

Title: *Sumulong and Vidanes-Balaoing v. Hon. Guerrero and National Housing Authority*

****Facts:****

On December 5, 1977, the National Housing Authority (NHA) filed a complaint for the expropriation of approximately 25 hectares of land in Antipolo, Rizal, for socialized housing. This included lots owned by Lorenzo Sumulong and Emilia Vidanes-Balaoing, comprising 6,667 square meters and 3,333 square meters respectively. NHA valued the land at one peso (P1.00) per square meter based on market value determined by the provincial assessor in accordance with presidential decrees.

NHA simultaneously filed a motion for immediate possession, depositing P158,980.00 with the Philippine National Bank for the land's "total market value" under P.D. No. 1224, related to expropriation for socialized housing. On January 17, 1978, respondent Judge Buena Ventura Guerrero issued an order granting NHA a writ of possession without a hearing.

Petitioners filed a motion for reconsideration, claiming deprivation of property without due process, which was denied. They escalated the matter to the Supreme Court, challenging the orders of the respondent Judge and the constitutionality of P.D. No. 1224, as amended.

****Issues:****

The main legal issues raised for the Supreme Court's decision were:

1. Whether the respondent Judge acted without jurisdiction or with grave abuse of discretion by issuing the order for immediate possession without notice and hearing.
2. The constitutionality of P.D. No. 1224, as amended, under the due process clause on grounds that:
 - The decree allowed taking property regardless of size.
 - The definition of "socialized housing" under the decree does not constitute a public purpose.
 - The decree provides instantaneous possession, undermining procedural due process.
 - The decree allows property taking upon payment of compensation based on arbitrary valuations by government assessors.
 - The decree deprived courts of discretion in determining just compensation.

****Court's Decision:****

The Supreme Court held that "socialized housing" does fall within the concept of "public use" for expropriation. However, it found that the provisions on just compensation in P.D.

No. 1224, as amended, are unconstitutional. Additionally, it affirmed the unconstitutionality of allowing the immediate taking of property without notice and hearing, as this violated due process.

To address the issues, the Court detailed that:

- Public use is a flexible concept, and State promotion of housing for underprivileged citizens meets this requirement.
- The State must uphold and implement a continual urban land reform and housing program, which is anchored in the Constitution.
- Despite the necessity for immediate government action, just compensation and due process must be observed.
- The NHA's discretion in selecting property for expropriation is acknowledged, but subject to limitations like absence of fraud or abuse of discretion.
- The Court reiterated earlier decisions declaring similar decrees unconstitutional as they impinged on the judicial domain in determining just compensation and violated due process.

****Doctrine:****

The Supreme Court reinforced that provisions enacting automatic valuations for just compensation by executive or legislative decree are unconstitutional. It established or reaffirmed the principles that:

- "Socialized housing" qualifies as a public use under the power of eminent domain.
- Allowing immediate possession through executive decrees violates procedural due process.
- The determination of just compensation is ultimately a judicial function.

****Class Notes:****

- Power of Eminent Domain: The government's authority to take private property for public use upon payment of just compensation, subject to constitutional limitations.
- Public Use: A concept that has evolved over time to encompass both direct public use and indirect public benefit.
- Just Compensation: The equivalent to the fair market value of the property at the time of the taking, reflecting all its characteristics and conditions.
- Due Process: A fundamental principle requiring notice and a fair hearing before the government may deprive a person of life, liberty, or property.
- Essential Statutory Provisions: Involved in this case are the provisions of Art. III, Sec. 9, and Art. XIII, Sec. 9 of the 1987 Constitution, emphasizing social justice, human dignity, land reform, and equitable distribution of property rights.

****Historical Background:****

The case responded to significant social issues faced by the Philippines in the late 20th century, such as inadequate housing and urban land reform. It addressed tensions between government initiatives promoting general welfare and constitutional rights to property and due process. The rulings reflect a period of legal transition and social policy reforms emphasizing the state's responsibility to provide housing to marginalized sectors.