

Title: Jose J. Ferrer, Jr. v. City Mayor Herbert Bautista, et al.

Facts:

The Quezon City Council enacted Ordinance No. SP-2095, S-2011, which imposed a Special Socialized Housing Tax (SHT) of 0.5% on the assessed value of land exceeding Php100,000.00 to finance social housing programs. The SHT offered a tax credit to property owners after five years of continuous payment.

Subsequently, Ordinance No. SP-2235, S-2013 was enacted, imposing an annual Garbage Fee on residential properties, with rates varying depending on the property's land or floor area.

Jose J. Ferrer, Jr., co-owner of a residential property in Quezon City, paid his realty tax inclusive of the Garbage Fee on January 7, 2014. Questioning the constitutionality and legality of both ordinances, he filed a petition for certiorari with a prayer for a temporary restraining order (TRO). The Supreme Court issued a TRO against the enforcement of the ordinances and required respondents to comment.

Respondents submitted that the petition was inappropriate, as it was not directed against a judicial or quasi-judicial body. Ferrer argued that the ordinances were a result of quasi-judicial action because they mandated property owners to pay taxes for services they argued should not be their responsibility.

Issues:

1. Whether the petition for certiorari was the proper remedy.
2. Whether petitioner Ferrer had legal standing.
3. Whether there was *litis pendencia* or failure to exhaust administrative remedies.
4. Whether Ordinance No. SP-2095 (SHT) and Ordinance No. SP-2235 (Garbage Fee) were unconstitutional or illegal.

Court's Decision:

1. The petition, essentially seeking to declare the unconstitutionality of ordinances, was treated as one for prohibition over which the Supreme Court has original jurisdiction. The respondents' capacity fell under ministerial duties.
2. Ferrer had legal standing as a real party-in-interest having a registered property in Quezon City and had paid the SHT and Garbage Fee.

3. Litis pendentia did not warrant dismissal, as no concrete evidence of identity in rights asserted and reliefs prayed for between this case and *Alliance of Quezon City Homeowners, Inc., et al., v. Hon. Herbert Bautista, et al.*, was provided.

4. Ordinance No. SP-2095 (SHT) was constitutional and legal, consistent with R.A. No. 7279 (UDHA), while Ordinance No. SP-2235 (Garbage Fee) was unconstitutional for not abiding by the equal protection clause with its unreasonable classification.

Doctrine:

Municipal governing bodies must exercise their police power—with taxation as its instrument—conforming to constitutional limitations and requiring the exercise to be reasonable and for public good. If a municipality has the responsibility to regulate, it also has the inherent authority to impose the necessary fees, provided they are reasonable, equitable, and not oppressive.

Class Notes:

- For a petition for prohibition/mandamus: there must be a showing of (a) a tribunal, board, or officer exercising judicial, quasi-judicial, or ministerial functions; (b) unlawfully neglecting the performance of an act or unlawfully excluding another from the use and enjoyment of a right or office.
- Legal standing requires a direct and personal interest in the case, and a substantial right or interest must be established.
- Litis Pendentia: The requirements are (a) identity of parties, (b) identity of rights and reliefs, and (c) identity of the facts.

Historical Background:

The ordinances in question were enacted to fulfill public services for social housing and waste management. These obligations are grounded in the Local Government Code and national policies aimed at local government autonomy and responsibility for managing local services, such as the Urban Development and Housing Act for the SHT and the Ecological Solid Waste Management Act for waste management.

Responding directly to the case provided, which is a decision from the Philippine Supreme Court, the analysis above follows the format requested focusing on the comprehensive case brief structure, outlining the facts, issues, court's decision, applicable doctrine, class notes, and historical context nuances of the ordinances related to socialized housing and garbage fees in Quezon City.