY  
MARIVIC N. ARGUTA

Received by:

[Signature]  
Bank Representative

Date: \_\_\_\_\_

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

[Signature]  
FLOR L. SAMPAN  
SECRETARY TO THE SANGGUNIANG

Barangay **CABULORAN**  
Municipality of Dagami  
Province of Leyte

**PUNONG BARANGAY'S CERTIFICATION (PBC)**

PBC No. 100-24-01-002  
Date: FEBRUARY 8, 2024

To: **The Bank Manager**  
DEVELOPMENT BANK OF THE PHILIPPINES  
Tacloban, City

Sir/Madam:

This is to Certify that the following checks were duly issued by Barangay **CABULORAN**, complete with respective Disbursement Vouchers and supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01186-775-3	0080242694	FEBRUARY 8, 2024	MMB ENTERPRISES	67,200.00	Purchase of Audio-Visual Equipment
0-01186-775-3	0080242695	FEBRUARY 8, 2024	MMB ENTERPRISES	153,600.00	Purchase of Office Furniture
0-01186-775-3	0080242696	FEBRUARY 8, 2024	MMB ENTERPRISES	47,520.00	Purchase of Office Equipment

I This Certification is issued, pursuant to COA Circular 2019-001, dated January 30, 2019, as a condition for the encashment of said checks.

The undersigned attests to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171 (4) of the Revised Penal Code.

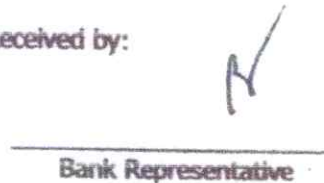
Very Truly Yours,

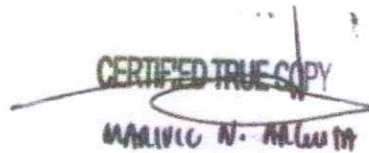
  
BASILIO D. CALDA  
Punong Barangay

Delivered by:

  
BASILIO D. CALDA  
Punong Barangay

Received by:

  
\_\_\_\_\_  
Bank Representative

  
CERTIFIED TRUE COPY  
MARIVIC N. ALGUIN

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR B. YSA  
SECRETARY TO THE SANGGUNIANG



### PUNONG BARANGAY'S CERTIFICATION (PBC)

PBC No. 140-24-02-004  
Date: February 22, 2024

To: The Bank Manager  
Development Bank of the Philippines (DBP)  
Tacloban City

Sir/Madam:

This is to certify that the following checks were duly issued by **BARANGAY CABULORAN** complete with respective Disbursement Vouchers and supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-011 86-735-3	0086242700	FEB. 22, 2024	MARIVIC N. ARGUTA	234,400.00	HONORARIUM

Very truly yours,  
  
**HON. BASILIO D. CALDA**  
Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated 22nd of FEB., 2024, as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:  
  
**MARIVIC N. ARGUTA**  
Barangay Treasurer

**CERTIFIED TRUE COPY**  
  
MARIVIC N. ARGUTA

Received by:  
  
**REYNOLD MAS**  
Bank Representative

Date: February 22, 2024

**CERTIFIED THRU XEROX COPY**  
FROM THE ORIGINAL  
  
**FLOR G. YAP**  
SECRETARY TO THE SANGGUNIANG



**PUNONG BARANGAY'S CERTIFICATION (PBC)**

PBC No: 100-24-02-005  
Date: FEBRUARY 28, 2024

Development Bank of the Philippines (DBP)  
Tacloban City

Sir/Madam:

This is to certify that the following checks were duly issued by **BARANGAY CABULORAN** complete with respective supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01146-775-3	0041272901	02-28-2024	LIGA NG MGA PANGANGALAY	70,000.00	BAHEU
0-01146-775-3	0041272902	02-28-2024	LIGA NG MGA PANGANGALAY	10,000.00	ANNUAL CMES

Very truly yours,

**HON. BASHLIO D. CALDA**  
Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated FEBRUARY 28, 2024, as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:

**MARIVIC N. ARGUTA**  
Barangay Treasurer

Date: FEBRUARY 28, 2024

Received by:

**CERTIFIED TRUE COPY**  
  
MARIVIC N. ARGUTA

Bank Representative

Date: \_\_\_\_\_

**CERTIFIED THRU XEROX COPY FROM THE ORIGINAL**

**FLOR C. YAP**  
SECRETARY TO THE SANGGUNIANG

Barangay **CABULORAN**  
Municipality of Dagami  
Province of Leyte

**PUNONG BARANGAY'S CERTIFICATION (PBC)**

PBC No. 100-24-02-006  
Date: FEBRUARY 29, 2024

To: The Bank Manager  
DEVELOPMENT BANK OF THE PHILIPPINES  
Tacloban, City

Sir/Madam:

This is to Certify that the following checks were duly issued by Barangay **CABULORAN**, complete with respective Disbursement Vouchers and supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01186-775-3	0091272903	FEBRUARY 29, 2024	MTO-DAGAMI	2,000.00	Bookkeeping Services
0-01186-775-3	0091272904	FEBRUARY 29, 2024	MMB ENTERPRISES	47,520.00	Payment for Office uniform
0-01186-775-3	0091272905	FEBRUARY 29, 2024	MMB ENTERPRISES	38,400.00	Payment for grass cutler
0-01186-775-3	0091272906	FEBRUARY 29, 2024	MMB ENTERPRISES	47,520.00	Payment for kitchen utensils
0-01186-775-3	0091272907	FEBRUARY 29, 2024	MMB ENTERPRISES	47,520.00	Payment for DC Supplies
0-01186-775-3	0091272908	FEBRUARY 29, 2024	MMB ENTERPRISES	47,520.00	Payment for Tanod Supplies

This Certification is issued, pursuant to COA Circular 2019-001, dated January 30, 2019, as a condition for the encashment of said checks.

The undersigned attests to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171 (4) of the Revised Penal Code.


Very Truly Yours,

  
BASILIO D. CANDA  
Punong Barangay

Delivered by:

  
MARIVIC N. ARGUETA  
Barangay Treasurer

Received by:

  
Bank Representative

CERTIFIED TRUE COPY

  
MARIVIC N. ARGUETA

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR E. YAP

SECRETARY TO THE SANGGUNIANG

Barangay **CABULORAN**  
Municipality of Dagami  
Province of Leyte

**PUNONG BARANGAY'S CERTIFICATION (PBC)**

PBC No. 100-24-03-006  
Date: MARCH 21, 2024

To: **The Bank Manager**  
DEVELOPMENT BANK OF THE PHILIPPINES  
Tacloban, City

Sir/Madam:

This is to Certify that the following checks were duly issued by Barangay **CABULORAN**, complete with respective Disbursement Vouchers and supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01186-775-3	0091272909	MARCH 21, 2024	CABULORAN SK COUNCIL DAGAMI	22,089.20	10% Share for the month of Dec. 2023
0-01186-775-3	0091272910	MARCH 21, 2024	CABULORAN SK COUNCIL DAGAMI	46,935.40	10% Share for the month of Jan. & Feb. 2024

I This Certification is issued, pursuant to COA Circular 2019-001, dated January 30, 2019, as a condition for the encashment of said checks.

The undersigned attests to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171 (4) of the Revised Penal Code.

Very Truly Yours,

  
BASILIO D. GALDA  
Punong Barangay

Delivered by:

  
MARVIC N. ARGENTA  
Barangay Treasurer

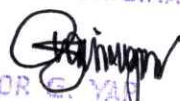
Received by:

\_\_\_\_\_  
Bank Representative

CERTIFIED TRUE COPY

  
MARVIC N. ARGENTA

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR C. YAN  
SECRETARY TO THE SANGGUNIANG

Barangay **CABILORAN**  
Municipality of Dagami  
Province of Leyte

**PUNONG BARANGAY'S CERTIFICATION (PBC)**

PBC No. 100-24-03-007  
Date: MARCH 26, 2024

To: **The Bank Manager**  
DEVELOPMENT BANK OF THE PHILIPPINES  
Tacloban, City

Sir/Madam:

This is to Certify that the following checks were duly issued by Barangay **CABILORAN**, complete with respective Disbursement Vouchers and supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01186-775-3	0091272911	MARCH 26, 2024	MMB ENTERPRISES	94,752.00	Additional materials for streetlight
0-01186-775-3	0091272912	MARCH 26, 2024	MMB ENTERPRISES	115,710.00	Materials for const. of signage

I This Certification is issued, pursuant to COA Circular 2019-001, dated January 30, 2019, as a condition for the encashment of said checks.

The undersigned attests to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171 (4) of the Revised Penal Code.


Very Truly Yours,

  
**BASILIO D. CALDA**  
Punong Barangay

Delivered by:

  
**MARIVIC N. ARGUTA**  
Barangay Treasurer

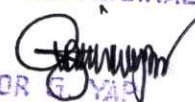
Received by:

  
Bank Representative:

CERTIFIED TRUE COPY

  
MARIVIC N. ARGUTA

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR G. YAP  
SECRETARY TO THE SANGGUNIANG

Barangay **CABULORAN**  
Municipality of Dagami  
Province of Leyte

### PUNONG BARANGAY'S CERTIFICATION (PBC)

PBC No. 100-24-04-008  
Date: April 2, 2024

To: The Bank Manager  
DEVELOPMENT BANK OF THE PHILIPPINES  
Tacloban, City

Sir/Madam:

This is to Certify that the following checks were duly issued by Barangay **CABULORAN**, complete with respective Disbursement Vouchers and supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01186-775-3	0091272913	April 4, 2024	MARIVIC N. ARGUTA	64,000.00	Labor for rehab. Of brgy. hall
0-01186-775-3	0091272914	April 4, 2024	MARIVIC N. ARGUTA	52,500.00	Labor for road surfacing
0-01186-775-3	0091272915	April 4, 2024	MARIVIC N. ARGUTA	44,800.00	Labor for rehab. Of streetlight

I This Certification is issued, pursuant to COA Circular 2019-001, dated January 30, 2019, as a condition for the encashment of said checks.

The undersigned attests to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171 (4) of the Revised Penal Code.

Very Truly Yours,

  
BASILIO B. CALDERA  
Punong Barangay

Delivered by:

  
MARIVIC N. ARGUTA  
Barangay Treasurer


Received by:

  
Bank Representative

CERTIFIED TRUE COPY

  
MARIVIC N. ARGUTA

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR E. YAP  
SECRETARY TO THE SANGGUNIANG



Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
Barangay Cabuloran



**PUNONG BARANGAY'S CERTIFICATION (PBC)**

Development Bank of the Philippines (DBP)  
Tacloban City

PBC No: \_\_\_\_\_  
Date: APRIL 24, 2024

Sir/Madam:

This is to certify that the following checks were duly issued by **BARANGAY CABULORAN** complete with respective supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01186-775-3	0091272922	APRIL 24, 2024	SA BGCY CABULORAN DAGAMI, LEYTE	46,935.40	10% SHARE FOR THE MONTH OF
0-01186-775-3	0091272923	APRIL 24, 2024	MARVIC N. ARGUTA	10,000.00	IMPROV APR 2024
0-01186-775-3	0091272924	APRIL 24, 2024	MARVIC N. ARGUTA	5,000.00	TRAINING EXPENSES WOMEN'S MONTH
0-01186-775-3	0091272925	APRIL 24, 2024	MARVIC N. ARGUTA		CELEBRATION
0-01186-775-3	0091272926	APRIL 24, 2024	MARVIC N. ARGUTA	12,000.00	DRUG TRAINING
0-01186-775-3	0091272927	APRIL 24, 2024	MARVIC N. ARGUTA	45,000.00	LIPOUNTAGAN MARKET OFFICE
0-01186-775-3	0091272928	APRIL 24, 2024	MARVIC N. ARGUTA	2,500.00	PULL DISCLOSURE BOARD FUND
0-01186-775-3	0091272929	APRIL 24, 2024	MARVIC N. ARGUTA	5,000.00	ASSEMBLY BUDGET
0-01186-775-3	0091272930	APRIL 24, 2024	MARVIC N. ARGUTA	10,000.00	MEDICINE SUPPLIES

Very truly yours.

*[Signature]*  
**HON. BAGILIO D. CALDA**  
Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated January 30, 2019 as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:

*[Signature]*  
**MARVIC N. ARGUTA**  
Barangay Treasurer

**CERTIFIED TRUE COPY**

*[Signature]*

Received by:

**CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL**

*[Signature]*  
**FLOR C. JAP**  
SECRETARY TO THE SANGGUNIANG



**PUNONG BARANGAY'S CERTIFICATION (PBC)**

Development Bank of the Philippines (DBP)  
 Tacloban City

PBC No: \_\_\_\_\_  
 Date: APRIL 27, 2024

Sir/Madam:

This is to certify that the following checks were duly issued by **BARANGAY CABULORAN** complete with respective supporting documents.

Account No.	Check No	Date	Payee	Amount	Purpose
00000-777-2	50412212	APRIL 23 2024	DBP	₱ 401.81	ELECTRIC FEE

Very truly yours,

**HON. BASILIO D. CALDA**  
 Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated APRIL 23 2019, as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:

**MARIVIC N. ARGUTA**  
 Barangay Treasurer

Date: APRIL 27 2024

Received by:

\_\_\_\_\_  
 Bank Representative

**CERTIFIED TRUE COPY**  
 MARIVIC N. ARGUTA

**CERTIFIED THRU XEROX COPY  
 FROM THE ORIGINAL**

**FLOR L. LAP**  
 SECRETARY TO THE SANGGUNIANG

## PUNONG BARANGAY'S CERTIFICATION (PBC)

Development Bank of the Philippines (DBP)  
Tacloban City

PBC No: \_\_\_\_\_  
Date: June 24, 2024

Sir/Madam:

This is to certify that the following checks were duly issued by **BARANGAY CABULORAN** complete with respective supporting documents

Account No.	Check No.	Date	Payee	Amount	Purpose
C-01156-735-3	0001232425	04-24-2024	MARIVIC N. ARGUTA	10,000.00	TIDELIFT HOOK
C-01156-735-3	0001232422	04-24-2024	MARIVIC N. ARGUTA		MEMORANDUM
C-01156-735-3	0001232424	04-24-2024	MARIVIC N. ARGUTA	5,000.00	MEMBER EMPLOYE
C-01156-735-3	0001232423	04-24-2024	MARIVIC N. ARGUTA	5,000.00	MEMBER EMPLOYE
C-01156-735-3	0001232421	04-24-2024	MARIVIC N. ARGUTA	25,000.00	PLCY. FACTORIES
C-01156-735-3	0001232420	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232419	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232418	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232417	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232416	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232415	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232414	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232413	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232412	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232411	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232410	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232409	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232408	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232407	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232406	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232405	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232404	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232403	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232402	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT
C-01156-735-3	0001232401	04-24-2024	MARIVIC N. ARGUTA	5,000.00	PLCY. EQUIPMENT

Very truly yours,

**HON. BASILIO D. CALDA**  
Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated JANUARY 24, 2019 as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:

**MARIVIC N. ARGUTA**  
Barangay Treasurer

Date: June 24, 2024

Received by:



Bank Representative

Date: \_\_\_\_\_

CERTIFIED TRUE COPY

MARIVIC N. ARGUTA

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

**FLOR G. YAN**  
SECRETARY TO THE SANGGUNIANG



**PUNONG BARANGAY'S CERTIFICATION (PBC)**

PBC No: \_\_\_\_\_  
 Date: MAY 07, 2024

Development Bank of the Philippines (DBP)  
 Tacloban City

Sir Madam:

This is to certify that the following checks were duly issued by **BARANGAY CABULORAN** complete with respective supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01186-775-3	0091272942	MAY 07 2024	MARIVIC N. ARGUTA	176,700.00	HONORARIUM FOR MARCH and APRIL

Very truly yours.

*[Signature]*  
**HON. BASILIO D. CALDA**  
 Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated JANUARY 30, 2019 as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 1714 of the revised penal code.

Delivered by:

MARIVIC N. ARGUTA  
 Barangay Treasurer

Received by:

*[Signature]*  
 Bank Representative

CERTIFIED TRUE COPY

*[Signature]*

CERTIFIED THRU XEROX COPY  
 FROM THE ORIGINAL

*[Signature]*  
 FLOR G. YAP

SECRETARY TO THE SANGGUNIANG



### PUNONG BARANGAY'S CERTIFICATION (PBC)

Development Bank of the Philippines (DBP)  
Tacloban City

PBC No: \_\_\_\_\_  
Date: MAY 07, 2024

Sir Madam:

This is to certify that the following checks were duly issued by **BARANGAY CABULORAN** complete with respective supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01146-778-3	0091272942	MAY 07, 2024	LIGA NG LIGA BARANGAY	10,400	LIGA NIGHT


Very truly yours.

  
**HON. BASILIO B. CALDA**  
Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated JANUARY 30, 2019 as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:

  
**MARIVIC N. ARGUTA**  
Barangay Treasurer

Date: MAY 07, 2024

Received by:


\_\_\_\_\_  
Bank Representative

Date: \_\_\_\_\_

**CERTIFIED TRUE COPY**

  
MARIVIC N. ARGUTA

**CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL**

  
**FLOR G. YIP**  
SECRETARY TO THE SANGGUNIANG



### PUNONG BARANGAY'S CERTIFICATION (PBC)

Development Bank of the Philippines (DBP)  
 Tacloban City

PBC No: \_\_\_\_\_  
 Date: MAY 07, 2024

Sir Madam:

This is to certify that the following checks were duly issued by **BARANGAY CABULORAN** complete with respective supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-08146-775-3	0001272944	MAY 07, 2024	BASILIO D. CALDA	35,600.00	ANNUAL PROVINCIAL CONVENTION

Very truly yours,

**HON. BASILIO D. CALDA**  
 Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated JANUARY 30, 2019 as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:

**MARIVIC N. ARGUTA**  
 Barangay Treasurer

Date: MAY 07, 2024

Received by:

Bank Representative

Date: \_\_\_\_\_

**CERTIFIED TRUE COPY**  
  
 MARIVIC N. ARGUTA

**CERTIFIED THRU XEROX COPY  
 FROM THE ORIGINAL**

**FLOR G. YAE**  
 SECRETARY TO THE SANGGUNIANG





Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
**BARANGAY CABULORAN**



**PUNONG BARANGAY'S CERTIFICATION (PBC)**

Development Bank of the Philippines (DBP)  
Tacloban City

PBC No: \_\_\_\_\_  
Date: MAY 10, 2024

Sir/Madam:

This is to certify that the following checks were duly issued by **BARANGAY CABULORAN** complete with respective supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01186-775-3	0091272947	MAY 10, 2024	SK BARANGAY CABULORAN DAGAMI, LEYTE	46,935.40	10% SHARE FOR THE MONTH OF MAY and JUNE

Very truly yours,  
  
**HON. BASHLIO D. CALDA**  
Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated January 30, 2019, as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:  
  
**MARIVIC N. ARGUTA**  
Barangay Treasurer

Received by:  
  
Bank Representative

Date: MAY 10, 2024

Date: \_\_\_\_\_

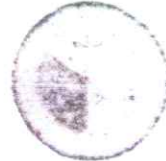
CERTIFIED TRUE COPY  
MARIVIC N. ARGUTA

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL  
  
FLOR G. YAP  
SECRETARY TO THE SANGGUNIANG

Annex "A-1"



Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
BARANGAY CABULORAN



### PUNONG BARANGAY'S CERTIFICATION (PBC)

PBC No: \_\_\_\_\_  
Date: MAY 16, 2024

Development Bank of the Philippines (DBP)  
Tacloban City

Sir/Madam:

This is to certify that the following checks were duly issued by BARANGAY CABULORAN complete with respective supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01196-775-3	0091272948	MAY 16, 2024	MARIVEL N. ARGUTA	90,200.00	HONORARIA FOR MAY
0-01196-775-3	0091272949	MAY 16, 2024	MARIVEL N. ARGUTA	50,000.00	MID-YEAR BONUS
0-01196-775-3	0091272950	MAY 16, 2024	MARIVEL N. ARGUTA	30,000.00	SOCIO-CULTURAL ACTIVITIES
0-01196-775-3	0091272951	MAY 16, 2024	MARIVEL N. ARGUTA	10,000.00	CAPABILITY-BUILDING

Very truly yours,

**HON. BASILIO B. CALDA**  
Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated January 30, 2019, as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by: |

**CERTIFIED TRUE COPY** received by:

**CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL**

**FLOR B. YAP**  
SECRETARY TO THE SANGGUNIANG

Form "A-1"



Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
BARANGAY CABULORAN

**PUNONG BARANGAY'S CERTIFICATION (PBC)**

Development Bank of the Philippines (DBP)  
Tacloban City

PBC No: \_\_\_\_\_  
Date: MAY 21, 2024

Sir/Madam:

This is to certify that the following checks were duly issued by BARANGAY CABULORAN complete with respective supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0118267753	0091272952	MAY 21, 2024	MARIVIC N. ARGUTA	43,000.00	PURCHASE OF TELEVISION
0118267753	0091272953	MAY 21, 2024	MARIVIC N. ARGUTA	43,000.00	PURCHASE OF AIRCONDITION

Very truly yours,

*[Signature]*  
HON. BASILIO S. CALINA  
Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated January 30, 2019, as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:  
*[Signature]*  
MARIVIC N. ARGUTA  
Barangay Treasurer

Received by:  
\_\_\_\_\_  
Bank Representative

Date: MAY 21, 2024

**CERTIFIED TRUE COPY**  
*[Signature]*  
MARIVIC N. ARGUTA

Date: \_\_\_\_\_  
**RECEIVED**  
2024-05-21

**CERTIFIED THRU XEROX COPY FROM THE ORIGINAL**  
*[Signature]*  
FLOR G. YAP  
SECRETARY TO THE SANGGUNIANG

Barangay **CABULORAN**  
Municipality of Dagami  
Province of Leyte

**PUNONG BARANGAY'S CERTIFICATION (PBC)**

PBC No. 100-24-05-012  
Date: May 24, 2024

To: **The Bank Manager**  
DEVELOPMENT BANK OF THE PHILIPPINES  
Tacloban, City

Sir/Madam:

This is to Certify that the following checks were duly issued by Barangay **CABULORAN**, complete with respective Disbursement Vouchers and supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01186-775-3	0091272954	May 24, 2024	MMB ENTERPRISES	172,800.00	Payment for the Purchase of Materials
0-01186-775-3	0091272955	May 24, 2024	MARIVIC N. ARGUTA	45,000.00	Payment for Labor/ Payroll

This Certification is issued, pursuant to COA Circular 2019-001, dated January 30, 2019, as a condition for the encashment of said checks.

The undersigned attests to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171 (4) of the Revised Penal Code.


Very Truly Yours,

  
Punong Barangay

Delivered by:

  
MARIVIC N. ARGUTA  
Barangay Treasurer

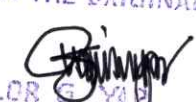
Received by:

  
RECEIVED  
RPCANULANG  
Bank Representative

CERTIFIED TRUE COPY

  
MARIVIC N. ARGUTA

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR G. YAL  
SECRETARY TO THE SANGGUNIANG



Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
BARANGAY CABULORAN



**PUNONG BARANGAY'S CERTIFICATION (PBC)**

Development Bank of the Philippines (DBP)  
Tacloban City

PBC No: \_\_\_\_\_  
Date: JUNE 07, 2024

Sir/Madam:

This is to certify that the following checks were duly issued by **BARANGAY CABULORAN** complete with respective supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01186-775-3	0091272956	06-07-2024	MARVIC N. ARGUTA	5,000.00	OFFICE SUPPLIES
0-01186-775-3	0091272957	06-07-2024	MARVIC N. ARGUTA	10,000.00	LONG SLEEVES UNIFORM FOX TAWD
0-01186-775-3	0091272958	06-07-2024	MARVIC N. ARGUTA	44,500.00	REHABILITATION OF BLDG. HALL
0-01186-775-3	0091272959	06-07-2024	MARVIC N. ARGUTA	44,500.00	REHABILITATION OF DAY CARE CENTER

Very truly yours,

**HON. BASHIO D. CALDA**  
Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated January 30, 2019, as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:

**MARVIC N. ARGUTA**  
Barangay Treasurer

Date: 06/07/2024

Received by:

Bank Representative  
Date: 06-07

CERTIFIED TRUE COPY

MARVIC N. ARGUTA

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

FLOR S. YAP  
SECRETARY TO THE SANGGUNIANG

Province of Leyte  
Municipality of Dagami  
Barangay **CABULORAN**

**PUNONG BARANGAY'S CERTIFICATION (PBC)**

PBC No. 100-24-06-  
Date: June 14, 2024

To: **The Bank Manager**  
DEVELOPMENT BANK OF THE PHILIPPINES  
Tacloban, City

Sir/Madam:

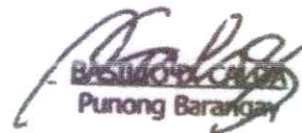
This is to Certify that the following checks were duly issued by Barangay **CABULORAN**, complete with respective Disbursement Vouchers and supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01186-775-3	0091272960	June 14, 2024	MMB ENTERPRISES	220,800.00	Payment for the Purchase of Materials
0-01186-775-3	0091272961	June 14, 2024	CANCELLED		
0-01186-775-3	0091272962	June 14, 2024	MARIVIC N. ARGUTA	120,000.00	Payment for Labor/ Payroll

I This Certification is issued, pursuant to COA Circular 2019-001, dated January 30, 2019, as a condition for the encashment of said checks.

The undersigned attests to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171 (4) of the Revised Penal Code.

Very Truly Yours,

  
BASILIO C. CERNA  
Punong Barangay

Delivered by:

  
MARIVIC N. ARGUTA  
Barangay Treasurer


Received by:



CERTIFIED TRUE COPY

  
BASILIO C. CERNA

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLORIO C. TAP  
SECRETARY TO THE SANGGUNIANG



Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
**BARANGAY CABULORAN**



**PUNONG BARANGAY'S CERTIFICATION (PBC)**

Development Bank of the Philippines (DBP)  
Tacloban City

PBC No: \_\_\_\_\_  
Date: JUNE 13, 2024

Sir/Madam:

This is to certify that the following checks were duly issued by BARANGAY CABULORAN complete with respective supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0011867753	0091272963	JUNE 13, 2024	MARIVIC N. ARGUETA	789,200	HONORARIUM FOR THE MONTH OF JUNE

Very truly yours,

**HON. BASILIO DE CALDA**  
Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated January 30, 2019, as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:

**MARIVIC N. ARGUETA**  
Barangay Treasurer

Date: JUNE 13, 2024

Received by:

Date: \_\_\_\_\_

CERTIFIED TRUE COPY

CERTIFIED THRU XEROX COPY FROM THE ORIGINAL

FLOR G. YIP  
SECRETARY





Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
**BARANGAY CABULORAN**



**PUNONG BARANGAY'S CERTIFICATION (PBC)**

PBC No: \_\_\_\_\_  
Date: AUGUST 02, 2024

Development Bank of the Philippines (DBP)  
Tacloban City

Sir/Madam:

This is to certify that the following checks were duly issued by BARANGAY CABULORAN complete with respective supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0011 86 7753	0091272967	AUGUST 02, 2024	MARIVIC N. ARGUTA	89,000.00	HONORARIUM FOR THE MONTH OF JULY 2024

Very truly yours,

*[Signature]*  
**HON. BASILIO D. CALDA**  
Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated January 30, 2019, as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:

*[Signature]*  
**MARIVIC N. ARGUTA**  
Barangay Treasurer

Date: \_\_\_\_\_

Received by:

*[Signature]*  
**RECEIVED**  
RMAR  
Bank Representative  
**RECEIVED**  
2024-08-02

Date: \_\_\_\_\_

**CERTIFIED TRUE COPY**  
*[Signature]*  
MARIVIC N. ARGUTA

**CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL**  
*[Signature]*  
**FLOR C. YAP**  
SECRETARY TO THE SANGGUNIANG

ANNEX "B"

**DBP** Development Bank of the Philippines

**CHECK DEPOSIT SLIP**

Name :  
 Acct No: 00-0-01214-775-8 Date: 04/08/24 Time :10:25  
 Amount: PHP\*\*\*\*\*22,089.20 Tran Type: On-us Check Deposit  
 Branch: DBP Tacloban Teller: TC10  
 Cheque#: 91272909 ISN: 110  
 Ref#: 1240408000119

This is your receipt when machine validated.

Name :  
 Acct No: 00-0-01214-775-8 Date: 04/08/24 Time :10:25  
 Amount: PHP\*\*\*\*\*22,089.20 Tran Type: On-us Check Deposit  
 Branch: DBP Tacloban Teller: TC10  
 Cheque#: 91272909 ISN: 110  
 Ref#: 1240408000119 Teller's Validation

**DBP** Development Bank of the Philippines

**CHECK DEPOSIT SLIP**

Please use separate slip for each type of currency/check.

Date: 04/08/2024 Currency:  Peso  US Dollar Type of Account:  Savings  Current

Type of Check:  On-Us Check  Local Check  Regional Check  FX Check

Account Number: 0012147758

Account Name: SK BRGY. CABULOKAN DAGANI, LEYTE

**CHECK DEPOSIT BREAKDOWN**

Bank/Branch	Check No.	Amount
TACLOBAN CITY	0091272909	22,089.20
Total Check Deposit		22,089.20

Signature of Depositor/Representative (Print name): LEY MART L. VILLASANTE

This deposit is made and accepted subject to the conditions printed on the reverse side and on the rules & regulations governing savings & current deposit accounts.

Member: PDIC (Maximum Deposit Insurance for each Depositor P500,000.00) OCS 06114 (Rev 0 - 07May 14)

**DBP** Development Bank of the Philippines

**CHECK DEPOSIT SLIP**

Name :  
 Acct No: 00-0-01214-775-8 Date: 04/08/24 Time :10:27  
 Amount: PHP\*\*\*\*\*46,935.40 Tran Type: On-us Check Deposit  
 Branch: DBP Tacloban Teller: TC10  
 Cheque#: 91272910 ISN: 113  
 Ref#: 1240408000123

This is your receipt when machine validated.

Name :  
 Acct No: 00-0-01214-775-8 Date: 04/08/24 Time :10:27  
 Amount: PHP\*\*\*\*\*46,935.40 Tran Type: On-us Check Deposit  
 Branch: DBP Tacloban Teller: TC10  
 Cheque#: 91272910 ISN: 113  
 Ref#: 1240408000123 Teller's Validation

**DBP** Development Bank of the Philippines

**CHECK DEPOSIT SLIP**

Please use separate slip for each type of currency/check.

Date: 04/08/2024 Currency:  Peso  US Dollar Type of Account:  Savings  Current

Type of Check:  On-Us Check  Local Check  Regional Check  FX Check

Account Number: 0012147758

Account Name: SK BRGY. CABULOKAN DAGANI LEYTE

**CHECK DEPOSIT BREAKDOWN**

Bank/Branch	Check No.	Amount
TACLOBAN CITY	0091272910	46,935.40
Total Check Deposit		46,935.40

Signature of Depositor/Representative (Print name): LEY MART L. VILLASANTE

This deposit is made and accepted subject to the conditions printed on the reverse side and on the rules & regulations governing savings & current deposit accounts.

Member: PDIC (Maximum Deposit Insurance for each Depositor P500,000.00) OCS 06114 (Rev 0 - 07May 14)

CERTIFIED THRU XEROX COPY FROM THE ORIGINAL

FLOR G. YAP  
 SECRETARY TO THE PRESIDENT



ANNEX "B2"

CHECK DEPOSIT SLIP



Development Bank of the Philippines

Name: Acct No: 00-0-01214-775-8 Date: 08/15/24 Time: 15:02 Amount: PHP\*\*\*\*\*22,089.20 Tran Type: On-us Check Deposit Branch: DBP Tacloban Teller: TC10 Cheque#: 91272970 ISN: 365 Ref#: 1240815000444

This is your receipt when machine validated.

Name: Acct No: 00-0-01214-775-8 Date: 08/15/24 Time: 15:02 Amount: PHP\*\*\*\*\*22,089.20 Tran Type: On-us Check Deposit Branch: DBP Tacloban Teller: TC10 Cheque#: 91272970 ISN: 365 Ref#: 1240815000444

Teller's Validation

CHECK DEPOSIT SLIP



Development Bank of the Philippines

Please use separate slip for each type of currency/check.

Date: 08-15-24 Currency: [ ] Peso [ ] US Dollar Type of Account: [ ] Savings [ ] Current

Type of Check: [ ] On-Us Check [ ] Local Check [ ] Regional Check [ ] FX Check

Account Number: 000012147758

Account Name: SK BRGY. CABULORAN, DAGAMI, LEYTE

CHECK DEPOSIT BREAKDOWN

Table with 3 columns: Bank/Branch, Check No., Amount. Row 1: DBP TACLOBAN, 0091272970, 22,089.20

Total Check Deposit: 22,089.20

Signature of Depositor/Representative (Print name)

DIVINA GRACIA BOTE LOPEZO

This deposit is made and accepted subject to the conditions printed on the reverse side and on the rules & regulations governing savings & current deposit accounts.

Member: PDIC (Maximum Deposit Insurance for each Depositor P500,000.00) OCS 06114 (Rev 0 - 07May 14)

JULY 10% RATE

CHECK DEPOSIT SLIP



Development Bank of the Philippines

Name: Acct No: 00-0-01214-775-8 Date: 09/03/24 Time: 14:45 Amount: PHP\*\*\*\*\*47,935.40 Tran Type: On-us Check Deposit Branch: DBP Tacloban Teller: TC10 Cheque#: 91272970 ISN: 432 Ref#: 1240815000562

This is your receipt when machine validated.

Name: Acct No: 00-0-01214-775-8 Date: 09/03/24 Time: 14:45 Amount: PHP\*\*\*\*\*47,935.40 Tran Type: On-us Check Deposit Branch: DBP Tacloban Teller: TC10 Cheque#: 91272970 ISN: 432 Ref#: 1240815000562

Teller's Validation

CHECK DEPOSIT SLIP



Development Bank of the Philippines

Please use separate slip for each type of currency/check.

Date: 09/03/24 Currency: [x] Peso [ ] US Dollar Type of Account: [ ] Savings [ ] Current

Type of Check: [x] On-Us Check [ ] Local Check [ ] Regional Check [ ] FX Check

Account Number: 0-01214-775-8

Account Name: SK BRGY. CABULORAN DAGAMI, LEYTE

CHECK DEPOSIT BREAKDOWN

Table with 3 columns: Bank/Branch, Check No., Amount. Row 1: TACLOBAN, 0091272970, 47,935.40

Total Check Deposit: 47,935.40

Signature of Depositor/Representative (Print name)

MARY V. VILLASANTE

This deposit is made and accepted subject to the conditions printed on the reverse side and on the rules & regulations governing savings & current deposit accounts.

Member: PDIC (Maximum Deposit Insurance for each Depositor P500,000.00) OCS 06114 (Rev 0 - 07May 14)

AUGUST - SEPTEMBER 10% RATE

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FLOR C. MIP SECRETARY TO THE COMMISSION



ANNEX "C"

DBP Tacloban

Page: 1  
RunDate: 10/08/24  
RunTime: 11:34:20

BRGY. CABULORAN, DAGAMI, LEYTE  
BRGY. CABULOKAN  
DAGAMI  
LEYTE, PHILIPPINES 6515

Account No. : 0775-017104-030  
External No. : 00-0-01186-775-0

Period Covered: FEB 01 2024 to SEP 30 2024

DATE	TC	REF/CHECK NO.	DEBIT	CREDIT	BALANCE	REF DATE	TX BR
Balance Forwarded					2,414,215.68		
01 FEB 2024	CMB			234,677.00	2,648,892.68	01 FEB 2024	0775
01 FEB 2024	DCE	80242687	156,750.00		2,492,142.68	01 FEB 2024	0775
02 FEB 2024	DIC	0080242693	38,400.00		2,453,742.68	02 FEB 2024	0775
02 FEB 2024	DIC	0080242690	57,600.00		2,396,142.68	02 FEB 2024	0775
02 FEB 2024	DIC	0080242689	76,800.00		2,319,342.68	02 FEB 2024	0775
02 FEB 2024	DIC	0080242691	144,000.00		2,175,342.68	02 FEB 2024	0775
05 FEB 2024	DCB		510.00		2,174,832.68	05 FEB 2024	0775
12 FEB 2024	DIC	0080242696	47,520.00		2,127,312.68	12 FEB 2024	0775
12 FEB 2024	DIC	0080242694	67,200.00		2,060,112.68	12 FEB 2024	0775
12 FEB 2024	DIC	0080242695	153,600.00		1,906,512.68	12 FEB 2024	0775
16 FEB 2024	DIC	0080242698	93,120.00		1,813,392.68	16 FEB 2024	0775
16 FEB 2024	DIC	0080242699	94,752.00		1,718,640.68	16 FEB 2024	0775
16 FEB 2024	DIC	0080242697	130,560.00		1,588,080.68	16 FEB 2024	0775
22 FEB 2024	DCE	80242700	234,400.00		1,353,680.68	22 FEB 2024	0775
29 FEB 2024	DIF	0091272902	10,000.00		1,343,680.68	29 FEB 2024	0775
29 FEB 2024	RIC	0091272902		10,000.00	1,353,680.68	29 FEB 2024	0775
29 FEB 2024	DIF	0091272901	78,000.00		1,275,680.68	29 FEB 2024	0775
29 FEB 2024	RIC	0091272901		78,000.00	1,353,680.68	29 FEB 2024	0775
01 MAR 2024	ORC	91272902	10,000.00		1,343,680.68	01 MAR 2024	0775
01 MAR 2024	ORC	91272901	78,000.00		1,265,680.68	01 MAR 2024	0775
01 MAR 2024	CMB			234,677.00	1,500,357.68	01 MAR 2024	0775
01 MAR 2024	DIC	0091272905	38,400.00		1,461,957.68	01 MAR 2024	0775
01 MAR 2024	DIC	0091272906	47,520.00		1,414,437.68	01 MAR 2024	0775
01 MAR 2024	DIC	0091272904	47,520.00		1,366,917.68	01 MAR 2024	0775
01 MAR 2024	DIC	0091272908	47,520.00		1,319,397.68	01 MAR 2024	0775
01 MAR 2024	DIC	0091272907	47,520.00		1,271,877.68	01 MAR 2024	0775
12 MAR 2024	DIC	0091272903	2,000.00		1,269,877.68	12 MAR 2024	0775
27 MAR 2024	DIC	0091272911	94,752.00		1,175,125.68	27 MAR 2024	0775
27 MAR 2024	DIC	0091272912	115,710.00		1,059,415.68	27 MAR 2024	0775
01 APR 2024	CMB			234,677.00	1,294,092.68	01 APR 2024	0775
03 APR 2024	DIC	0080242688	20,977.33		1,273,115.35	03 APR 2024	0775
04 APR 2024	DCE	91272910	44,800.00		1,228,315.35	04 APR 2024	0775
04 APR 2024	DCE	91272913	64,000.00		1,164,315.35	04 APR 2024	0775
08 APR 2024	DOW	91272909	22,089.20		1,142,226.15	08 APR 2024	0775
08 APR 2024	DOW	91272910	46,935.40		1,095,290.75	08 APR 2024	0775
15 APR 2024	DCE	91272918	32,500.00		1,062,790.75	15 APR 2024	0775
16 APR 2024	DCE	91272921	5,000.00		1,057,790.75	16 APR 2024	0775

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*[Signature]*  
SECRETARY  
OFFICE OF THE SECRETARIES



RunDate: 10/08/24  
RunTime: 11:39:20

BRGY. CABULORAN, DAGAMI, LEYTE  
BRGY. CABULORAN  
DAGAMI  
LEYTE, PHILIPPINES 6515

Account No. : 0775-017104-030  
External No. : 00-0-01186-775-3

Period Covered: FEB 01 2024 to SEP 30 2024

DATE	TR	REF/CHECK NO.	DEBIT	CREDIT	BALANCE	REF DATE	TR BR
<b>Balance Forwarded</b>							
17 APR 2024	DIC	0091272920	46,080.00		991,710.75	17 APR 2024	0775
24 APR 2024	DCE	91272923	10,000.00		981,710.75	24 APR 2024	0775
24 APR 2024	DCE	91272924	5,000.00		976,710.75	24 APR 2024	0775
24 APR 2024	DCE	91272925	12,000.00		964,710.75	24 APR 2024	0775
24 APR 2024	DCE	91272926	45,000.00		919,710.75	24 APR 2024	0775
24 APR 2024	DCE	91272927	2,500.00		917,210.75	24 APR 2024	0775
24 APR 2024	DCE	91272928	5,000.00		912,210.75	24 APR 2024	0775
24 APR 2024	DCE	91272930	10,000.00		902,210.75	24 APR 2024	0775
29 APR 2024	DOW	91272922	46,935.40		855,275.35	29 APR 2024	0775
29 APR 2024	DCE	91272932	12,000.00		843,275.35	29 APR 2024	0775
29 APR 2024	DLE	91272933	5,000.00		838,275.35	29 APR 2024	0775
29 APR 2024	DCE	91272934	5,000.00		833,275.35	29 APR 2024	0775
29 APR 2024	DCE	91272935	35,000.00		798,275.35	29 APR 2024	0775
29 APR 2024	DCE	91272936	5,000.00		793,275.35	29 APR 2024	0775
29 APR 2024	DCE	91272937	5,000.00		788,275.35	29 APR 2024	0775
29 APR 2024	DCE	91272938	5,000.00		783,275.35	29 APR 2024	0775
02 MAY 2024	CM6			234,677.00	1,017,952.35	02 MAY 2024	0775
02 MAY 2024	DIC	0091272931	16,481.51		1,001,471.04	02 MAY 2024	0775
03 MAY 2024	DIC	0091272939	47,520.00		953,951.04	03 MAY 2024	0775
03 MAY 2024	DIC	0091272940	47,520.00		906,431.04	03 MAY 2024	0775
03 MAY 2024	DIC	0091272941	47,520.00		858,911.04	03 MAY 2024	0775
07 MAY 2024	DCE	91272942	176,750.00		682,161.04	07 MAY 2024	0775
07 MAY 2024	DCE	91272944	35,000.00		647,161.04	07 MAY 2024	0775
08 MAY 2024	DCE	91272945	48,000.00		599,161.04	08 MAY 2024	0775
09 MAY 2024	DIC	0091272943	10,000.00		589,161.04	09 MAY 2024	0775
14 MAY 2024	DOW	91272947	46,935.40		542,225.64	14 MAY 2024	0775
16 MAY 2024	DCE	91272948	90,200.00		452,025.64	16 MAY 2024	0775
16 MAY 2024	DCE	91272949	50,000.00		402,025.64	16 MAY 2024	0775
16 MAY 2024	DCE	91272950	30,000.00		372,025.64	16 MAY 2024	0775
16 MAY 2024	DCE	91272951	10,000.00		362,025.64	16 MAY 2024	0775
21 MAY 2024	DCE	91272952	48,000.00		314,025.64	21 MAY 2024	0775
21 MAY 2024	DCE	91272953	48,000.00		266,025.64	21 MAY 2024	0775
24 MAY 2024	DCE	91272955	45,000.00		221,025.64	24 MAY 2024	0775
27 MAY 2024	DIC	0091272954	172,600.00		48,225.64	27 MAY 2024	0775
03 JUN 2024	CM6			234,677.00	282,902.64	03 JUN 2024	0775
07 JUN 2024	DCE	91272958	48,500.00		234,402.64	07 JUN 2024	0775
07 JUN 2024	DCE	91272957	10,000.00		224,402.64	07 JUN 2024	0775

Head Office: Sen. Gil J. Puyat Avenue corner Makati Avenue, Makati City, Philippines • P.O. Box 1996, Makati Central Post Office, 1200 Makati City  
Tel.: 818-9511 to 20; 818-9611 to 20 • www.dbp.ph

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FROM THE ORIGINAL

*[Signature]*  
FLOR S. [Name]

SECRET



BRGY. CABULDRAN, DAGAMI, LEYTE  
BRGY. CABULDRAN  
DAGAMI  
LEYTE, PHILIPPINES 6515

RunDate: 10/08/24  
RunTime: 11:39:20

Account No. : 0775-017104-030  
External No. : 00-0-01186-775-3

Period Covered: FEB 01 2024 to SEP 30 2024

DATE	TC	REF/CHECK NO.	DEBIT	CREDIT	BALANCE	REF DATE	TX BR
Balance Forwarded							
07 JUN 2024	DCE	91272956	5,000.00		219,402.64	07 JUN 2024	0775
07 JUN 2024	DCE	91272959	48,500.00		170,902.64	07 JUN 2024	0775
14 JUN 2024	DCE	91272962	120,000.00		50,902.64	14 JUN 2024	0775
14 JUN 2024	DIF	0091272960	220,800.00		189,897.36	14 JUN 2024	0775
14 JUN 2024	PIC	0091272960		220,800.00	50,902.64	14 JUN 2024	0775
14 JUN 2024	SVC	0091272960	6,800.00		44,102.64	14 JUN 2024	0775
02 JUL 2024	CMG			234,677.00	278,779.64	02 JUL 2024	0775
02 JUL 2024	DIC	0091272960	220,800.00		57,979.64	02 JUL 2024	0775
16 JUL 2024	DCE	91272964	14,000.00		43,979.64	16 JUL 2024	0775
29 JUL 2024	DIC	0091272965	28,800.00		15,179.64	29 JUL 2024	0775
01 AUG 2024	CMG			234,677.00	249,856.64	01 AUG 2024	0775
02 AUG 2024	DCE	91272963	89,200.00		160,656.64	02 AUG 2024	0775
02 AUG 2024	DCE	91272967	89,200.00		71,456.64	02 AUG 2024	0775
06 AUG 2024	DIC	0091272968	42,240.00		29,216.64	06 AUG 2024	0775
15 AUG 2024	DDW	91272970	22,089.20		7,127.44	15 AUG 2024	0775
02 SEP 2024	CMG			234,677.00	241,804.44	02 SEP 2024	0775
03 SEP 2024	DDW	91272972	47,935.40		193,869.04	03 SEP 2024	0775
03 SEP 2024	DIC	0091272974	33,600.00		160,269.04	03 SEP 2024	0775
03 SEP 2024	DIC	0091272973	46,080.00		114,189.04	03 SEP 2024	0775
03 SEP 2024	DCE	91272971	35,000.00		79,189.04	03 SEP 2024	0775
20 SEP 2024	DIC	0091272976	18,885.66		60,303.38	20 SEP 2024	0775
20 SEP 2024	DIC	0091272977	27,571.09		32,732.29	20 SEP 2024	0775
TOTAL:			4,567,699.39	2,186,216.00			

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

SEC. \_\_\_\_\_

ANNEX "D"

Republic of the Philippines)  
Tacloban City ) S.s.

**AFFIDAVIT**

I, **MARIVIC NEVALIZA ARGUTA**, of legal age, Filipino, married and a resident of Brgy. Cabuloran, Dagami, Leyte, after having been sworn to in accordance with law, hereby depose and state:

1. That I am the incumbent Barangay Treasurer of Brgy. Cabuloran, Dagami, Leyte;

2. That on October 7, 2024, I voluntarily surrendered the checkbooks of Barangay Cabuloran to the Commission on Audit because of the pending issues in our barangay involving the irregular disbursements made by our punong barangay, Hon. Basilio D. Calda;

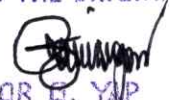
3. That most of the disbursements made by our punong barangay were not approved by the barangay council and were not supported by barangay resolutions. We were able to successfully encash the checks with the bank because only requires the presentation of the Punong Barangay's Certification (PBC). The bank does not require a copy of the barangay resolution;

4. That in these disbursements, the checks were usually issued in my name and I was compelled by our punong barangay to encash these checks, and thereafter, to turn over the corresponding cash amount to him;

5. That our punong barangay, together with his wife, usually accompanies me to the bank during encashment of the checks. We are also usually accompanied by Mark Alvin Sequito who serves as our driver. Once I have received the cash, I will immediately give it to our punong barangay while we are still inside the bank as per his instruction. When he does not accompany me to the bank, I was instructed to go to their house after I have encashed the check to turn over the cash amount to him;

6. That the cash amount representing the honoraria of the barangay officials, including the SK Chairman, barangay tanods and other barangay workers who are entitled to receive honorarium, are all turned over to our punong barangay right after the encashment of the check. Thereafter, it will be the punong barangay who will release the honorarium to the respective barangay officials.

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FROM THE ORIGINAL



FLOR B. YAP  
SECRETARY TO THE SANGGUNIANG



7. That on May 16, 2024, I encashed the check worth P50,000.00 for our mid-year bonus. The said amount includes the mid-year bonus of our punong barangay, three barangay kagawads, the SK chairman, the barangay secretary and the barangay treasurer. However, after the encashment, I immediately turned over the full cash amount to our punong barangay.

8. That our punong barangay deliberately delayed the release of the SK fund which is 10% of the barangay's national tax allotment (NTA) even if the monthly NTA has already been credited to the barangay's bank account. Sometimes I would prepare the check for the SK fund but our punong barangay refused to immediately sign the check. Also, even if the check has been issued and verified, our punong barangay will just keep it to himself for several days or weeks before giving it to the SK Chairman. He would also instruct me not to tell the SK Chairman that the check for the SK fund is already available.

9. That I was compelled to follow the instructions of our punong barangay because he intimidated that I will be terminated as the barangay treasurer if I will not follow his instructions.

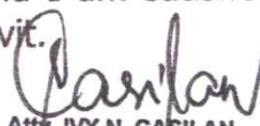
10. That I execute this Affidavit to attest to the truth and veracity of the foregoing facts and for whatever legal intents and purposes the same may serve.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines.

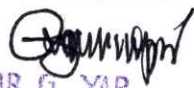
**MARIVIC NEVALIZA ARGUTA**  
*Affiant*

SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines, affiant exhibiting to me her BIR TIN 340-194-477 as competent evidence of identity. I hereby certify that I have examined the affiant and I am satisfied that she understood and voluntary signed her Affidavit.

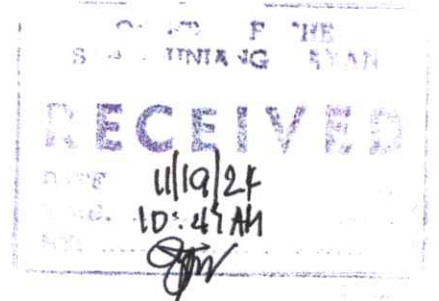
Doc. No. 177  
Page No. 37  
Book No. VI  
Series of 2024

  
**Atty. IVY N. CASILAN**  
Notary Public until December 31, 2025  
Within the territorial jurisdiction RTC Tacloban City  
Notarial Commission No. 2024-01-69  
Roll of Attorneys' No. 79916  
IBP OR No. 331742 | 12/20/2023 | Leyte Chapter  
PTR No. 8481700 | 01/04/2024 | Tacloban City  
MCLE Compliance No. VIII-0001785 valid until 04/14/2028  
Unit 5, Fil-India Arcade, Brgy. 59, Davao Eastside

**CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL**

  
**FLOR G. YAP**  
SECRETARY TO THE SANGGUNIANG

Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
**SANGGUNIANG BAYAN**



**ALFONSO S. ENERO**  
Complainant,

- versus -

For: Grave Misconduct,  
Abuse of Authority and  
Neglect of Duty

**BASILIO D. CALDA**  
Respondent,

X-----X

**COMPLAINT-AFFIDAVIT**

The undersigned Complainant, after having been sworn to in accordance with law, hereby depose and state that:


1. Complainant ALFONSO S. ENERO is of legal age, Filipino, married and the Chief Tanod of Barangay Cabuloran, Dagami, Leyte. For purposes of this present complaint, all notices and processes may be served to his address at Barangay Cabuloran, Dagami, Leyte.

2. Respondent BASILIO D. CALDA is likewise of legal age, Filipino, married and the incumbent Barangay Chairman of Barangay Cabuloran, Dagami, Leyte. For purposes of this present complaint, all notices and processes may be served to his address at District 5, Poblacion, Dagami, Leyte and Zone 5, Barangay Cabuloran, Dagami, Leyte.

3. Complainant has been serving as the Barangay Chief Tanod of Brgy. Cabuloran, Dagami, Leyte since November 2023. Attached hereto is a copy of his Appointment, Certificate of Assumption of Office and the Panunumpa sa Katungkulan marked as **Annex A to A-3**. Likewise attached to this complaint-affidavit marked as **Annex B** is a Certificate of Completion dated December 23, 2023 which was given when complainant attended the seminar/training for Brgy Chief Tanods.

4. Complainant has not received his honorarium for the months of January 2024 up to present because it is unlawfully withheld by

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FROM THE ORIGINAL

PP   
FLOR G. YAP  
SECRETARY TO THE SANGGUNIANG

5. Every time the honorarium of other barangay officials of their barangay is released, complainant would ask for his honorarium from the barangay treasurer, but the treasurer would just inform him that the amounts for the honorarium had been given to their barangay chairman.

6. Whenever complainant asks respondent, he would just say that the honorarium has not been disbursed yet. However, complainant would eventually learn from other barangay officials and tanods that they have already received their honorarium.

7. Upon further verification with the barangay treasurer, he learned that his honorarium is included in the disbursements made by respondent wherein the checks have already been issued and encashed. After the encashment of the check, the full amount is taken by the respondent from the barangay treasurer and the respondent would be the one who will release the honorarium to the barangay officials. Most of the time, the barangay officials are required to go to the house of respondent to get their honorarium. The Affidavit of the Barangay Treasurer is hereto attached as **Annex C**.

8. Unfortunately for the complainant, his honorarium is not released by respondent despite actually rendering his services as chief tanod.


9. The respondent's deliberate and unjustified withholding of the complainant's honoraria from January 2024 up to the present is a clear violation of the law particularly the Local Government Code which provides that:

*"Section 393. Benefits of Barangay Officials. -*

*(a) Barangay officials, including barangay tanods and members of the lupon tagapamayapa, shall receive honoraria, allowances, and such other emoluments as may be authorized by law or barangay, municipal or city ordinance in accordance with the provisions of this Code. Xxx"*

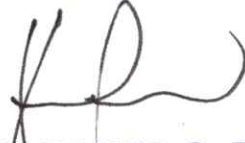
10. The unlawful and unreasonable acts of the respondent constitute grave misconduct, abuse of authority and neglect of duty being a public servant as a Punong Barangay which tarnishes the reputation of the Public Service as provided under Section 60 of the Local Government Code;

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FROM THE ORIGINAL

  
FLOR E. YAR  
SECRETARY TO THE SANGGUNIANG

11. That because of this unprofessional or dishonorable conduct, Punong Barangay BASILIO D. CALDA deserves to suffer from the consequences of his acts and be suspended or discharged from service so as not to allow a person like them to tarnish the image of the entire Public Service and serve as an example that similar acts should not be done by other elective local officials.

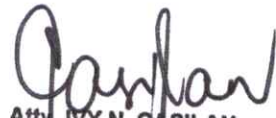
IN WITNESS WHEREOF, I have hereunto affixed my signature this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines.



**ALFONSO S. ENERO**  
*Affiant/Complainant*

SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines, affiant exhibiting to me his Philippine Identification Card with No. 5961-4865-3707-3560 as competent evidence of identity. I hereby certify that I have examined the affiant and I am satisfied that he understood and voluntary signed his Complaint-Affidavit.

Doc. No. 169  
Page No. 35  
Book No. VI  
Series of 2024.



**Atty. IVY N. CASILAN**  
Notary Public until December 31, 2025  
Within the territorial jurisdiction RTC Tacloban City  
Notarial Commission No. 2024-01-69  
Roll of Attorneys' No. 79916  
IBP OR No. 331742 | 12/20/2023 | Leyte Chapter  
PTR No. 8481700 | 01/04/2024 | Tacloban City  
MCLE Compliance No. VIII-0001785 valid until 04/14/2028  
Unit 5, Fil-India Arcade, Brgy. 59, Picas-Sagkahan,  
Tacloban City, Philippines

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL



**FLOR B. YAP**  
SECRETARY TO THE SANGGUNIAN

Republic of the Philippines )  
Tacloban City ) S.S.

**VERIFICATION AND CERTIFICATION OF NON-FORUM SHOPPING**

I, **ALFONSO S. ENERO** is of legal age, Filipino, married and a resident of Barangay Cabuloran, Dagami, Leyte, after having been sworn to in accordance with law, hereby depose and state that:

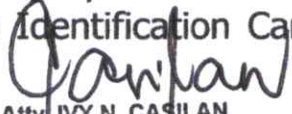
1. I am the Complainant in the above-entitled Complaint-Affidavit;
2. I have caused the preparation of the foregoing Complaint-Affidavit;
3. I have read and understood the contents of this pleading, and that (a) the allegations contained here are true and correct based on my personal knowledge and authentic documents; (b) the pleading is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation; and (c) the factual allegations herein have evidentiary support after reasonable opportunity for discovery; and
4. I have not commenced any action or filed any claim involving the same issues in any court, tribunal or quasi-judicial agency, and to the best of my knowledge, no such other action or claim is pending therein. If I should thereafter learn that the same or similar action or claim has been filed or is pending, I shall report that fact within five (5) calendar days therefrom to this Court.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines.


  
**ALFONSO S. ENERO**  
*Affiant*

**SUBSCRIBED AND SWORN** to before me this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines, by affiant who has proven to me his identity thru his Philippine Identification Card No. 5961-4865-3707-3560.

Doc. No. 170  
Page No. 35

  
Atty. **IVY N. CASILAN**  
Notary Public until December 31, 2025  
Within the territorial jurisdiction RTC Tacloban City  
Notarial Commission No. 2024-01-69  
Roll of Attorneys' No. 79916  
IBP OR No. 331742 | 12/20/2023 | Leyte Chapter

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
**FLOR G. SAP**  
SECRETARY TO THE SANGGUNIANG



Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
**BARANGAY CABULORAN**  
-000-



**OFFICE OF THE PUNONG BARANGAY**

**APPOINTMENT**

April 15, 2024

**TO: ALFONSO S. ALFONSO  
BRGY. CABULORAN  
DAGAMI, LEYTE**


By virtue of the power vested upon me pursuant to Sec. 389 (b) and Sec. 396 of the Local Government Code of 1991, you are hereby appointed as BARANGAY CHIEF TANOD of Barangay Cabuloran Dagami, Leyte effective immediately.

As such you will perform all the duties and functions mandated for in the Local Government Code and likewise receive all the benefits and emolument appurtenant thereto.

Issued this 15<sup>th</sup> day of April 2024 at Barangay Cabuloran Dagami, Leyte, Philippines.

  
**HON. BASILIO D. CALDA**  
Punong Barangay

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR G. YAP  
SECRETARY TO THE SANGGUNIAN

ANNEX "A2"



Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
BARANGAY CABULORAN  
-000-



**OFFICE OF THE PUNONG BARANGAY**

**CERTIFICATE OF ASSUMPTION TO OFFICE**

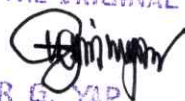
THIS IS TO CERTIFY that **ALFONSO S. ENERO** of Barangay Cabuloran Dagami, Leyte assumed office as **BARANGAY CHIEF TANOD** of this Barangay effective this 15<sup>th</sup> day of April 2024.

THIS CERTIFICATION is issued upon the request of the above-mentioned name for whatever legal purpose it may intend to serve.

Issued this 15<sup>th</sup> day of April 2024 at Barangay Cabuloran Dagami, Leyte, Philippines.

  
**HON. BASILIO D. CALDA**  
Punong Barangay

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL



FLOR G. YAP  
SECRETARY TO THE SANGGUNIANG



REPUBLIC OF THE PHILIPPINES  
Province of Leyte  
Municipality of Dagami

OFFICE OF THE MAYOR

PANUNUMPA SA KATUNGKULAN

Ako si ALFONSO S. ENERO ng BARANGAY CABULORAN Dagami, Leyte na itinalaga/hinirang sa katungkulan bilang BARANGAY CHIEF TANOD ay taimtim na nanunumpa na tutuparin ko ng buong husay at katapatan, sa abot ng aking kakayahan ang mga tungkulin ng aking kasalukuyang katungkulan at ng mga iba pa, pagkaraan nito'y gagampanan ko sa ilalim ng Republika ng Pilipinas, na tunay na mananalig at tatalima ako rito; na susundin ko ang mga batas, mga kautusang legal, mga dekreto ng pinaiiral ng mga sadyang itinakdang maykapangyarihan ng Republika ng Pilipinas, at kusa kong babalikatin ang pananagutang ito, nang walang ano mang pasubali o hangaring umiwas.

KASIYAHAN NAWA AKO NG DIYOS.

ALFONSO S. ENERO

ID/Sedula Blg: 5961-4865-3704-3560

Kinuha sa: PSA - TACLOBAN

Petsa: JANUARY 02, 2023

Nilagdaan at pinanumpa sa harap ko ngayong ika 15 ng Abril, 2024 sa Dagami Leyte.



ANGELITA M. DELUSA

Municipal Mayor

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

FLOR C. YAP

SECRETARY TO THE SANGSIAN

ANNEX "B"

Republic of the Philippines  
Province of Leyte  
Municipality of Dagami



# Certificate of Completion

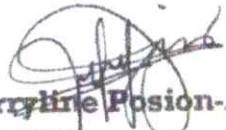
*is hereby awarded to*

## Alfonso Enero

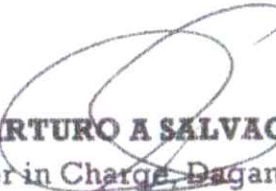
*Chief Tanod, Brgy Cabuloran*

for successfully completing the one day seminar/training on skills enhancement and knowledge for the Brgy Chief Tanods from the 65 barangays of the municipality of Dagami, Leyte.

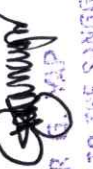
Given this 28<sup>th</sup> day of December 2023 at the Dagami Municipal Gymnasium, Dagami, Leyte.

  
**Cherryline Pasion-Acero**  
MLGOO

  
**Angelita M Delusa**  
Mayor

  
**PMAJ ARTURO A SALVACION, JR**  
Officer in Charge, Dagami MPS

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL



FLOR G. YAP  
SECRETARY TO THE SANGGUNIANG

ANNEX "C"

Republic of the Philippines)  
Tacloban City ) S.s.

**AFFIDAVIT**

I, **MARIVIC NEVALIZA ARGUTA**, of legal age, Filipino, married and a resident of Brgy. Cabuloran, Dagami, Leyte, after having been sworn to in accordance with law, hereby depose and state:

1. That I am the incumbent Barangay Treasurer of Brgy. Cabuloran, Dagami, Leyte;

2. That on October 7, 2024, I voluntarily surrendered the checkbooks of Barangay Cabuloran to the Commission on Audit because of the pending issues in our barangay involving the irregular disbursements made by our punong barangay, Hon. Basilio D. Calda;

3. That most of the disbursements made by our punong barangay were not approved by the barangay council and were not supported by barangay resolutions. We were able to successfully encash the checks with the bank because only requires the presentation of the Punong Barangay's Certification (PBC). The bank does not require a copy of the barangay resolution;

4. That in these disbursements, the checks were usually issued in my name and I was compelled by our punong barangay to encash these checks, and thereafter, to turn over the corresponding cash amount to him;

5. That our punong barangay, together with his wife, usually accompanies me to the bank during encashment of the checks. We are also usually accompanied by Mark Alvin Sequito who serves as our driver. Once I have received the cash, I will immediately give it to our punong barangay while we are still inside the bank as per his instruction. When he does not accompany me to the bank, I was instructed to go to their house after I have encashed the check to turn over the cash amount to him;

6. That the cash amount representing the honoraria of the barangay officials, including the SK Chairman, barangay tanods and other barangay workers who are entitled to receive honorarium, are all turned over to our punong barangay right after the encashment of the check. Thereafter, it will be the punong barangay who will release the honorarium to the respective barangay officials.

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR G. YAP  
SECRETARY TO THE SANGGUNIANG



7. That on May 16, 2024, I encashed the check worth P50,000.00 for our mid-year bonus. The said amount includes the mid-year bonus of our punong barangay, three barangay kagawads, the SK chairman, the barangay secretary and the barangay treasurer. However, after the encashment, I immediately turned over the full cash amount to our punong barangay.

8. That our punong barangay deliberately delayed the release of the SK fund which is 10% of the barangay's national tax allotment (NTA) even if the monthly NTA has already been credited to the barangay's bank account. Sometimes I would prepare the check for the SK fund but our punong barangay refused to immediately sign the check. Also, even if the check has been issued and verified, our punong barangay will just keep it to himself for several days or weeks before giving it to the SK Chairman. He would also instruct me not to tell the SK Chairman that the check for the SK fund is already available.

9. That I was compelled to follow the instructions of our punong barangay because he intimidated that I will be terminated as the barangay treasurer if I will not follow his instructions.

10. That I execute this Affidavit to attest to the truth and veracity of the foregoing facts and for whatever legal intents and purposes the same may serve.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines.


**MARIVIC NEVALIZA ARGUTA**  
*Affiant*

SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines, affiant exhibiting to me her BIR TIN 340-194-477 as competent evidence of identity. I hereby certify that I have examined the affiant and I am satisfied that she understood and voluntary signed her Affidavit.

Doc. No. 177  
Page No. 37  
Book No. VI  
Series of 2024

  
**Atty. IVY N. CASILAN**  
Notary Public until December 31, 2025  
Within the territorial jurisdiction RTC Tacloban City  
Notarial Commission No. 2024-01-69  
Roll of Attorneys' No. 79916  
IBP OR No. 331742 | 12/20/2023 | Leyte Chapter  
PTR No. 8481700 | 01/04/2024 | Tacloban City  
MCLE Compliance No. VIII-0001785 valid until 04/14/2028  
Unit 5, Fil-India Arcade Bldg. 59 Pines, San Roque

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FROM THE ORIGINAL

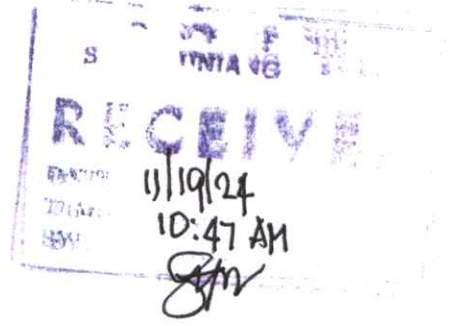
  
**FLOR C. YAP**  
SECRETARY TO THE SANGGUNIANG

DATE	NAME	TIME	SIGNATURE
2-27-24	CAROL BASIN	8:30	
2-27-24			
<b>SPECIAL SESSION</b>			
2-28-24	MARVIC N. ARGENTA	8:30	
2-28-24	SALVADOR O. FERRERA	9:00	
3-28-24	EDGAR P. TOBIN	9:00	
2-28-24	IRENEO O. GUMADA	9:01	
2-28-24	Remigio P. Amarin	9:03	
2-28-24	ALLAN ANOVER	9:55	
2-28-24	Laita Abmaines	9:30	
2-28-24	AILENE O. ALIPAR	9:51	
2-28-24	REYMAR D. NEVALIZA	9:56	
2-29-24	MARVIC N. ARGENTA	7:26	
2-29-24	REYMAR D. NEVALIZA	7:30	
2-29-24	TITO GARCELANO	6:10	
2-29-24	Jocelyn O. Masucol	7:40	
2-29-24	IRENEO O. Gumada	7:45	
2-29-2014			
3RD BOARDING	March 1, 2024	3RD BOARDING	3RD BOARDING
3-1-2024	Laita Abmaines	8:00	
3-01-2024	Abequil Orendo	8:20	
3-01-2024	MARVIC N. ARGENTA	8:20	
3-01-2024	Edgar E. Brown	8:30	
3-1-2024	Jeffrey M. Arigo	8:30	
3-1-24	Edwin M. Olog	9:05	
3-1-24	Edwin M. Olog	8:30	
3-1-24	REYMAR D. NEVALIZA	8:31	
3-02-24	MARVIC N. ARGENTA	8:49	
3-02-24	REYMAR D. NEVALIZA	8:50	
3-02-24	LET MARTIL VILLASANTE	8:50	
3-03-24	MARVIC N. ARGENTA	8:50	
3-03-24	REYMAR D. NEVALIZA	7:50	

CERTIFIED THRU XEROX COPY FROM THE ORIGINAL.

FLOR E. YAP  
 SECRETARY TO THE SANGGUNIAN

Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
**SANGGUNIANG BAYAN**



**ANACITA M. PALACIO**  
Complainant,

For: Grave Misconduct  
and Abuse of Authority

- versus -

**BASILIO D. CALDA**  
Respondent,

X-----X

**COMPLAINT-AFFIDAVIT**

The undersigned Complainant, after having been sworn to in accordance with law, hereby depose and state that:

1. Complainant ANACITA M. PALACIO is of legal age, Filipino, single and the former barangay secretary of Barangay Cabuloran, Dagami, Leyte. For purposes of this present complaint, all notices and processes may be served to his address at Barangay Cabuloran, Dagami, Leyte.

2. Respondent BASILIO D. CALDA is likewise of legal age, Filipino, married and the incumbent Barangay Chairman of Barangay Cabuloran, Dagami, Leyte. For purposes of this present complaint, all notices and processes may be served to his address at District 5, Poblacion, Dagami, Leyte and Zone 5, Barangay Cabuloran, Dagami, Leyte.

3. Complainant was appointed by respondent as barangay secretary of Brgy. Cabuloran, Dagami in November 2023.

4. However, on March 20, 2024, complainant received the Termination Order dated February 28, 2024, sent by respondent to complainant thru registered mail, indicating that complainant's appointment as barangay secretary of Barangay Cabuloran is hereby terminated effective February 29, 2024. A copy of the termination order is hereto attached as **Annex A**.

5. Even though the termination order mentioned about complainant's negligence, she was not given adequate explanation on

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FROM THE ORIGINAL

42-45  
  
FLOR C. YAP

SECRETARY TO THE SANGGUNIANG

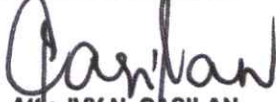
the entire Public Service and serve as an example that similar acts should not be done by other elective local officials.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines.


  
**ANACITA M. PALACIO**  
*Affiant/Complainant*

SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines, affiant exhibiting to me her UMID CRN-0006-1681001-1 as competent evidence of identity. I hereby certify that I have examined the affiant and I am satisfied that she understood and voluntary signed her Complaint-Affidavit.

Doc. No. 171  
Page No. 36  
Book No. VI  
Series of 2024.

  
**Atty. IVY N. CASILAN**  
Notary Public until December 31, 2025  
Within the territorial jurisdiction RTC Tacloban City  
Notarial Commission No. 2024-01-69  
Roll of Attorneys' No. 79916  
IBP OR No. 331742 | 12/20/2023 | Leyte Chapter  
PTR No. 8481700 | 01/04/2024 | Tacloban City  
MCLE Compliance No. VIII-0001785 valid until 04/14/2028  
Unit 5, Fil-India Arcade, Brgy. 59, Picas-Sagkahan,  
Tacloban City, Philippines

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR G. YAP  
SECRETARY TO THE SANGGUKIAN

Republic of the Philippines )  
Tacloban City ) S.S.

**VERIFICATION AND CERTIFICATION OF NON-FORUM SHOPPING**

I, **ANACITA M. PALACIO**, of legal age, Filipino, single and a resident of Barangay Cabuloran, Dagami, Leyte, after having been sworn to in accordance with law, hereby depose and state that:

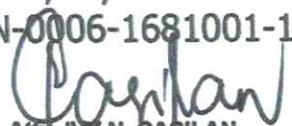
1. I am the Complainant in the above-entitled Complaint-Affidavit;
2. I have caused the preparation of the foregoing Complaint-Affidavit;
3. I have read and understood the contents of this pleading, and that (a) the allegations contained here are true and correct based on my personal knowledge and authentic documents; (b) the pleading is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation; and (c) the factual allegations herein have evidentiary support after reasonable opportunity for discovery; and
4. I have not commenced any action or filed any claim involving the same issues in any court, tribunal or quasi-judicial agency, and to the best of my knowledge, no such other action or claim is pending therein. If I should thereafter learn that the same or similar action or claim has been filed or is pending, I shall report that fact within five (5) calendar days therefrom to this Court.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines.

  
**ANACITA M. PALACIO**  
*Affiant*

**SUBSCRIBED AND SWORN** to before me this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines, by affiant who has proven to me her identity thru her UMID CRN-0006-1681001-1.

Doc. No. 172  
Page No. 36  
Book No. VI

  
Atty. **IVY N. CASILAN**  
Notary Public until December 31, 2025  
Within the territorial jurisdiction RTC Tacloban City  
Notarial Commission No. 2024-01-69  
Roll of Attorneys' No. 79916  
IBP CP No. 321742 | 12/30/2023 | Lute Chapter

CERTIFIED THRU XEROX  
FROM THE ORIGINAL

  
**FLOR G. YON**  
SECRETARY TO THE COURT

ANNEX "A"



Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
Barangay Cabuloran  
-o0o-



**OFFICE OF THE PUNONG BARANGAY**

February 28, 2024

TO: **ANACITA M. PALACIO**  
Barangay Secretary  
Barangay Cabuloran  
6515, Dagami, Leyte

SUBJECT: **TERMINATION ORDER**

Considering the negligence of your duties and responsibilities as Barangay Secretary, it shows that you are not anymore interested with the position I bestowed in you as Barangay Secretary. In this connection, effective February 29, 2024, your position and appointment as Barangay Secretary of Barangay Cabuloran Dagami, Leyte is hereby TERMINATED.

I would also like to take this opportunity to remind you that, notwithstanding the termination of your appointment as Barangay Secretary under my term, certain of your obligations under your appointment contract and other agreements that you may have signed during your appointment shall continue. These obligations include, but may not limited to, obligations of confidentiality and obligations relating to any intellectual property to which you may have contributed while still appointed as Barangay Secretary.

This decision remains, under any circumstance, final and irreversible. As per your appointment contract, you shall receive the 2-months honorarium for the months of January and February.

Thank you.

Sincerely yours,

  
**HON. BASILIO B. CALDA**  
Punong Barangay

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

FLOR G. YAP  
SECRETARY TO THE SANGGUNIANG



**ANEX "B"**

**PUNONG BARANGAY'S CERTIFICATION (PBC)**

PBC No. 160-24-02-004  
Date: February 22, 2024

To: The Bank Manager  
Development Bank of the Philippines (DBP)  
Tacloban City

Sir/Madam:

This is to certify that the following checks were duly issued by **BARANGAY CABULORAN** complete with respective Disbursement Vouchers and supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0-01186-738-3	0086242760	FEB. 22, 2024	MARIVIC A. ARGUTA	234,400.00	HONORARIUM

Very truly yours,  
*[Signature]*  
**HON. BASILIO D. CALDA**  
Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated 22nd of FEB., 2024, as condition for the encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:

*[Signature]*  
**MARIVIC A. ARGUTA**  
Barangay Treasurer

Date: February 22, 2024

**CERTIFIED TRUE COPY**  
*[Signature]*  
**MARIVIC A. ARGUTA**

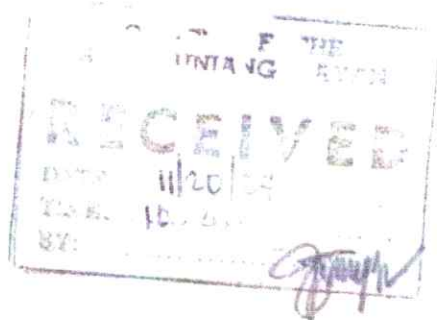
Received by:

*[Signature]*  
**Bank Representative**

Date: \_\_\_\_\_

**CERTIFIED THRU XEROX COPY**  
**FROM THE ORIGINAL**  
*[Signature]*  
**FLOR G. YAP**  
SECRETARY TO THE SANGGUNIAN

Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
**SANGGUNIANG BAYAN**



**REYMART D. NEVALIZA**

Complainant,

- versus -

**BASILIO D. CALDA**

Respondent,

X-----X

For: Neglect of Duty,  
Grave Misconduct, and  
Abuse of Authority

**COMPLAINT-AFFIDAVIT**

The undersigned Complainant, after having been sworn to in accordance with law, hereby depose and state that:


1. Complainant REYMART D. NEVALIZA is of legal age, Filipino, single and the Barangay Secretary of Barangay Cabuloran, Dagami, Leyte. For purposes of this present complaint, all notices and processes may be served to his address at Barangay Cabuloran, Dagami, Leyte.

2. Respondent BASILIO D. CALDA is likewise of legal age, Filipino, married and the incumbent Barangay Chairman of Barangay Cabuloran, Dagami, Leyte. For purposes of this present complaint, all notices and processes may be served to his address at District 5, Poblacion, Dagami, Leyte and Zone 5, Barangay Cabuloran, Dagami, Leyte.

3. Complainant has been appointed as the Barangay Secretary of Barangay Cabuloran, Dagami, Leyte effective on March 21, 2024. Attached hereto is a copy of his Appointment, Certificate of Assumption of Office and the Panunumpa sa Katungkulan marked as **Annex A to A-3**. Likewise attached to this complaint-affidavit marked as **Annex B** is the Barangay Resolution confirming his appointment.

4. Since his appointment as the barangay secretary, respondent punong barangay has been either absent or would walk out during the barangay's regular session every first and third Saturday of the month or during special sessions. There was even a scheduled regular session when the respondent just wrote his name on the attendance sheet and

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR G. YAP  
SECRETARY TO THE SANGGUNIANG BAYAN

left immediately without giving any instruction if there will be a session or not;

5. Sometimes, respondent would instruct herein complainant not to open the barangay hall so that the barangay council could not conduct the barangay session;

6. In August 2024, the barangay keys in the possession of the complainant was taken by respondent. Also, complainant no longer has access to the laptop and printer which he uses every time there are requests for barangay certifications and clearances. Oftentimes, the laptops owned by the barangay were brought to the house of the respondent.

7. All the transactions in the barangay were hampered because of the willful unreasonable actions of respondents. Herein complainant cannot prepare the certifications or clearances requested by constituents because he does not have access to the laptop and printer. Sometimes, complainant would just even prepare a handwritten certification.


8. Additionally, since respondent does not regularly go to the barangay hall, constituents who request for certifications need to go to respondent's house in Poblacion, Dagami, Leyte just to seek for his signature. This adds burden to the constituents because they still need to pay for the fare to the Poblacion.

9. Moreover, since complainant does not follow the unreasonable instructions of herein respondent, complainant received a text message from respondent on October 6, 2024 instructing him not to report anymore because he is being terminated as the barangay secretary.

10. To seek clarification about this matter, complainant went to the DILG. He was advised by the DILG that his appointment as barangay secretary is not yet terminated until he has received the termination order. Also, there is a need for the concurrence of the Sangguniang Barangay before the termination becomes effective. Hence, complainant still renders his services as the barangay secretary up to the present.

11. On another note, complainant has not received his honorarium for the months of July 2024 up to present.

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR C. YAP  
SECRETARY TO THE SANGGUNIANG

12. The honorarium of the barangay officials of Barangay Cabuloran for the month of July 2024 has been disbursed as evidenced by the Punong Barangay's Certification dated August 2, 2024, hereto attached as **Annex C**. However, herein complainant has not received the said honorarium because of the respondent is unreasonably withholding the same. The said honorarium is already in the possession of the respondent since the barangay treasurer admitted that the full amount was given to respondent after she has encashed the check.

13. Further, for the months of August and September 2024, it can be noticed that the barangay's monthly national tax allotment (NTA) for these months have been fully disbursed, hence there is no fund anymore for the honorarium of the barangay officials.

14. The unlawful and unreasonable acts of the respondent constitute neglect of duty, grave misconduct and abuse of authority being a public servant as a Punong Barangay which tarnishes the reputation of the Public Service as provided under Section 60 of the BP Blg. 337, an act enacting a Local Government Code;

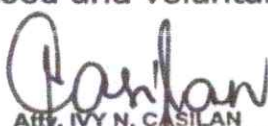
15. That because of this unprofessional or dishonorable conduct, Punong Barangay BASILIO D. CALDA deserves to suffer from the consequences of his acts and be suspended or discharged from service so as not to allow a person like them to tarnish the image of the entire Public Service and serve as an example that similar acts should not be done by other elective local officials.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines.


  
**REYMART D. NEVALIZA**  
*Affiant/Complainant*

SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines, affiant exhibiting to me his Philippine Identification Card with No. 2418-8271-5293-4620 as competent evidence of identity. I hereby certify that I have examined the affiant and I am satisfied that he understood and voluntary signed his Complaint-Affidavit.

Doc. No. 173  
Page No. 36  
Book No. VI

  
Atty. IVY N. CASILAN  
Notary Public until December 31, 2025  
Within the territorial jurisdiction RTC Tacloban City  
Notarial Commission No. 2024-01-89  
Roll of Attorneys' No. 79916  
IBP OR No. 331742 | 12/20/2023 | Leyte Chapter

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR UYAP  
SECRETARY TO THE SANBIGHAN

47

Republic of the Philippines )  
Tacloban City ) S.S.

**VERIFICATION AND CERTIFICATION OF NON-FORUM SHOPPING**

I, **REYMART D. NEVALIZA**, of legal age, Filipino, single and a resident of Barangay Cabuloran, Dagami, Leyte, after having been sworn to in accordance with law, hereby depose and state that:

1. I am the Complainant in the above-entitled Complaint-Affidavit;
2. I have caused the preparation of the foregoing Complaint-Affidavit;
3. I have read and understood the contents of this pleading, and that (a) the allegations contained here are true and correct based on my personal knowledge and authentic documents; (b) the pleading is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation; and (c) the factual allegations herein have evidentiary support after reasonable opportunity for discovery; and
4. I have not commenced any action or filed any claim involving the same issues in any court, tribunal or quasi-judicial agency, and to the best of my knowledge, no such other action or claim is pending therein. If I should thereafter learn that the same or similar action or claim has been filed or is pending, I shall report that fact within five (5) calendar days therefrom to this Court.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines.

**REYMART D. NEVALIZA**  
*Affiant*

**SUBSCRIBED AND SWORN** to before me this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines, by affiant who has proven to me his identity thru his Philippine Identification Card No. 2418-8271-5293-4620.

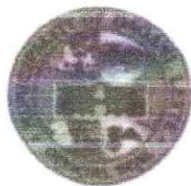
Doc. No. 174  
Page No. 36

*Casilan*  
Atty. **MYN. CASILAN**  
Notary Public until December 31, 2025  
Within the territorial jurisdiction RTC Tacloban City  
Notarial Commission No. 2024-01-69  
Roll of Attorneys' No. 79916  
IBP OR No. 331742 | 12/20/2023 | Leyte Chapter

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

*Flora Yap*  
**FLORA YAP**  
SECRETARY TO THE SANGGUNIANG

ANNEX "A1"



Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
BARANGAY CABULORAN  
-000-



OFFICE OF THE PUNONG BARANGAY

**APPOINTMENT**

February 28, 2024

**TO: REYMART D. NEVALIZA  
BRGY. CABULORAN  
DAGAMI, LEYTE**


By virtue of the power vested upon me pursuant to Sec. 389 (b) and Sec. 396 of the Local Government Code of 1991, you are hereby appointed as BARANGAY SECRETARY of Barangay Cabuloran Dagami, Leyte effective March 21, 2024.

As such you will perform all the duties and functions mandated for in the Local Government Code and likewise receive all the benefits and emolument appurtenant thereto.

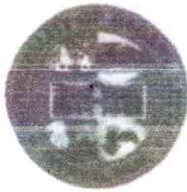
Issued this 28<sup>th</sup> day of February 2024 at Barangay Cabuloran Dagami, Leyte, Philippines.

  
**HON. BASILIO D. CALDA**  
Punong Barangay

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR E. YAP  
SECRETARY TO THE SANGGUNIANG

ANNEX #2



Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
BARANGAY CABULORAN  
-000-



**OFFICE OF THE PUNONG BARANGAY**

**CERTIFICATE OF ASSUMPTION TO OFFICE**


THIS IS TO CERTIFY that **REYMART D. NEVALIZA** of Barangay Cabuloran Dagami, Leyte assumed office as **BARANGAY SECRETARY** of this Barangay effective this 21<sup>st</sup> day of March 2024.

THIS CERTIFICATION is issued upon the request of the above-mentioned name for whatever legal purpose it may intend to serve.

Issued this 21<sup>st</sup> day of March 2024 at Barangay Cabuloran Dagami, Leyte, Philippines.

  
**HON. BASILIO D. SALDA**  
Punong Barangay

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR E. YAP  
SECRETARY TO THE SANGGUNIANG

ANNEX "A3"



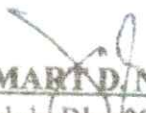
REPUBLIC OF THE PHILIPPINES  
Province of Leyte  
Municipality of Dagami

OFFICE OF THE MAYOR

PANUNUMPA SA KATUNGKULAN

Ako si REYMART D. NEVALIZA ng BARANGAY CABULORAN Dagami, Leyte na itinalaga/hinirang sa katungkulan bilang BARANGAY SECRETARY ay taimtim na nanunumpa na tutuparin ko ng buong husay at katapatan, sa abot ng aking kakayahan ang mga tungkulin ng aking kasalukuyang katungkulan at ng mga iba pa, pagkaraan nito'y gagampanan ko sa ilalim ng Republika ng Pilipinas, na tunay na mananalig at tatalima ako rito; na susundin ko ang mga batas, mga kautusang legal, mga dekretong pinairal ng mga sadyang itinakdang maykapangyarihan ng Republika ng Pilipinas, at kusa kong babalikatin ang pananagutang ito, nang walang ano mang pasubali o hangaring umiwas.

KASIYAHAN NAWA AKO NG DIYOS.

  
REYMART D. NEVALIZA  
ID/Sedula Blg. 09517456  
Kinuha sa: DAGAMI, LEYTE  
Petsa: JANUARY 08, 2024

Nilagdaan at pinanumpaan sa harap ko ngayong ika 21 ng Marso, 2024 sa Dagami Leyte.



  
ANGELITA M. DELUSA  
Municipal Mayor

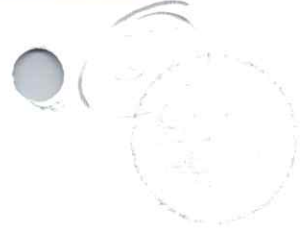
CERTIFIED TRUE COPY:

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR M. YAP  
SECRETARY TO THE SANGGUNIAN



Republic of the Philippines  
 Province of Leyte  
 Municipality of Dagupan  
 Barangay Cabuloran



ANNEX "B"

**OFFICE OF THE SANGGUNIANG BARANGAY**

**EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE SANGGUNIANG BARANGAY OF BARANGAY CABULORAN HELD AT THE SANGGUNIANG BARANGAY SESSION HALL ON FEBRUARY 28, 2024, AT 10:00 O'CLOCK IN THE MORNING.**

**PRESENT:**

- |                            |                             |
|----------------------------|-----------------------------|
| HON. BASILIO C. NEDA       | HON. NERISSA BARANGAY       |
| HON. HON. NICOLE QUINADA   | SANGGUNIANG BARANGAY MEMBER |
| HON. JOEL V. ALMARRINES    | SANGGUNIANG BARANGAY MEMBER |
| HON. RENE GRP. ALMARRINES  | SANGGUNIANG BARANGAY MEMBER |
| HON. SALVADOR O. NIÑAR JR. | SANGGUNIANG BARANGAY MEMBER |
| HON. ALIEN D. MIPAR        | SANGGUNIANG BARANGAY MEMBER |
| HON. ALYAN C. ANOPIR       | SANGGUNIANG BARANGAY MEMBER |
| HON. EDGAR P. TOBIAS       | SANGGUNIANG BARANGAY MEMBER |
| HON. ELMARTE VILLASANTI    | SANGGUNIANG BARANGAY MEMBER |
|                            | SAC CHAIRPERSON             |

**ABSENT: NONE**

**RESOLUTION NO. \_\_\_\_\_, SERIES OF 2024**

WHEREAS, the Sangguniang Barangay Members of Barangay Cabuloran Dagupan, Leyte, in their Special Session held on February 28, 2024, at 10:00 o'clock in the morning, concurred and confirmed the Termination Order of Annelia M. Palacio from her position as Barangay Secretary, effective February 29, 2024, and also concurred and confirmed the position appointment of Reymar D. Nevaliza as new Barangay Secretary, effective March 21, 2024;

WHEREAS, presented for consideration during the Special Session of the Sangguniang Barangay Members of Barangay Cabuloran Dagupan, Leyte, on February 28, 2024, concerning and confirming the Termination Order of Annelia M. Palacio from her position as Barangay Secretary, effective February 29, 2024;

WHEREAS, also presented for consideration during this session, concerning and confirming the position appointment of Reymar D. Nevaliza as new Barangay Secretary of Barangay Cabuloran Dagupan, Leyte, effective March 21, 2024;

WHEREAS, there is a need for the Sangguniang Barangay Members of Barangay Cabuloran Dagupan, Leyte to concur and confirm the Termination Order of Annelia M. Palacio and also a need to concur and confirm the appointment of Reymar D. Nevaliza as new Barangay Secretary of the Barangay;

THEREFORE, on motion of Hon. Salvador O. Fumar Jr., Chairperson of Committee on Environmental Protection, Waste Management, Cleanliness, and Beautification and duly seconded by three (3) members of the Sangguniang Barangay, and the resolution being voted on by the Sangguniang Barangay held;

**RESOLVED**, as it is hereby resolved to concur and confirm both the Termination Order of Annelia M. Palacio from Barangay Secretary and Appointment of Reymar D. Nevaliza as new Barangay Secretary.

**CERTIFIED THRU XEROX COPY  
 FROM THE ORIGINAL**

**FLOR Q. YAP**  
 SECRETARY TO THE SANGGUNIANG

HON. HIRNICO QUINADA  
 SANGGUNIANG BARANGAY MEMBER

HON. JOEL V. ALMARRINES  
 SANGGUNIANG BARANGAY MEMBER

HON. RENE GRP. ALMARRINES  
 SANGGUNIANG BARANGAY MEMBER

HON. SALVADOR O. NIÑAR JR.  
 SANGGUNIANG BARANGAY MEMBER

HON. ALIEN D. MIPAR  
 SANGGUNIANG BARANGAY MEMBER

HON. ALYAN C. ANOPIR  
 SANGGUNIANG BARANGAY MEMBER

HON. EDGAR P. TOBIAS  
 SANGGUNIANG BARANGAY MEMBER

HON. ELMARTE VILLASANTI  
 SANGGUNIANG BARANGAY MEMBER

**RESOLVED FINALLY**, to forward and furnish copies of this resolution to the Municipal Mayor of Dagami, Leyte, Hon. Angelina M. Delusa, MLCCC, and all other offices concerned, for their information and favorable action.

**APPROVED.**

**I HEREBY CERTIFY** to the correctness and completeness of the foregoing resolution enacted by four (4) members of the Sangguniang Barangay during their Special Session this 28<sup>th</sup> day of February, 2024.

Prepared by:

*Ailene D. Alipar*  
**HON. AILENE D. ALIPAR**  
*Sangguniang Barangay Member*  
*Living Barangay Secretary*

Approved by:

*Basilio D. Cadda*  
**HON. BASILIO D. CADDA**  
*Presiding Officer - Puning Barangay*

**CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL**

*Flor O. Yap*  
**FLOR O. YAP**  
**SECRETARY TO THE SANGGUNIANG**



Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
**BARANGAY CABULORAN**



ANNEX "C"

**PUNONG BARANGAY'S CERTIFICATION (PBC)**

PBC No: \_\_\_\_\_  
Date: AUGUST 02, 2024

Development Bank of the Philippines (DBP)  
Tacloban City

Sir/Madam:

This is to certify that the following checks were duly issued by **BARANGAY CABULORAN** complete with respective supporting documents.

Account No.	Check No.	Date	Payee	Amount	Purpose
0011 86 77 53	0091272967	AUGUST 02, 2024	MARIVIC N. ARGUTA	89,700.00	ADMINISTRATIVE FOR THE MONTH OF JULY 2024

Very truly yours,

*[Signature]*  
**HON. BASILIO B. CALDA**  
Punong Barangay

This certification is issued, pursuant to COA Circular 2019-001 dated January 30, 2019, as condition for encashment of said checks.

This undersigned attest to the truthfulness of the foregoing facts, under pain of liability for falsification, pursuant to Article 171(4) of the revised penal code.

Delivered by:

*[Signature]*  
**MARIVIC N. ARGUTA**  
Barangay Treasurer

Date: \_\_\_\_\_

Received by:



Date: \_\_\_\_\_

**CERTIFIED TRUE COPY**

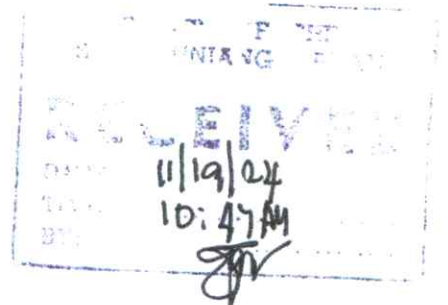
*[Signature]*  
**MARIVIC N. ARGUTA**

**CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL**

*[Signature]*  
**FLOR B. YAP**

SECRETARY TO THE SANGGUNIANG

Republic of the Philippines  
Province of Leyte  
Municipality of Dagami  
**SANGGUNIANG BAYAN**



**MARITES O. AURILLO**  
Complainant,

For: Grave Misconduct  
and Abuse of Authority

- versus -

**BASILIO D. CALDA**  
Respondent,

X-----X

**COMPLAINT-AFFIDAVIT**

The undersigned Complainant, after having been sworn to in accordance with law, hereby depose and state that:

1. Complainant MARITES O. AURILLO is of legal age, Filipino, married and a barangay health worker of Barangay Cabuloran, Dagami, Leyte. For purposes of this present complaint, all notices and processes may be served to his address at Barangay Cabuloran, Dagami, Leyte.

2. Respondent BASILIO D. CALDA is likewise of legal age, Filipino, married and the incumbent Barangay Chairman of Barangay Cabuloran, Dagami, Leyte. For purposes of this present complaint, all notices and processes may be served to his address at District 5, Poblacion, Dagami, Leyte and Zone 5, Barangay Cabuloran, Dagami, Leyte.

3. Complainant is a barangay health worker of Barangay Cabuloran, Dagami, Leyte since 2007.

4. Complainant has not received his honorarium for the months of August 2024 up to the present. Also, since January 2024, she experienced delays in the release of her honorarium.

5. Ever since the respondent became the barangay chairman of Barangay Cabuloran, barangay tanods and barangay health workers would usually go to the house of respondent to claim their honorarium just like in the case of the complainant.

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FROM THE ORIGINAL

FLOR G. YAP  
SECRETARY TO THE SANGGUNIANG

Marites O. Aurillo

6. Most of the time, respondent would tell the complainant that the honorarium is not yet available. Thereafter, the respondent would offer to grant a loan to complainant with an interest of 5% per month. Since complainant is in dire need of money, she would obtain loan from respondent.

7. When the honorarium is already available, respondent would immediately deduct the loan of complainant including the 5% interest.

8. However, unknowingly to the complainant, there were times that the cash amount for the honorarium is already in the possession of herein respondent, but the respondent would intentionally deny its availability and would instead offer loan to complainant just to gain the 5% interest.


9. There was a time when complainant heard that other barangay health workers and tanods already received their honorarium but when she went to the house of their barangay chairman to get her honorarium, the barangay chairman said that the same is not yet available.

10. Likewise, complainant learned that the delay in the release of her honorarium for the months of August 2024 up to the present is because the barangay has insufficient fund for the disbursement of the honorarium which is the effect of the irregular disbursements made by respondent.

11. The unlawful and unreasonable acts of the respondent constitute grave misconduct and abuse of authority being a public servant as a Punong Barangay which tarnishes the reputation of the Public Service as provided under Section 60 of the Local Government Code;

12. That because of this unprofessional or dishonorable conduct, Punong Barangay BASILIO D. CALDA deserves to suffer from the consequences of his acts and be suspended or discharged from service so as not to allow a person like them to tarnish the image of the entire Public Service and serve as an example that similar acts should not be done by other elective local officials.

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR M. YAP  
SECRETARY TO THE SANGGUNIANG


Marikol O. Arimbo

IN WITNESS WHEREOF, I have hereunto affixed my signature  
this 19<sup>th</sup> day of November 2024 in Tacloban City, Philippines.


Marites O. Aurillo  
**MARITES O. AURILLO**  
*Affiant/Complainant*

SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of  
November 2024 in Tacloban City, Philippines, affiant exhibiting to me  
her Philippine Identification Card with No. 3201-6348-7431-2781 as  
competent evidence of identity. I hereby certify that I have examined  
the affiant and I am satisfied that she understood and voluntary signed  
her Complaint-Affidavit.

Doc. No. 135  
Page No. 36  
Book No. VI  
Series of 2024.

  
**Atty. IVY N. CASILAN**  
Notary Public until December 31, 2025  
Within the territorial jurisdiction RTC Tacloban City  
Notarial Commission No. 2024-01-69  
Roll of Attorneys' No. 79916  
IBP OR No. 331742 | 12/20/2023 | Leyte Chapter  
PTR No. 8481700 | 01/04/2024 | Tacloban City  
MCLE Compliance No. VIII-0001785 valid until 04/14/2028  
Unit 5, Fil-India Arcade, Brgy. 59, Picas-Sagkahan,  
Tacloban City, Philippines

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
**FLOR L. YAP**  
SECRETARY TO THE SANGGUNIANG

REPUBLIC OF THE PHILIPPINES  
Province of Leyte  
Municipality of Dagami  
**SANGGUNIANG BAYAN**

**RECEIVED**  
DATE: 7/7/25  
TIME: 2:25 PM  
BY: [Signature]

**REYMART D. NEVALIZA**  
*Complainant,*

**FOR:** Neglect of Duty,  
Grave Misconduct, and  
Abuse of Authority

-versus-

**BASILIO D. CALDA,**  
*Respondent.*

X - - - - -X

**MARITES O. AURILLO**  
*Complainant*

**FOR:** Grave Misconduct,  
and Abuse of Authority

-versus-

**BASILIO D. CALDA,**  
*Respondent.*

X - - - - -X

**ALFONSO S. ENERO**  
*Complainant*

**FOR:** Grave Misconduct,  
Abuse of Authority, and  
Neglect of Duty

-versus-

**BASILIO D. CALDA,**  
*Respondent.*

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

[Signature]  
FLOR G. YAP  
SECRETARY TO THE SANGGUNIANG

X - - - - -X

**LEYMART L. VILLASAN**

*Complainant,*

**FOR: Grave Misconduct,  
Abuse of Authority, and  
Neglect of Duty**

*-versus-*

**BASILIO D. CALDA,**  
*Respondent.*

X - - - - -X

**ANACITA M. PALACIO**  
*Complainant,*

**FOR: Grave Misconduct,  
and Abuse of Authority**

*-versus-*

**BASILIO D. CALDA,**  
*Respondent.*

X - - - - -X

**JOINT POSITION PAPER**

**COMPLAINANTS**, by the undersigned counsel and unto this Honorable Office, most respectfully submit this Joint Position Paper, and thus jointly aver:

**I. PARTIES**

1. Complainants Leymart L. Villasante, Anacita M. Palacio, Alfonso S. Enero, Marites O. Aurillo, and Reymart D. Nevaliza are all residents and barangay officials of Barangay Cabuloran Dagami, Leyte.
2. Respondent is Hon. Basilio Calda, incumbent Barangay Captain of Barangay, Cabuloran, Dagami, Leyte.

**II. STATEMENT OF FACTS**

1. On November 19, 2024, the Complainants filed their respective complaint-affidavits against herein respondent Basilio Calda, who is holding the position

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FROM THE ORIGINAL

FLOR GUYAP  
SECRETARY TO THE SUBSTITUTION

Leyte, before this Honorable Sangguniang Bayan.

2. Each of the Complainants outlined separate but related incidents and circumstances supporting the charges of:
  - a. Abuse of Authority
  - b. Neglect of Duty
  - c. Gross Misconduct
3. These acts are punishable under Section 60 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.
4. On June 24, 2025, a pre-trial conference was conducted by the Honorable Sangguniang Bayan. The Complainants and their counsels were present. However, the Respondent and his counsel failed to appear, despite due notice. No justification or motion to reset was submitted by the Respondent, thereby showing a lack of interest to actively participate in the proceedings.
5. The Respondent's non-appearance at the pre-trial constitutes waiver of participation at that stage and demonstrates a pattern of delay, disrespect, and disregard for legal process.

## II

### Complainant's Evidence

#### **A. Documentary Evidence:**

1. Complaint-Affidavits of the individual complainants, marked as:
  - a. **EXH. "A" - Complaint Affidavit of Reymart D. Nevaliza** dated November 19, 2024.
  - b. **EXH. "B" - Complaint Affidavit of Alfonso S. Enero** November 19, 2024.
  - c. **EXH. "C" - Complaint Affidavit of Anacita M. Palacio** dated November 19, 2024.
  - d. **EXH. "D" - Complaint Affidavit of Marites O. Aurillo** dated November 19, 2024.
  - e. **EXH. "E" - Complaint Affidavit of Leymart L. Villasante** dated November 19, 2024.

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL

  
FLOR Q. YAP  
SECRETARY TO THE SANGGUNIANG

Panunumpa sa Katungkulan, and Certification of Completion of Chief Barangay Tanod Alfonso S. Enero marked as:

- a. **EXH. "F"** - A copy of the Appointment
- b. **EXH. "F-1"** - Certification of Assumption of Office
- c. **EXH. "F-2"** - Panunumpa sa Katungkulan
- d. **EXH. "F-3"** - Certification of Completion of Training as Barangay Tanod

3. A copy of the **termination order** of Anacita M. Palacio marked as **EXH. "G."**

4. A copy of the **Affidavit of the Barangay Treasurer** Marivic Nevaliza Arguta dated November 19, 2024 stating the circumstances regarding the disbursement of honoraria and withholding of midyear bonus marked as **EXH. "H"**

5. Copies of the Punong Barangay Certifications marked as:

- a. **EXH. "I"** - Punong Barangay Certification dated February 22, 2024.
- b. **EXH. "I-1"** - Punong Barangay Certification dated March 21, 2024
- c. **EXH. "I-2"** - Punong Barangay Certification dated April 24, 2024
- d. **EXH. "I-3"** - Punong Barangay Certification dated May 10, 2024
- e. **EXH. "I-4"** - Punong Barangay Certification dated August 2, 2024

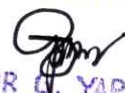
6. Copies of the Deposit Slips marked as:

- a. **EXH. "J"** - Copies of the **Deposit Slips** dated April 8, 2024 and April 9, 2024 photocopied in one paper.
- b. **EXH. "J-1"** - Copies of the **Deposit Slips** dated April 29, 2024 and May 14, 2024 photocopied in one paper.
- c. **EXH. "J-2"** - Copies of the **Deposit Slips** dated August 15, 2024 and September 3, 2024 photocopied in one paper.

7. A copy of the **Bank Statement from the Development Bank** of the Philippines covering the period from February 1, 2024 to September 30, 2024 marked as **EXH. "K."**

8. A copy of the **Barangay Resolution** confirming the appointment of Barangay Secretary Reymart D. Nevaliza marked as **EXH. "L."**

CERTIFIED THRU XEROX COPY  
FROM THE ORIGINAL



FLOR C. YAP  
SECRETARY TO THE SANGGUNIANG

1. Reymart D. Nevaliza Barangay Secretary
2. Anacita M. Palacio Barangay Secretary (Former)
3. Ley Mart L. Villasante, SK Chairperson
4. Marites Aurillo, Barangay Health Worker
5. Alfonso Enero, Chief Barangay Tanod

### **III. THE ISSUES TO BE RESOLVED**

1. Whether the Respondent committed abuse of authority as defined under Section 60(e) of RA 7160.
2. Whether the Respondent committed grave misconduct under Section 60(c) of RA 7160 and the Revised Rules on Administrative Cases in the Civil Service.
3. Whether the Respondent committed neglect of duty in violation of Section 60(c) of RA 7160.

### **IV. DISCUSSION AND ARGUMENTS**

#### **Respondent is guilty of committing abuse of authority and grave misconduct in several instances.**

1. Salima v. Guingona G.R. Nos. 117589-92, May 22, 1996  
Abuse of authority exists when the following elements concur: (a) The public officer committed acts without legal authority or justification; (b) The acts were done willfully or in bad faith. (c) The acts caused prejudice to the government or individuals, showing capricious, oppressive, or arbitrary use of power.
2. Notably, In CSC v. Manzano (G.R. No. 160195, October 20, 2006), the Supreme Court clarified that grave misconduct exists when misconduct is attended by any of the following:
  - a. Corruption – use of public office for personal gain;
  - b. Clear intent to violate the law – deliberate and willful disregard of legal obligations;
  - c. Flagrant disregard of established rules – open and blatant defiance of applicable procedures or directives.

Thus, when abuse of authority is done, deliberately, with bad faith, or in pursuit of self-interest, it ceases to be mere abuse and becomes grave misconduct.

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written termination order from the Punong Barangay but was not given any opportunity to respond, no written charges were presented, and no Sangguniang Barangay concurrence was obtained. This constitutes a clear denial of administrative due process, rendering the dismissal void and illegal.

4. In *Reyes v. Cristi*, G.R. No. 207246, the Supreme Court held that appointive barangay officials such as treasurers and secretaries cannot be removed at will, and that due process, including notice, opportunity to explain, and council participation, is required.
5. Moreover, Respondent, on several occasions, either directly instructed or implicitly expected the Barangay Secretary to lock the barangay hall, with the apparent intent of preventing certain barangay officials from conducting legitimate barangay sessions. In one such instance, the Respondent himself retrieved and withheld the keys, and later removed essential barangay property, including the official laptop and printer, bringing them to his private residence. As a result, the Barangay Secretary was effectively barred from performing his official duties, including the issuance of certifications and preparation of official documents. These acts not only obstruct the normal functioning of the barangay government, but also constitute a clear abuse of authority and a deliberate effort to undermine transparency and service delivery.
6. When the Barangay Secretary could no longer, in good conscience, comply with these unlawful and irregular directives, the Punong Barangay retaliated by sending him a text message informing him of his removal from office—without due process, without cause, and without concurrence of the Sangguniang Barangay.
7. Despite this, the Secretary continued to discharge his official duties in good faith and in accordance with law, as there was no formal notice, no due process, and no resolution or concurrence from the Sangguniang Barangay that would give legal effect to such termination.
8. This act amounts to an attempted **abuse of authority and a form of harassment**, as defined under Section 60(e) of RA 7160. The purpose of the attempted dismissal was

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to participate in acts that would obstruct the functions of the barangay government.

9. Complainants likewise raise the intentional and unjustified non-release of their honoraria, and the mid-year bonus, and the delay and non-release of Sangguniang Kabataan (SK) Fund, despite the fact that the funds were already disbursed and the checks already encashed.
10. Incumbent Barangay Captain has not given the following officials their honoraria: (a) SK Chairperson Ley Mart L. Villasante his honorarium for the months of August to October 2024; (b) Chief Tanod Alfonso S. Enero for the months of January 2024 until present; (c) Barangay Health Worker Marites Aurillo for the months of August 2024 until present; (d) former barangay secretary Anacita Palacio for the months of January to March 2024.
11. Further, SK Chairperson Ley Mart L. Villasante has not received his midyear bonus yet.
12. In relation to the SK Funds, Sec. 329 of the Local Government Code and Sec 20(a) of RA No. 107142 or the SK Reform Act of 2015, as amended, provides that  

*“ten percent (10%) of the general fund of the barangay shall be set aside for the Sangguniang Kabataan”*
13. Furthermore, Joint Memorandum Circular (JMC) No. 1. S. 2019 Guidelines on the Appropriation, Release, Planning, and Budgeting Process for the SK Funds of the DBM provides that the SK Funds shall be automatically released by the barangay to the SK and shall not be subject to any lien or holdback that may be imposed by the barangay. Further, the law provides that the SK Funds shall be deposited by the barangay in the current account of the SK not later than five (5) working days after the crediting of the monthly internal revenue allotment (IRA) consistent with the rules and regulations issued by the Commission on Audit (COA).
14. However, herein respondent refuses to immediately sign and release the check for the SK Fund. He decides when to release the SK fund based on his personal discretion.

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December 2023, January, and February 2024 were released to SK Chairperson Ley Mart Villasante only on April 5, 2024, and were deposited to the SK bank account on April 8, 2024. Upon verification, it was found that the corresponding checks for these months were issued and available as early as March 21, 2024. This indicates an unjustified delay of over two weeks between the availability of the funds and their actual release and deposit, thereby hampering the timely implementation of SK programs and activities.

16. In the same vein, for March and April 2024 SK Funds, the check was issued and verified on April 24, 2024 and deposited on SK Bank Account on April 29, 2024. Then for May and June 2024, a check was issued and verified on May 10, 2024 and was deposited to the SK bank account on May 14, 2024. The July 2024 SK Fund was only deposited on August 15, 2024. The August and September 2024 SK Funds were deposited on September 3, 2024.
17. Upon examination of the bank statements issued by the Development Bank of the Philippines, it is evident that monthly National Tax Allotment (NTA) of Barangay Cabuloran Dagami, Leyte, is credited every first day or second day of the month, except for June 2024 wherein it was credited on the third day of the month. Hence, the SK Fund should have been released not later than the 8<sup>th</sup> day of the following month.
18. Worse, the SK funds for October and November 2024 were not yet released.
19. What is more, the Respondent has been engaging in a highly irregular and questionable loan scheme, wherein he used the barangay funds for loans to barangay officials and personnel with a 5% interest rate, allegedly using his personal funds. This is done under the pretense that the honoraria are not yet available, despite records indicating otherwise.
20. In reality, some barangay officials have already received their honoraria, contradicting the chairman's claim of unavailability. This misleading practice creates a situation where other officials, believing that funds have

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from the chairman. Upon release of their honoraria, the Punong Barangay then automatically deducts the loan amount plus interest, without written consent or proper accounting procedures, thereby converting a publicly funded entitlement into a private lending scheme.

21. It is alarming that while the subject funds — including honoraria, SK funds, and mid-year bonuses — remain unreleased to the intended recipients, official records reflect that these amounts have already been disbursed and the checks fully encashed.
22. Despite the clear mandate of Section 395(b) of Republic Act No. 7160 (Local Government Code), which vests the custody of all barangay funds and properties in the Barangay Treasurer, the Respondent has unlawfully assumed control over barangay funds, including honoraria and other disbursements. Instead of allowing the Barangay Treasurer to perform her lawful duties, Respondent personally holds the funds and dictates their release from his private residence. As a result, intended recipients—including fellow barangay officials—are compelled to go to the Respondent's house to receive their honoraria and other official disbursements.
23. This practice is a blatant circumvention of government financial procedures and seriously undermines the principles of transparency, accountability, and propriety in public service.
24. All actions undertaken by the incumbent Punong Barangay were plainly unlawful and deliberate, resulting in needless delays in the delivery of basic government services and unfairly prejudicing barangay officials who were simply seeking to discharge their duties in accordance with law.

**Respondent is guilty of committing neglect of Duty and grave misconduct**

1. Civil Service Commission v. Florelito U. Manzano, G.R. No. 160195, October 20, 2006  
"Misconduct means intentional wrongdoing or deliberate violation of a rule of law or standard of behavior."

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SECRETARY TO THE SANGGUNIANG

initially constitute neglect of duty, jurisprudence recognizes that such failure may escalate to grave misconduct if it is attended by malicious intent, political motivation, or bad faith. In *CSC v. Maala*, G.R. No. 185654, January 25, 2011, the Court held that misconduct becomes grave when characterized by corruption, clear intent to violate the law, or flagrant disregard of rules. Likewise, in *Aldovino Jr. v. COA*, G.R. No. 190988, December 10, 2013, it was emphasized that deliberate refusal to perform official duties—especially if done to frustrate public service—may warrant a finding of grave misconduct.

3. Here, the respondent has repeatedly failed to attend several barangay sessions, both regular and special, without valid justification. More troubling, on multiple occasions, he instructed the barangay secretary, Mr. Reymart D. Nevaliza, to lock the barangay hall in order to prevent the Sangguniang Barangay from convening and conducting official sessions. To make matters worse, the respondent removed official equipment—including the barangay laptop and printer—and brought them to his personal residence in Poblacion, Dagami, Leyte. As a result, constituents who request official certifications are now forced to go to the respondent's house just to obtain his signature and access basic services.

### **PRAYER**

**WHEREFORE**, premises considered, the Complainants respectfully pray that the Sangguniang Bayan find respondent liable for Abuse of Authority, Grave Misconduct, and Neglect of Duty under Section 60 of the Local Government Code of 1991 (Republic Act No. 7160) and impose the corresponding penalty of removal from office or such penalty as may be warranted by the evidence and the law.

Further, while this case is pending before this Honorable Office, Complainants respectfully pray that an order of preventive suspension be issued against the respondent, pursuant to the provisions of the law, to prevent the possibility of exerting undue influence, tampering with evidence, or intimidating witnesses.

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SECRETARY TO THE SANGGUNIANG

equitable under the premises.

**SO RESPECTFULLY SUBMITTED.**

Tacloban City for Dagami, Leyte, July 7, 2025.

**ESCALONA LAW OFFICE**

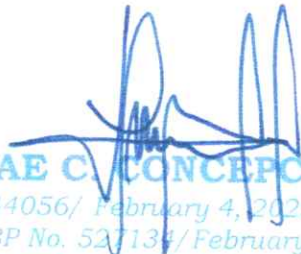
*e-mail: josephnolascoescalona@yahoo.com  
Unit 2A 611 Rubber Tree Bldg.,  
611 Bliss-Fatima Diversion Road, Brgy. 77, Tacloban City  
Mobile # 0915-2153587; 09173173093  
Counsel for the Respondents*

By



**JOSEPH NOLASCO ESCALONA**

*Roll No. 40336; P68; B17; 05-11-95  
PTR No. 8645632; 01-03-2025; Tacloban City, Leyte  
IBP Lifetime Member No. 08344; 03-04-10; Tacloban City, Leyte  
BIR No. 2002-088-964 - NV; 12-27-02  
MCLE Compliance No. VIII - 0009169; 06-03-2024*



**ALMIRA MAE C. CONCEPCION - RENDIZA**

*PTR No. 144056/ February 4, 2025 / Basey, Samar  
IBP No. 527134/ February 4, 2025  
Leyte Chapter Roll No. 95559;  
MCLE Compliance (Recently Admitted)*


Copy Furnished

Basilio Calda

Registry Number: RE 684 118 21532

7/7/25

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**FLOR O. YAP**

**SECRETARY TO THE SANGGUNIANG**

**OF NON-FORUM SHOPPING**

WE, **REYMART D. NEVALIZA, MARITES O. AURILLO, ALFONSO S. ENERO, LEYMART L. VILLASANTE, ANACITA M. PALACIO**, all of legal age, Filipinos, and a resident of Barangay Cabuloran Dagami, Leyte, after having been sworn to an oath in accordance with law, hereby deposes and says, THAT:

1. Pursuant to Section 4, Rule 7 of the amended Rules of Civil Procedure, we hereby declare that:
  - 1.1. The allegations in this Position Paper are true and correct based on my personal knowledge and on authentic documents in my possession;
  - 1.2. This Position Paper is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation; and
  - 1.3. The factual allegations therein have evidentiary supports or, if specifically, so identified, will likewise have evidentiary support after a reasonable opportunity for discovery;
2. Pursuant to Section 5, Rule 7 of the same Rules, as amended, we likewise declare that:
  - (a) We have not theretofore commenced any action or filed any claim involving the same issues in Court, Tribunal or quasi-judicial agency and, to the best of our knowledge, no such other action or claim, is pending therein;
  - (b) if there is such other pending action or claim, a complete statement of the present status thereof; and (c) if we should thereafter learn that the same or similar action or claim has been filed or is pending, we shall report that fact within five (5) calendar days therefrom to the Court wherein my afore-said Petition or initiatory pleading has been filed.

**IN WITNESS WHEREOF**, we have hereunto set our hand this 07 JUL 2025 at BURAUEN, LEYTE, Leyte, Philippines.

**ANACITA M. PALACIO**

*Affiant*

**LEYMART L. VILLASANTE**

*Affiant*

**ALFONSO S. ENERO**

*Affiant*

**MARITES O. AURILLO**

*Affiant*

**REYMART D. NEVALIZA**

*Affiant*

**SUBSCRIBED AND SWORN** to before our this 07 JUL 2025, at BURAUEN, LEYTE, Leyte, Philippines, by the affiants who personally appeared before me and presented their competent evidence of identity, and who are the same persons who executed the foregoing instrument and acknowledged to me that the same is their free and voluntary act and deed.

Doc. No. 570  
Page No. 101  
Book No. 11  
Series of 2025.



**Chantry**  
ATTY. CHANTAL NOELLE ARGUELLES  
Notary Public  
NC-24-02-020 until December 31, 2025  
833 San Jose St. Burauen, Leyte, Philippines  
PTR No. 0205679 / 01-02-2025 / Burauen, Leyte  
IBP No. 489487 / 12-30-2024 / Leyte Chap  
Roll No. 90171, TIN No. 638-138-383  
MCLB Compliance: Recently Admitted

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**FLOR E. YAP**  
SECRETARY TO THE SANGGUNIANG

Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF DAGAMI**  
OFFICE OF THE SANGGUNIANG BAYAN  
Dagami, Leyte

REYMART D. NEVALIZA,  
Complainant,

- versus -

HON. BASILIO D. CALDA,  
Respondents

For:  
**Neglect of Duty, Grave  
Misconduct and Abuse  
of Authority**

X-----X

**VERIFIED ANSWER**

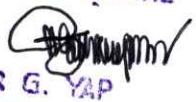
I, **HON. BASILIO DOLOR CALDA**, of legal age, married, Filipino, the current *Punong Barangay* of Brgy. Cabuloran, Dagami, Leyte where I am also presently residing at, and is receiving a monthly honorarium of more or less eight thousand pesos ( 8,000.00), do hereby depose and state the following:

1. I am the respondent of an administrative charge filed by above-named complainant for alleged Neglect of Duty, Grave Misconduct and Abuse of Authority;
2. I received Summons from the Office of the Sangguniang Bayan of the Municipality of Dagami, Leyte to file my Verified Answer within fifteen (15) days from receipt of the said Summons, last December 13, 2024. Thus, I have until December 28, 2024 to file this Verified Answer. December 28, 2024 fell on a Saturday and the nearest working day is on January 2, 2024. Hence, this pleading is timely filed;
3. The undersigned respondent vehemently denies all allegations stated by the complainant and at this earliest stage, state that all these malicious imputations are all politically motivated and are made to harass respondent;

**MATERIAL FACTS**

4. The complaint involves numerous sets of actions which allegedly constitute Neglect of Duty, Grave Misconduct and Abuse of

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to specify which particular acts are tantamount to each of the administrative charges and only made blanket statements. Moreover, the allegations are all falsities which warrant dismissal for failure to prove prima facie case against respondent;

5. "He who alleges a fact has the burden of proving it and A MERE ALLEGATION IS NOT EVIDENCE." (Luxuria Homes Inc. vs. CA, GR No. 125986, January 28, 1999). In this case, complainant has not attached any evidence to prove his allegations;

6. Moreover, this complaint is a retaliatory act of herein complainant because he was made to explain his active participation in the illegal special session and regular session conducted by the other barangay officials without the giving notice to the Punong Barangay, herein respondent. The timing of the filing of this case will prove the same.

7. Complainant was also made to explain why all barangay resolutions, minutes and attendance for the barangay sessions were no longer in the barangay hall. The Show-Cause Orders are attached herein as **Annex "1"** and **Annex "2"**, respectively;

8. *On numerous allegations regarding the conduct of sessions -*

a. Respondent, together with the barangay officials, have been conducting sessions in the barangay hall. However, the amiable relationship between and among the barangay officials has started to get marred when one of the Sangguniang Barangay Member, Allan Añoover, started making numerous requests which were not immediately heeded. Añoover started filing cases against herein respondent and even threatened that herein complainant will be included in the cases he will file if complainant not help Añoover. Hence, these complaints filed complainant and other barangay officials;

b. The minutes of the sessions, as well as the therefore will prove that respondent exercise and responsibilities in the barangay. The curr of these documents is herein complainant initially requested that he be given documents because these documents were the barangay hall; however, complainant and denied these requests. It is the Show Cause Orders was issued against

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resolutions, the said minutes and resolutions will belie complainant's claims;

9. *On alleged closure of the barangay hall -*

- a. The complainant used to be the custodian of the key to the barangay hall. Respondent only instructed him to be always cautious and careful in opening the barangay hall because there has already been an instance when Añover went inside the barangay hall and he took numerous barangay documents without the knowledge and permission of herein complainant and respondent. Complainant has executed an Affidavit regarding that incident, and he could be sued for False Testimony if he redacts or denies his statements. This Affidavit is attached herein as **Annex "3"**;
- b. When the honoraria for the barangay officials were not given last August 2024, herein complainant started meeting Añover and the other barangay officials who wanted to oust respondent. They believed that respondent was the sole reason why their honoraria were not given to them. Hence, they started plotting against respondent - they conducted illegal special and regular sessions without respondent, they kept on spreading lies in the barangay stating that respondent was already suspended by herein office, they started making false accusations in both social media and mainstream media, and they filed baseless suits against respondent;
- c. This is the reason why herein respondent has already filed criminal and administrative charges with the Office of the Ombudsman against all concerned officials;

10. *On alleged irregularity in the issuance of barangay certifications -*

- a. The barangay certifications issued by the barangay speak for itself. *Res ipsa loquitur*. The thing shall speak for itself. The certifications issued state the time and place of their issuance. Furthermore, assuming *arguendo* that their claims are correct, why is it that complainant only reported this now?
- b. Again, the timing of these complaints filed would expose their motive - this complaint was filed after a Show Cause

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take revenge on respondent and even possibly, to hinder respondent's investigation on the missing barangay documents and the conduct of illegal sessions which he actively took participation in;

11. *On alleged non-payment of honoraria -*

- a. At present, all barangay officials have not received their honoraria from August 2024 until present. This is due to the fact that the barangay treasurer and all other barangay officials concerned have not prepared all necessary financial documents to disburse the said amounts. Again, the respondent is not solely responsible in the processing of honoraria;
- b. The payrolls for the previous months which complainant himself has signed would belie his claims. The payrolls is attached herein as **Annex "4 and series"**;
- c. Marivic Arguta, the barangay treasurer who is a witness in herein case, is the barangay official who is primarily tasked to manage the financial aspects and transactions of the barangay. She cannot, at this time, point fingers especially to herein respondent, after she was made to explain regarding the checks issued under her name;

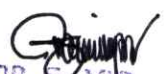
12. It is indeed unfortunate that the relationship between and among the elective and appointive officials in Brgy. Cabuloran, Dagami, Leyte came to this point. Herein respondent has already made numerous attempts to save the amiable relationship but his efforts have remained to be futile. Instead, he has been portrayed as the villain when in truth and in fact, all these barangay officials who want to oust him are just ganging up on him, waiting for the right time to evict him. Respondent, therefore, implores to this honorable office to be fair and reasonable in their procedures.

**ISSUES**

- i. **Whether or not Hon. Basilio D. Calda is not guilty of Neglect of Duty, Grave Misconduct and Abuse of Authority.**

***Respondent is not guilty  
of any administrative charge.***

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- a. Gross neglect of duty or gross negligence "refers to negligence characterized by the want of even slight care, or by acting or omitting to act in a situation where there is a duty to act, not inadvertently but willfully and intentionally, with a conscious indifference to the consequences, insofar as other persons may be affected. It is the omission of that care that even inattentive and thoughtless men never fail to give to their own property." It denotes a flagrant and culpable refusal or unwillingness of a person to perform a duty. In cases involving public officials, gross negligence occurs when a breach of duty is flagrant and palpable. In contrast, simple neglect of duty means the failure of an employee or official to give proper attention to a task expected of him or her, signifying a "disregard of a duty resulting from carelessness or indifference." (*Office of the Ombudsman vs. Fronda and Arias*, GR No. 211239, April 26, 2021)
- b. Respondent has been fulfilling his duties as the *Punong Barangay*. It has been complainant, together with all other barangay officials backing him, who have been hindering respondent to perform his official functions. For one, they have called and conducted an illegal special session last September 11, 2024 without giving notice to herein respondent;
- c. In the past months, they have been conducting regular sessions without respondent – they will either wait for respondent to leave the barangay hall before they would conduct their irregular sessions and take pictures to portray respondent as the villain, or they will conduct special sessions without notifying herein respondent;
- d. Complainant even failed to attach any evidence regarding his claims. Thus, respondent should not be held guilty of neglect of duty;

## 2. Grave Misconduct:

- a. Misconduct is "a transgression of some established and definite rule of action, more particularly, unlawful behavior or gross negligence by a public officer." In Grave Misconduct, as distinguished from Simple Misconduct, the elements of corruption, clear intent to violate the law or flagrant disregard of established rules, must be manifest

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SECRETARY TO THE SANGGUNIANG

Misconduct. (*Domingo vs. CSC and Manalo*, GR No. 236050, June 17, 2020)

- b. In this case, complainant's allegations cannot even fall under the term, "misconduct". All the allegations are false and malicious. The documents proving the conduct of sessions, which minutes and resolutions were prepared by herein complainant, would contradict his claims. Again, unless complainant would falsify these public documents which are in his custody, the minutes and resolutions issued will be enough evidence to prove that respondent is not guilty of misconduct;
- c. The instruction to be careful and cautious in opening the barangay hall was necessary to protect the integrity of the documents kept inside the said place. Such act is not an act which is tantamount to grave or even simple misconduct;

### 3. Abuse of Authority -

- a. Jurisprudence defines Grave Abuse of Authority or Oppression as a misdemeanor committed by a public officer, who under color of his office, wrongfully inflicts upon any person any bodily harm, imprisonment or other injury constituting an act of cruelty, severity, or excessive use of authority. (*Purissima vs. Ricafranca, FFIB-MOLEO*, GR No. 237530, November 29, 2021)
- b. In this case, respondent has not committed any offense against complainant and respondent has not caused any bodily harm, imprisonment or injury to him;
- c. Respondent has not received his honoraria in the past months, too. The financial documents of the barangay, including the passbook and checks, are all in the custody of the barangay treasurer. If the necessary documents for the disbursement of the amounts are not prepared and completed, herein *Punong Barangay* is not allowed to sign the PBC and Disbursement Vouchers for the payroll;
- d. Hence, respondent should not be faulted for the absence of honoraria for the months of August until present. In fact, complainant is one of the barangay officials who should be preparing other documents for its disbursements and he should not be pointing fingers to herein respondent. Clearly,

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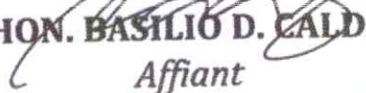
FLOR C. YAP  
SECRETARY TO THE SANGGUNIANG

**PRAYER**

**WHEREFORE**, premises considered, it is humbly prayed by the undersigned respondent that this Honorable Office dismiss the administrative complaint against respondent for lack of prima facie evidence to warrant the institution of formal administrative proceedings.

Other relief, just and equitable in the premises, are likewise prayed for.

IN WITNESS WHEREOF, we have hereunto set our hands this December 27, 2024, in Pastrana, Leyte, Philippines.


  
**HON. BASILIO D. CALDA**  
Affiant

Barangay ID No. 0803717011-A


**SUBSCRIBED AND SWORN** to before me this December 27, 2024 in Pastrana, Leyte, Philippines. Respondent presented proof of identification. Respondent/Affiant was personally examined by the undersigned notary public and they voluntarily executed this Verified Answer and he completely understood the contents hereof.

Doc. No. 189;  
Page No. 39;  
Book No. VIII;  
Series of 2024.



  
**ATTY. CHARMINE LYNN B. TAN**  
Notary Public for Tacloban City and Leyte  
NC No. 2023-01-67, until December 31, 2024  
Cor. Wilson & Libertad Sts., District I, Pastrana, Leyte  
Roll No. 72436/June 14, 2019; IBP No. 331546/Dec. 19, 2023  
PTR No. 8487156/Jan. 2, 2024, Tacloban City  
MCLE Compliance No. VII-0012655

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## VERIFICATION

I, **HON. BASILIO D. CALDA**, of legal age, married, Filipino, and the incumbent Punong Barangay of Brgy. Cabuloran, Dagami, Leyte, after having been sworn in accordance with law, hereby depose and say:

1. That I am the respondent in this case and that I have caused the preparation and filing of this Verified Answer of the complaint against me filed by REYMART D. NEVALIZA;
2. That I have read the foregoing Verified Answer and that the allegations therein are true and correct of my own personal knowledge or based on authentic documents;
3. That this Verified Answer is not filed to harass, cause unnecessary delay or needlessly increase the cost of litigation; and
4. That the factual allegations therein have evidentiary support of, if specifically, so identified, will likewise have evidentiary support after a reasonable opportunity for discovery.

IN WITNESS WHEREOF, I hereunto set my hand this December 27, 2024 at Pastrana, Leyte, Philippines.

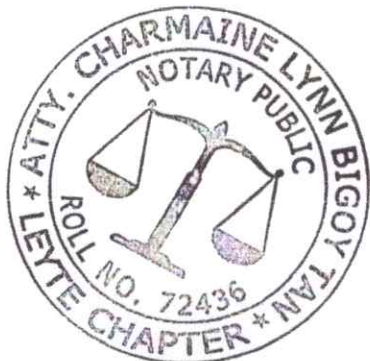
  
**HON. BASILIO D. CALDA**


*Affiant*

Barangay ID No. 0803717011-A

**SUBSCRIBED AND SWORN** to before me in Pastrana, Leyte, Philippines, on December 27, 2024 affiants exhibiting before me their competent evidence of identities.

Doc. No. 190 ;  
Page No. 39 ;  
Book No. VIII ;  
Series of 2024.



  
**ATTY. CHARMAINE LYNN B. TAN**  
Notary Public for Tacloban City and Leyte  
NC No. 2023-01-67, until December 31, 2024  
Cor. Wilson & Libertad Sts., District I, Pastrana, Leyte  
Roll No. 72436/June 14, 2019; IBP No. 331546/Dec. 19, 2023  
PTR No. 8487156/Jan. 2, 2024, Tacloban City  
MCLE Compliance No. VII-0012655

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 Province of Leyte  
 MUNICIPALITY OF DAGAMI  
 -xXx-



**OFFICE OF THE SANGGUNIANG BAYAN**

**LEY MART L. VILLASANTE,**  
*Complainant,*

*-versus-*

For: Grave Misconduct, Abuse of  
 Authority and Neglect of Duty

**HON. BASILIO D. CALDA,**  
 Punong Barangay  
 Brgy. Cabuloran, Dagami, Leyte  
*Respondent.*

x-----x

**REYMART D. NEVALIZA,**  
*Complainant,*

*-versus-*

For: Neglect of Duty, Grave Mis-  
 conduct, and Abuse of Authority

**HON. BASILIO D. CALDA,**  
 Punong Barangay  
 Brgy. Cabuloran, Dagami, Leyte  
*Respondent.*

x-----x

**ANACITA M. PALACIO,**  
*Complainant,*

*-versus-*

For: Neglect of Duty, Grave Mis-  
 conduct, and Abuse of Authority

**HON. BASILIO D. CALDA,**  
 Punong Barangay  
 Brgy. Cabuloran, Dagami, Leyte  
*Respondent.*

x-----x

**ALFONSO S. ENERO,**  
*Complainant,*

*-versus-*

For: Grave Misconduct, Abuse of  
 Authority and Neglect of Duty

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*[Signature]*  
**Hon. Alvarez Lorenzo Jr**  
 Chairman

*[Signature]*  
**Flor G. Yap**  
 SB Secretary

**HON. BASILIO D. CALDA,**  
Punong Barangay  
Brgy. Cabuloran, Dagami, Leyte  
*Respondent.*

X- - - - -X

**MARITES O. AURILLO,**  
*Complainant,*

For: Grave Misconduct, and Abuse  
of Authority

-versus-

**HON. BASILIO D. CALDA,**  
Punong Barangay  
Brgy. Cabuloran, Dagami, Leyte  
*Respondent.*

X- - - - -X

### **JOINT DECISION**

Before this August Body, acting as Quasi-Judicial Judges, is a consolidated case for Grave Misconduct, Abuse of Authority, and Neglect of Duty, filed as individual complaint by the complainants, namely: Ley Mart L. Villasante (Villasante); Reymart D. Nevaliza (Nevaliza); Anacita M. Palacio (Palacio); Alfonso S. Enero (Enero); and Marites O. Aurillo (Aurillo), against the respondent Hon. Basilio D. Calda (Calda), Punong Barangay of Brgy. Cabuloran, Dagami, Leyte.

### **THE PARTIES INVOLVED**

The Complainant Ley Mart L. Villasante is an incumbent Sanggunian Kabataan Chairperson of Brgy. Cabuloran, Dagami, Leyte. Complainant Reymart D. Nevaliza is an incumbent Sanggunian Barangay Secretary of Brgy. Cabuloran, Dagami, Leyte. Complainant Alfonso S. Enero is a Chief Tanod of Brgy. Cabuloran, Dagami, Leyte. Complainant Marites O. Aurillo is a Barangay Health Worker of Brgy. Cabuloran, Dagami, Leyte. Complainant Anacita M. Palacio is a former Sanggunian Barangay Secretary of Brgy. Cabuloran, Dagami, Leyte.


The respondent Hon. Basilio D. Calda is an incumbent Punong Barangay of Brgy. Cabuloran, Dagami, Leyte.

### **CASE ANTECEDENTS**


On November 19, 2024, the Complainants Villasante, Aurillo, Palacio, and Enero filed their individual Complaint-Affidavit against the Respondent for Grave Misconduct, and Abuse of Authority, and Neglect of Duty.

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On November 20, 2024, the Complainant Nevaliza filed his Complaint-Affidavit against the Respondent for Grave Misconduct, and Abuse of Authority, and Neglect of Duty.

On November 22, 2024, the Summons for the five (5) complaints were served to the Respondents.

On December 5, 2024, the Respondent filed a Motion to Dismiss, arguing that the period of time given to him is in violation of the Rules and that *sub judice* rule was violated since a comment was entered into a media about the possible outcome of this case prior to trial.

On January 8, 2025, the Respondent filed his Answer, and considered as timely filed.

Mediation between the parties were conducted but the same failed. Hence, the case proceeds to Pre-Trial Conference where the parties were required to file their respective Pre-Trial Brief and to attend at the Pre-Trial Conference.

On June 24, 2025, this Body proceeds to Pre-Trial Conference but the Respondent was conspicuously absent. Thereafter, the parties were required to submit their Position Paper within a period of 15 days.

On July 7, 2025 the Complainants submitted their Position Paper. After the expiration of the period given, this Office did not receive any Position Paper from the Respondent.

### **STATEMENT OF THE PARTIES**

*As to Complainant Anacita M. Palacio:*

Complainant Palacio stated in her Complaint-Affidavit that she was appointed as Barangay Secretary by Respondent Calda in November 2023. However, on March 20, 2024, she received a Termination Order dated February 28, 2024, sent by Respondent to her thru registered mail, indicating that her appointment as barangay secretary is being terminated effective February 29, 2024. Even though the termination order mentioned about her is negligence, she was not given adequate explanation.

In his Answer, Respondent vehemently denies the allegations stated by the Complainant stating that these malicious imputations are all politically motivated and are made to harass him. According to him, Mr. Allan Añover referred the Complainant to become the barangay secretary. However, during the months of January and February of the year 2024, she failed to draft all of the minutes for the sessions conducted on those months. Moreover, she would always ask the respondent to just draft the Resolutions and Minutes for the projects which need immediate actions if he needs them already. She even said that she would just sign the Resolution or Minutes once they are finished. Due to this, the Respondent told


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her that she has to perform the duties and responsibilities of her office, otherwise, she will be terminated. Her negligence continued. Respondent verbally ordered her to explain her continued defiance. She just said that respondent should not be the one she should be answering to, considering that it was SB Member Allan Añover who helped her be appointed as the barangay secretary. Nonetheless, during the regular session conducted last February 28, 2024, her termination was also tackled and four SB Members concurred her termination.

In her Reply, Complainant Palacio indicated that it is just made up because respondent wanted to replace her with someone who will just follow all his instructions even if the same are unjust and improper. The Termination Order was received by her only on March 20, 2024. As such, the appointment as a barangay secretary is effective only upon receipt of the Termination Order. In addition, the appointment of Complainant Nevaliza as the new barangay secretary was effective only on March 21, 2025 as indicated in his Appointment Certificate. This supports that she was still the barangay secretary of Brgy. Cabuloran until March 20, 2024. In this case, she is still included in the payroll and should receive the honorarium for March 2024. As to the Minutes of the alleged special session on February 28, 2024 wherein respondent claimed that her termination was tackled, the minutes was fabricated by the respondent. The SK Chairman, Ley Mart Villasante, who was one of the four members who allegedly concurred with such termination was absent during the said special session on February 28, 2024. Furthermore, SK Chairman executed an Affidavit of Witness wherein he stated that he was not able to attend the special session and he was only instructed by the respondent to sign an unnumbered resolution which he followed without question considering his much respect for the respondent. She had been repeatedly asking the respondent of her honorarium, but he kept on saying that it was not yet available and the documents are still being processed. Even if she was included in the payroll for January 2024 and February 2024, she was not able to receive the honoraria for these months because respondent unreasonably and illegally withholding the same.


*As to Complainant Marites Aurillo:*

Complainant Aurillo stated in her Complaint-Affidavit that she is a Barangay Health Worker since 2007. She has not received her honorarium for the months of August 2024 up to the present. Also, since January 2024, she experienced delays in the release of her honorarium. Ever since the respondent became the Punong Barangay of Brgy. Cabuloran, barangay tanods and barangay health workers would usually go to the house of respondent to claim their honorarium just like in the case of the herein complainant. Most of the time, respondent would tell the complainant that the honorarium is not yet available. Thereafter, the respondent would offer to grant a loan to complainant with an interest of 5% per month. Since complainant is in dire need of money, she would obtain loan from respondent. When the honorarium is already available, respondent would immediately deduct the loan of complainant including the 5% interest. There were times that the cash

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amount for the honorarium is already in the possession of the respondent, but he would intentionally deny its availability and would instead offer loan to the complainant just to gain 5% interest. At one point, she was informed by fellow barangay health workers and tanods that the respondent was already in possession of the honorarium. However, when she personally went to the respondent's residence to claim hers, she was told it was not yet available. Likewise, complainant learned that the delays in the release of her honorarium for the months of August 2024 up to the present is due to the insufficiency of the fund for the disbursement of the honorarium which is the effect of the irregular disbursement made by the respondent.

In his Answer, Respondent vehemently denies the allegations stated by the Complainant stating that these malicious imputations are all politically motivated and are made to harass him. According to him, all barangay officials have not received their honoraria for months August 2024 until present. This is due to the fact that the barangay treasurer and all other barangay officials concerned have not prepared all necessary financial documents to disburse the said amounts. The payrolls for the previous months which complainant herself signed would belie her claims. Marivic Arguta is the barangay official who is primarily tasked to manage the financial aspects and transactions of the barangay. She cannot point fingers especially to the respondent, after she was made to explain regarding the chekcs issued under her name. Coincidentally, the treasurer's Affidavit was executed following her receipt of multiple Show Cause Orders requiring her to explain the presence of unexplained barangay checks issued under her name.

*As to Complainant Alfonso Enero:*


Complainant Enero stated in his Complaint-Affidavit that he has been serving as the barangay chief tanod of Brgy. Cabuloran, Dagami, Leyte since November 2023. He has not received his honorarium for the months of January 2024 up to the present because it is unlawfully withheld by the respondent. Every time the honorarium of other barangay officials of their barangay is released, complainant would ask for his honorarium from the barangay treasurer, but the treasurer would just inform him that the amounts for the honorarium had been given to the respondent. Whenever the complainant asks the respondent about the honorarium, he would just say that it is not been disbursed yet. However, he would learn from other barangay officials and tanods that they have already received their honorarium. Upon further verification with the barangay treasurer, he learned that his honorarium is included in the disbursement made by respondent wherein the checks have already been issued and encashed. After the encashment of the check, the full amount is taken by the respondent from the barangay treasurer and the respondent would be the one who will release the honorarium to the barangay officials. Most of the time, the barangay officials are required to go to the house of the respondent to get their honorarium. Unfortunately, his honorarium is not released by the respondent despite actually rendering his services as chief tanod.

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In his Answer, Respondent vehemently denies the allegations stated by the Complainant stating that these malicious imputations are all politically motivated and are made to harass him. According to him, the payrolls for the months of January, February, March, and April of 2024 refutes the complainant's claims. The other barangay tanods received their respective honoraria hence, the honorarium for each month was obviously available and it was complainant's choice not to receive and get his honorarium from the barangay. The respondent does not have any reason to withhold said honoraria from herein complainant. The barangay treasurer is already being investigated for numerous administrative charges and a criminal case is already being prepared by herein respondent because there have been numerous anomalies regarding the disbursement of barangay funds which she has failed to explain. Other appointive officials have reported to the respondent that their honoraria were being withheld by the barangay treasurer as early as January 2024.

In his Reply, Complainant indicated that the allegation against the interest of getting the honorarium is not true. Every time that he would hear from the other tanods that their honorarium is already available, he would go to the respondent to get it. However, respondent would always say that it has not yet been processed or it is not yet available. He would go to the respondent supposedly to get the honorarium because it was him who releases the amount, instead of the barangay treasurer. His name being listed in the payroll for the months of January 2024 to April 2024 does not mean that he has received the honoraria for the said months. The respondent unreasonably withheld these honoraria. Moreover, he was not included in the payroll for the months of May 2024 until the present despite discharging his functions as chief tanod. His appointment as the Chief Tanod of Brgy. Cabuloran, Dagami, Leyte has not yet been terminated. He is rendering services as chief tanod up to present.

*As to Complainant Reymart Nevaliza:*

Complainant Nevaliza stated in his Complaint-Affidavit that he has been appointed as Barangay Secretary effective on March 21, 2024. Since his appointment as the barangay secretary, the respondent has been either absent or would walk out during the barangay's regular session every first and third Saturday of the month or during special sessions. There was even a scheduled regular session when the respondent just wrote his name on the attendance sheet and left immediately without giving any instruction if there will be a session or not. Sometimes, respondent would instruct herein complainant not to open the barangay hall so that the barangay council could not conduct the barangay session. In August 2024, the barangay keys in the possession of the complainant was taken by respondent. Also, complainant no longer has access to the laptop and printer which he uses every time there are requests for barangay certifications and clearances. Oftentimes, the laptops owned by the barangay were brought to the house of the respondent. All the transactions in the barangay were hampered because of the willful unreasonable actions of respondent. The complainant cannot

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prepare the certifications or clearances requested by constituents because he does not have access to the laptop and printer. Sometimes, complainant would just prepare handwritten certifications. Additionally, since respondent does not regularly go to the barangay hall, constituents who requests for certifications need to go to respondent's house in Poblacion, Dagami, Leyte just to seek for his signature. This adds burden to the constituents because they still need to pay for the fare to the Poblacion. Since complainant does not follow the unreasonable instruction of herein respondent, he received a text message from respondent on October 6, 2024 instructing him not to report anymore because he is being terminated as the barangay secretary. To seek clarification about this matter, he went to the DILG wherein he was advised that his appointment has not yet effectively terminated. On another note, he has not received his honorarium for the months of July 2024 up to present. The honorarium of the barangay officials for the month of July 2024 has been disbursed as evidenced by the Punong Barangay Certification (PBC) dated August 2, 2024, but he has not received the said honorarium because the respondent is unreasonably withheld the same. For the months of August and September 2024, it can be noticed that the barangay's monthly national tax allotment (NTA) for these months have been fully disbursed, hence, there is no more funds for the honorarium of the barangay officials.

In his Answer, Respondent vehemently denies the allegations stated by the Complainant stating that these malicious imputations are all politically motivated and are made to harass him. According to him, the complaint is a retaliatory act because he was made to explain his active participation in the illegal special session and regular session conducted by the other barangay officials without giving notice to the respondent. The complainant was made to explain why all barangay resolutions, minutes, and attendance for the barangay sessions were no longer in the barangay hall. Respondent, together with the barangay officials, have been conducting sessions in the barangay hall. However, the amiable relationship between and among the barangay officials has started to get marred when one of the SB Member, Allan Añover, started making numerous requests which were not immediately heeded. Añover started filing cases against the respondents and even threatened that the complainant will be implicated if the latter will not help Añover. Hence, this complaint was filed by the complainant. The minutes of the sessions, as well as the attendance therefore will prove that respondent exercised his duties and responsibilities in the barangay. The current custodian of these documents is the complainant. Respondent initially requested that he be given access to these documents because these documents were no longer inside the barangay hall, however, complainant repeatedly refused and denied these requests. It is the reason why one of the Show Cause Orders was issued against the complainant. The complainant used to be the custodian of the key to the barangay hall. Respondent only instructed him to be always cautious and careful in opening the barangay hall because there has already been an instance when Añover went inside the barangay hall and took numerous barangay documents without the knowledge and permission of respondent and complainant. When the honoraria for the barangay officials were given last August 2025, herein complainant started meeting

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Añoover and the other barangay officials who wanted to oust respondent. They believed that respondent was the sole reason why their honoraria were not given to them. Hence, they started plotting against respondent—they conducted illegal special and regular session without the respondent. They kept on spreading lies in the barangay stating that respondent was already suspended by this August Body. They started making false accusations in both social media and mainstream media. At present, all barangay officials have not received their honoraria from August 2024 until present. This is due to the fact that the barangay treasurer and all other barangay officials concerned have not prepared all necessary financial documents to disburse the said amounts. The respondent is not solely responsible in the processing of honoraria.


In his Reply, Complainant Nevaliza indicated that there was no special session that happened on September 11, 2024. The regular session was scheduled on September 21, 2024, the third Saturday of the month of September, not on September 20, 2024. Moreover, the regular session was conducted in the SK Room because the barangay hall was locked. It was the respondent who ordered that they are not allowed to enter the barangay hall. If respondent really went to the barangay hall on September 21, 2024 to attend the regular session, he can do so because it was not a closed-door meeting. He did not receive copies of the show cause orders. He learned that Alwin Aurillo, the BHRAO Officer of the barangay, executed an affidavit stating that he served such Show-Cause Order dated September 23, 2024 to the SB Members, barangay secretary, and barangay treasurer. However, Alwin executed an Affidavit of Recantation and Desistance dated October 18, 2024 recanting his statements in his affidavit dated October 10, 2024. The complainant is not aware of the content of the mentioned Joint Affidavit attached in the respondent's Answer dated July 25, 2024. He's not aware of its content because it is the respondent who caused the preparation of the same and they are made to sign only in the last page thereof. When they later learned of the contents of the Joint Affidavit, he and the rest of the signatories of the same Affidavit executed an Affidavit of Recantation to deny the contents of this Joint Affidavit dated July 25, 2024. The complainant claims of his honoraria from July 2024 up to the present. The PBC dated August 2, 2024 proves that the honorarium for July 2024 has been disbursed. However, when he went to the respondent to claim it, he unreasonably withheld the same.


*As to Complainant Ley Mart Villasante:*

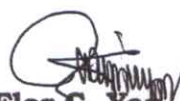
Complainant Villasante stated in his Complaint-Affidavit that he filed this complaint against the respondent due to the following reasons: (a) unreasonable delay in the release of the SK Fund; (b) unreasonable withholding of the mid-year bonus of the complainant; (c) unjustified non-release of the honorarium of the complainant for the months of August 2024 to November 2024; (d) deliberate failure to attend regular and special sessions. In case of the SK of Brgy. Cabuloran, there has always been a delay in the release of the SK Fund because the respondent refuses to immediately sign and release the check for the SK fund. He decides when

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to release the SK fund based on his personal discretion. The 10% SK Funds for the months of December 2023, January and February 2025 were released to the complainant only on April 5, 2024 and were deposited to the SK bank account on April 8, 2024. Upon verification, based on PBC, he learned that Check No. 0091272909 for the December 2023 SK fund, and Check No. 0091272910 for the January and February 2024 SK fund were issued and verified on March 21, 2024. It was the respondent who kept the checks and gave these to the complainant only on April 5, 2024, or 2 weeks after the check became available. For March and April 2024 SK funds, the check was issued and verified on April 24, 2024 and was deposited to the SK bank account on April 29, 2024. Then for the May and June 2024 SK funds, the check was issued and verified on May 10, 2024 and was deposited to the SK bank account on May 14, 2024. The July 2024 SK fund was only deposited on August 15, 2024 and the August and September 2024 SK funds were deposited on September 3, 2024. The SK funds for October and November 2024 were not yet released. As the SK Chairman, complainant is entitled to receive the mid-year bonus given to the public officials. However, complainant was not able to receive the same. Complainant was informed by the barangay treasurer that the mid-year bonuses had been turned over to the barangay chairman after the encashment of the check. When complainant went to the respondent to get his mid-year bonus, it was not given to him despite the fact that the mid-year bonus has already been disbursed and the check has been encashed. Furthermore, complainant has not received yet his honoraria for the months of August 2024 to October 2024. However, upon checking the DBP bank statement, the disbursements for August 2024 already exceeded the barangay's monthly NTA of P234,677.00. Also, the NTA for September 2024 has almost fully disbursed. There are no funds anymore for the honorarium of the barangay officials because of the disbursements made by respondent without the approval of the barangay council. On another note, respondent has not been attending regular or special session since March 2024. Sometimes, respondent goes to the barangay hall during sessions but would walk out if there are matters discussed during the proceedings which he does not like. There was even a time when respondent just wrote his name in the attendance sheet then left even if the session has not yet started.

In his Answer, Respondent vehemently denies the allegations stated by the Complainant stating that these malicious imputations are all politically motivated and are made to harass him. According to him, the custodian of the checks issued by the barangay is the barangay treasurer, Marivic Arguta. Said Arguta is now a witness in this case and is pointing the blame on the respondent after she was issued a Show Cause Order by the respondent to explain anomalous barangay checks which were issued under her name. Hence, her allegation should not be given weight and credibility. The complainant knows that there was a delay in the turnover of barangay documents from the past administration which hampered some barangay processes. The barangay treasurer is primarily responsible for the financial management of the barangay—which necessarily includes the compilation of all barangay documents required before the SK funds could be disbursed, the PBC, and all other documents. Once the PBC is made, the

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respondent would sign it after he has verified the completeness of all attachments. The checks are all issued and kept by the barangay treasurer. In fact, the complainant merely attached the Affidavit of Arguta, without any proof that indeed the checks were given to respondent.

In his Reply, Complainant Villasante indicated that there was no special session that happened on September 11, 2024. Respondent even stated in the alleged Show Cause Order that a concerned citizen only informed him about such special session. He was not able to show any proof that they conducted a special session. The regular session was scheduled on September 21, 2024, the third Saturday of the month of September, not on September 20, 2024. Moreover, the regular session was conducted in the SK Room because the barangay hall was locked. He has not received a copy of the Show Cause Order that the respondent attached in his Answer. Upon reading the Show Cause Order, he noticed that it was about the alleged conduct of special session on September 11, 2024. Even if respondent really went to the barangay hall on September 21, 2024 to attend the regular session, he can do so because it was not a closed-door meeting. As regards to unjustified withholding of the mid-year bonus, he is not claiming that he was not included in the payroll as he was informed by the barangay treasurer that the check amounting P50,000.00 was issued and encashed representing the mid-year bonus of the barangay chairman, 3 barangay kagawads, the SK chairman, the barangay secretary and the barangay treasurer. However, when he was claiming the mid-year bonus from respondent, he did not release the same and would give excuses that it is not yet available. Again, it was the respondent who released the mid-year bonuses instead of the barangay treasurer. Ultimately, the honoraria for the months of August to September 2024 were not released due to the depletion of barangay funds, caused by disbursements made by the respondent without the council's approval.

**ISSUES**

WHETHER THE RESPONDENT IS GUILTY OF GRAVE MISCONDUCT, ABUSE OF AUTHORITY, AND NEGLECT OF DUTY

**FINDINGS OF THIS SANGGUNIANG BAYAN**


This Body has consolidated the five (5) cases, having determined that they involve a common question of law and fact. Furthermore, the respondents in all five cases are the same and assert a shared complaint against the same party.

The quantum of proof in administrative proceedings necessary for a finding of guilt is substantial evidence or such relevant evidence as a reasonable mind may accept as adequate to support a conclusion. The burden to establish the charges rests upon the complainant. The case should be dismissed for lack of merit if the complainant fails to show in a satisfactory manner the facts upon which his

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accusations are based. The respondent is not even obliged to prove his exception or defense.<sup>1</sup>

After careful evaluation of the Complaint-affidavit, Answer, Reply, and evidences submitted, this Body finds Respondent guilty of grave misconduct, and neglect of duty. There are substantial evidences to prove respondent's guilt of the charges.

Section 60 of the Local Government Code (LGC) provides:

**"Section 60. Grounds for Disciplinary Actions.** - An elective local official may be disciplined, suspended, or removed from office on any of the following grounds: xxx

"(c) Dishonesty, oppression, misconduct in office, gross negligence, or dereliction of duty;

"xxx

"(e) Abuse of authority; xxx"

In this case, the complaint against the respondent refers to Paragraph (c) and (e) of Section 60.

Here, the complainants filed their individual complaint-affidavit stating the following matters which can be summarized as follows:

- a. The respondent terminated the appointment of his appointees without undergoing the proper procedure;
- b. The non-payment if not delay in the payment of Complainant's honorariums;
- c. The respondent departs from regular sessions prior to their official adjournment and has incurred unexplained absences;
- d. The office of the barangay is being locked at the instruction of the respondent which hampers the ordinary course of business in the barangay; and
- e. The unreasonable delay in the release of the SK Fund;

*The termination of Palacio*

Complainant Palacio substantially prove that her termination as barangay secretary violates the provisions of the LGC. Appointive barangay official like the barangay secretary may only be appointed or replaced upon approval by a majority of all the members of the sangguniang barangay.<sup>2</sup> Even if the respondent argued that the replacement of the barangay secretary was approved by the majority of the Sanggunian, the same was not supported by any evidence. The respondent's

<sup>1</sup> NBI, Vs. Conrado M. Najera, G.R. No. 237522, June 30, 2020, citations omitted

<sup>2</sup> Sec. 389(b)(5) of the LGC

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failure to attend the Pre-Trial Conference constitutes a waiver on his part to formally offer his evidence, to simplify the issues, and obtain stipulations of facts.

Even if this Body admits the Resolution terminating Palacio from her appointment as evidence, the same give no probative value. The said Resolution bears no Number giving an impression that this might not have been deliberated, if not falsified.

The Supreme Court in the landmark case of *Alquizola et. al. vs. Ocol et. al.*<sup>3</sup>, discussed the following doctrines pertaining the prerequisite in appointing and removing barangay appointees, to wit:

"The Code explicitly vests on the punong barangay, upon approval by a majority of all the members of the sangguniang barangay, the power to appoint or replace the barangay treasurer, the barangay secretary, and other appointive barangay officials. xxx

"Verily, the power of appointment is to be exercised conjointly by the punong barangay and a majority of all the members of the sangguniang barangay. Without such conjoint action, neither an appointment nor a replacement can be effectual. Xxx" (Emphasis supplied)

Both the law and prevailing jurisprudence agree that the replacement of a barangay secretary requires the concurrence of the majority of the Sangguniang Barangay members. The respondent does not have the sole authority to terminate Palacio's appointment and unilaterally install Nevaliza in her place. Therefore, Palacio's removal as barangay secretary is deemed invalid and unlawful.



However, Palacio's failure to promptly act on the matter has worked to her disadvantage. Mr. Nevaliza's subsequent assumption of duties as barangay secretary may be construed as a waiver on Palacio's part to challenge the invalidity of his appointment. We must take into consideration that the office of the barangay requires an active secretary. The absence of a person in this position will cripple the overall function of the office. Nonetheless, Palacio is still entitled to receive her unpaid salary up to March 20, 2024.

*The non-payment if not delay in the payment of Complainant's honorariums*

Complainants Palacio, Nevaliza, Enero, and Aurillo have established the legitimacy of their respective appointments. Their supporting evidence has remained unchallenged. Mr. Enero presented a copy of his Appointment (*Exh. "F"*), Certification of Assumption of Office (*Exh. "F-1"*), Panumumpa sa Katungkulan (*Exh. "F-2"*), and Certification of Completion of Training as Barangay Tanod (*Exh. "F-3"*). On the part of Ms. Palacio, she presented the Termination Order (*Exh. "G"*) which bolster the fact that she was duly appointed as the respondent unjustifiably terminate her from the position.

<sup>3</sup> G.R. No. 132413, August 27, 1999

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With respect to Mr. Nevaliza, Respondent alleged in his Answer the following which is considered as admission on his part, to wit: (a) it is Mr. Nevaliza's duties and responsibilities to keep the minutes of the sessions; (b) he issued a Show Cause Orders against Mr. Nevaliza; and (c) he instructed Mr. Nevaliza to be always cautious and careful in opening the barangay hall. His function as the barangay secretary remains unopposed. The respondent is therefore estopped from questioning the validity of the appointment of Mr. Nevaliza. The case of *Philippine National Bank v. Intermediate Appellate Court*<sup>4</sup> finds this applicable in the situation of Mr. Nevaliza wherein the Supreme Court emphasized:

"The doctrine of estoppel is based upon the grounds of public policy, fair dealing, good faith and justice, and its purpose is to forbid one to speak against its own act, representations, or commitments to the injury of one to whom they were directed and who reasonably relied thereon. The doctrine of estoppel springs from equitable principles and the equities in the case. It is designed to aid the law in the administration of justice where without its aid injustice might result. It has been applied by this Court wherever and whenever the special circumstances of a case demands."

The discussion above is squarely applicable to the situation of Ms. Aurillo.

Accordingly, the complainants are entitled to receive salaries or honoraria for the services they rendered to the barangay.

It is of judicial notice that the compensation received by Barangay Health Workers and the Barangay Chief Tanod is disproportionately low in relation to the valuable services they provide. Their cause must be safeguarded at all times. Given the modest remuneration they are receiving, the protective provisions of the Labor Code of the Philippines (Labor Code for brevity) are deemed applicable to their situation. The following provisions of the Labor Code shall be observed in the payment of their wages or salaries, to wit:

"ART. 103. Time of Payment. – Wages shall be paid at least once every two (2) weeks or twice a month at intervals not exceeding sixteen (16) days. If on account of force majeure or circumstances beyond the employer's control, payment of wages on or within the time herein provided cannot be made, the employer shall pay the wages immediately after such force majeure or circumstances have ceased. No employer shall make payment with less frequency than once a month. Xxx"

"ART. 104. Place of Payment. – Payment of wages shall be made at or near the place of undertaking, except as otherwise provided by such regulations as the Secretary of Labor and Employment may prescribe under conditions to ensure greater protection of wages." (Emphasis supplied)

Complainants Palacio and Enero complained that they don't receive their salaries on time which later became a complaint for non-payment of salaries. Although the respondent contends that it is the treasurer who manages the

<sup>4</sup> 267 Phil. 720, 728 (1990)

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barangay's finances, his moral ascendancy over the treasurer establishes his superior influence over the appointed official. The Punong Barangay approves vouchers relating to the disbursement of barangay funds,<sup>5</sup> and his signature always appears in the barangay-issued checks, thus, he is fully aware of the status of fund availability for the release of salaries to the appointed barangay workers. He cannot evade accountability for a mere excuse as he is actively involved in the barangay's financial affairs. He shares equal responsibility for these barangay workers alongside the treasurer. In every aspect of the narrative, it is evident that he ensured he received compensation for his role as Punong Barangay upon the encashment of the check by the treasurer. And if the treasurer failed to report unto him right after the check has been encashed, he will surely take all the necessary actions available to make the treasurer answer for this failure.

Ms. Palacio proven that the respondent drafted a check bearing a Serial No. 0080242700 with the amount of P234,400.00 for the purpose of honorarium (*Exh. "I"*), while Mr. Nevaliza established that the respondent issued a check with Serial No. 0091272967 amounting to P89,200.00, allocated as honorarium for the month of July 2024 (*Exh. "I-4"*). Yet, the complainants did not receive their honorariums despite these checks having issued by the barangay.

Clearly, the respondent unreasonably withheld the complainant's respective salaries and honorariums.

*The respondent departs from regular sessions prior to their official adjournment and has incurred unexplained absences*



*The office of the barangay is being locked at the instruction of the respondent which hampers the ordinary course of business in the barangay*


Mr. Nevaliza asserts that the respondent has consistently been either absent or has prematurely exited the barangay's regular sessions held every first and third Saturday of the month, as well as during special sessions. On one occasion, the respondent merely signed the attendance sheet and departed immediately without issuing any directive regarding the conduct of the session. Furthermore, there have been instances where the respondent instructed the complainant not to open the barangay hall, thereby preventing the barangay council from holding its scheduled session.

The respondent, in turn, alleges that Mr. Nevaliza failed to comply with his directives. He initially requested access to certain documents which were no longer present in the barangay hall, but these requests were repeatedly refused by Mr. Nevaliza. The complainant previously served as custodian of the barangay hall key, and the respondent claims that he merely instructed him to exercise caution and discretion when opening the hall.

<sup>5</sup> Section 389(b)(8) of the LGC

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Mr. Nevaliza rebutted that the session was held in the SK Room due to the barangay hall being locked, following the respondent's directive prohibiting entry. He also noted that had the respondent truly intended to participate in the regular session on September 21, 2024, he was free to do so, as the session was not conducted behind closed doors.

These statements are corroborated by Mr. Villasante in his Complaint-Affidavit as well as in his Reply. And the respondent posits a very same defense on his part.

This Body finds the statements of the complainants credible and supports each other on a very important point. The Punong Barangay is the officer who call and preside over the sessions of the sangguniang barangay and the barangay assembly, and he is tasked to promote the general welfare of the barangay.<sup>6</sup> He cannot re-delegate what has been delegated unto him as the Punong Barangay. He has the sole authority over the affairs of the barangay and he must observe these responsibilities under his administration. We find no basis to pinpoint all the blame to the barangay secretary for these duties and functions which he himself must observe. The law speaks that he must be present in all regular sessions of the barangay, and he shall secure that the services to the constituents is always available. The office of the barangay should not have been close in order to bring the basic services to the constituent, and to hear the concerns of visitors.

Anent to the defense that the complainants and other barangay officials held illegal regular and special sessions, the same is misplaced. Section 52(a) of the LGC provides:

"(a) On the first day of the session immediately following the election of its members, the sanggunian shall, by resolution, fix the day, time, and place of its regular sessions. The minimum numbers of regular sessions shall be once a week for the sangguniang panlalawigan, sangguniang panlungsod, and sangguniang bayan, and twice a month for the sangguniang barangay."

The respondent cannot find relief on a basis of mere excuses or baseless allegations. The LGC is clear that the sanggunian fixed the day, time, and place of its regular sessions in their initial session. He is well aware that the regular session is held every first and third Saturday of every month in the office of the barangay of Brgy. Cabuloran, yet he never attends to it. He is supposedly call and preside the said session, but he deliberately fails to appear on these regular sessions.

On the allegations that the respondent casually writes his name in the attendance sheet then left immediately before the session began, the same is not supported by any evidence and there are no admissions from the respondent pertaining this issue.

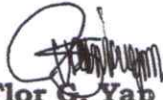
*The unreasonable delay in the release of the SK Fund*

<sup>6</sup> Section 389(a)(4) & (14) of the LGC

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Complainant Villasin asseverated that the respondent refuses to immediately sign and release the check for the SK fund. He decides when to release the SK Fund based on his personal discretion. The SK Fund corresponding to the months of December 2023, January and February 2024 were released to him only on April 8, 2024 (Exh. "I-1"). The same was deposited in the bank on April 8, 2024 (Exh. "J"). For March and April 2024 SK Funds, the check was issued and verified on April 24, 2024 (Exh. "I-2"), and deposited on the SK Bank Account on April 29, 2024 (Exh. "J-1"). Then for May and June 2024, a check was issued and verified on May 10, 2024 (Exh. "I-3"), and was deposited to the SK Bank account on May 14, 2024 (Exh. "J-1").

Upon verification of Complainant Villasin of the bank statements issued by the DBP, it is evident that the National Tax Allotment (NTA) of their barangay is credited every first day or second day of the month, except for June 2024 wherein it was credited on the third day of the month (Exh. "K"). There is no reason to delay the release of the fund for SK.

Pertinent provisions of the Guidelines on the Appropriation, Release, Planning and Budgeting Process for the SK Funds,<sup>7</sup> provides:

"3.2.1 The SK funds shall be automatically released by the barangay to the SK, and shall not be subject to any lien or holdback that may be imposed by the barangay for whatever purpose.

"3.2.3 The SK funds shall be deposited by the barangay in the current account of the SK not later than five (5) working days after the crediting of the monthly internal revenue allotment (IRA) share of the barangay consistent with the rules and regulations issued by the Commission on Audit (COA). For all other income accruing to the general fund of the barangay, the corresponding SK funds shall be deposited not later than five (5) working days after the end of the month. The barangay may opt to transfer/release the SK funds earlier than herein prescribed on an annual, semestral or quarterly basis, subject to the written agreement between the barangay and the SK. Failure by the barangay to release any amount of the SK fund shall subject the erring officials to penalties under existing laws."

The enactment of the Sangguniang Kabataan Reform Act of 2015 reflects the State's recognition of the youth's pivotal role in nation-building. The law seeks to promote and safeguard their physical, moral, spiritual, intellectual, and social well-being; instill patriotism, nationalism, and other admirable values; and encourage active participation in public and civic affairs. In line with this commitment, the State has established adequate, effective, and responsive support systems and mechanisms to ensure the meaningful involvement of young people in local governance and national development.<sup>8</sup>

<sup>7</sup> JMC No. 1, Series of 2019, January 23, 2019 issued by the Department of Budget and Management, Department of The Interior and Local Government, and National Youth Commission

<sup>8</sup> Sec. 2 of RA No. 10742

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The respondent hindered the State's efforts directed toward youth development. The complainant presented sufficient evidence indicating that the respondent caused undue delays in releasing their allocated funds. What stands out as particularly troubling is the delay in the disbursement of the SK fund for December 2023, January 2024, and February 2024—funds that were only released in April 2024. As a result, the implementation of SK programs was put on hold due to the respondent's actions. It is the respondent who signed the PBC granting the disbursement of the SK fund, therefore, it is very clear that he willfully suspends the release of SK Fund which is a violation of JMC No. 1, Series of 2019.

**PENALTY TO BE IMPOSED**

In the case of *Civil Service Commission v. Ledesma*,<sup>9</sup> the Supreme Court defined misconduct as follows:

"Misconduct is a transgression of some established and definite rule of action, more particularly, unlawful behavior or gross negligence by a public officer. The misconduct is grave if it involves any of the additional elements of corruption, willful intent to violate the law or to disregard established rules, which must be established by substantial evidence. Otherwise, the misconduct is only simple. A person charged with grave misconduct may be held liable for simple misconduct if the misconduct does not involve any of the additional elements to qualify the misconduct as grave."

In the case of *CSC, et. al vs. Edgar B. Catacutan*,<sup>10</sup> the Supreme Court discussed the degree of negligence in the performance of service as follows:

"The gravity of negligence or the character of neglect in the performance of duty is certainly a matter of evidence and will direct the proper sanction to be imposed. On one hand, gross neglect of duty is understood as the failure to give proper attention to a required task or to discharge a duty, characterized by want of even the slightest care, or by conscious Indifference to the consequences insofar as other persons may be affected, or by flagrant and palpable breach of duty. It is the omission of that care which even inattentive and thoughtless men never fail to give to their own property. In cases involving public officials, there is gross negligence when a breach of duty is flagrant and palpable. Under the law, this offense warrants the supreme penalty of dismissal from service. Simple neglect of duty, on the other hand, is characterized by failure of an employee or official to give proper attention to a task expected of him or her, signifying a disregard of a duty resulting from carelessness or indifference. This warrants the penalty of mere suspension from office without pay."

Grave abuse of authority is "a misdemeanor committed by a public officer, who under color of his office, wrongfully inflicts upon any person any bodily harm,

<sup>9</sup> 508 Phil. 569 (2005)

<sup>10</sup> G.R. No. 224651, July 03, 2019. Citations omitted.

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imprisonment, or other injury; it is an act of cruelty, severity, or excessive use of authority.<sup>11</sup>

In this case, the complainants have clearly demonstrated that the respondent is culpable for terminating his appointees without following the appropriate procedures, failing to pay the complainant's honorariums, incurring absences without justification, locking the barangay office, and causing unreasonable delays in releasing the SK Fund.

This body finds the respondent guilty of Grave Misconduct for unlawfully revoking the secretary's appointment, withholding the complainant's honoraria, locking the barangay office, and unduly delaying the release of the SK Fund. These acts are grave in nature as they involve corruption, willful violation of the law, and blatant disregard for established rules. The respondent repeatedly committed these offenses over time without attempting to rectify his actions. Instead, he shifted the blame to his treasurer, despite being that person's superior—an admission that underscores his own accountability. Accordingly, the appropriate penalty is suspension.

Furthermore, the respondent is guilty of neglect of duty for incurring absences in the conduct of regular session without justification. The respondent himself admits that he incurred absences although making excuses that the complainants are holding unlawful sessions. The same is misplaced. The respondent's defenses contradict what the law provides. He has all the right to be present in the regular session and he knows the particular calendar of this activity every month. His defense serves to admit that he committed a neglect of duty as the presiding officer in the conduct of regular session. In this case, Complainants Villasante and Nevaliza proven their complaint against the respondent with sufficient evidence of his neglect of duty. The findings of this Body is only Simple Neglect of Duty as there is room for the Complainants to conduct session, and they can even enact Ordinance or Resolution, even in the absence of the respondent. Article 102 of the Rules and Regulations Implementing the Local Government Code of 1991 provides:

"Art. 102. Presiding Officer. – xxx (c) In the event of the inability of the regular presiding officer to preside at the sanggunian session, the members present and constituting a quorum shall elect from among themselves a temporary presiding officer. He shall certify within ten (10) days from the passage of ordinances enacted and resolutions adopted by the sanggunian in the session over which he temporarily presided"

However, the respondent cannot be held liable for a complaint for Grave Abuse of Authority as there is no evidence showing that he acted with cruelty, severity, or excessive use of authority in the discharge of his duty as Punong Barangay.

<sup>11</sup> Romero v. Villarosa, Jr., 663 Phil. 196, 207 (2011) [Per Curiam, En Banc]. Citation omitted.

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Section 66 of the LGC provides:

**“Section 66. Form and Notice of Decision.** – xxx (b) The penalty of suspension shall not exceed the unexpired term of the respondent or a period of six (6) months for every administrative offense, nor shall said penalty be a bar to the candidacy of the respondent so suspended as long as he meets the qualifications required for the office. Xxx” (Emphasis supplied)

For the complaint of Grave Misconduct, this Body imposes the penalty of suspension in the following manner, to wit:

- a. For the Complaint of Mr. Villasante – six (6) months to the Respondent;
- b. For the Complaint of Mr. Nevaliza – five (5) months to the Respondent;
- c. For the Complaint of Ms. Palacio – five (5) months to the Respondent;
- d. For the Complaint of Mr. Enero – five (5) months to the Respondent; and
- e. For the Complaint of Ms. Aurillo – five (5) months to the Respondent;

With regard to the penalty for Simple Neglect of Duty as the Punong Barangay, this Body imposes a suspension, which is deemed incorporated in the above-discussed penalties. This is in view of the fact that five (5) administrative complaints have been filed against the sole Respondent, and the law provides that a single penalty shall be imposed for each complaint.


In summary, this Body imposes a penalty of suspension against the respondent for a period of twenty-six (26) months. Considering the possibility of Barangay Election this coming December 2025, this suspension shall be automatically lifted at the culmination of the Barangay Election 2025. In the event that the Barangay Election shall again be moved to the following year, this suspension shall remain imposed upon the person of the Respondent until fully served the penalty or after the conduct of the Barangay Election, whichever comes first.

### **DISPOSITION**

**WHEREFORE**, in the light of the foregoing, this Body rules that Respondent **HON. BASILIO D. CALDA** is found guilty of Grave Misconduct and Simple Neglect of Duty and is meted the penalty of suspension for a period of TWENTY-SIX (26) MONTHS which shall not exceed the unexpired term of the named Respondent.

Let a copy of this Decision be furnished to the Office of the Mayor, to the office of the Municipal Mayor, the Municipal Local Government Operations Office (MLGOO) of the Dagami LGU, Atty. Charmaine Lynn B. Tan, the Respondent Hon.

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Basilio Calda, Complainants Ley Mart L. Villasante, Reymart D. Nevaliza, Anacita M. Palacio, Alfonso S. Enero, and Marites O. Aurillo.

SO ORDERED.

We attest that the conclusions in the above Decision had been reached in consultation before affixing our assent to the foregoing discussion.

**Quasi-Judicial Function Committee**

  
**HON. FLORADIMA BUD-OY**

*Member*

  
**HON. ANDRES BRYAN BAYONA**

*Member*

  
**HON. SUSAN MENDOZA**

*Member*

  
**HON. CARIDAD CABIDOG**

*Member*

  
**HON. REYNALDO GERONA**

*Member*

  
**HON. DAN JOSEPH BERINO**

*Member*

  
**HON. JERICHO CABIDOG**

*Member*

  
**HON. ARVIN DELUSA**

*Member*

  
**HON. JAMESON MADALINA**

*Member*

  
**HON. ALVARO LORENO JR**

*Chairman*

*(Took no part in the vote)*

  
**FLOR G. YAP**

*SB Secretary*

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*SECRETARY TO THE SANGGUNIAN*