

### Title:

**\*\*Montemayor vs. Bundalian and Others: A Case of Unexplained Wealth and Administrative Dismissal\*\***

### Facts:

The case unfolded with a letter-complaint dated July 15, 1995, sent by Luis Bundalian to the Philippine Consulate General in San Francisco, accusing Edillo C. Montemayor, the OIC-Regional Director of the Department of Public Works and Highways (DPWH) Region III, of accumulating unexplained wealth contrary to Section 8 of Republic Act No. 3019. Bundalian alleged that Montemayor and his wife had bought a property in California with a down payment of \$100,000, sourced from illegal earnings from public works projects.

The Philippine Consulate forwarded the complaint to the Philippine Commission Against Graft and Corruption (PCAGC), prompting an investigation. Montemayor countered that the property was bought by his sister-in-law Estela D. Fajardo to assist in their immigration plans, claiming he and his wife were merely named owners for convenience. He highlighted similar charges previously dismissed by the Ombudsman for lack of evidence.

During the PCAGC's investigation from May 29, 1996, to March 13, 1997, Montemayor failed to submit requested documents like his Statement of Assets, Liabilities, and Net Worth (SALN) but presented checks from Fajardo for the property's payments. Eventually, the PCAGC's report concluded Montemayor's guilt, based on the property's value surpassing his legitimate income, recommending his dismissal, which the Office of the President upheld through Administrative Order No. 12, leading to Montemayor's appeal to the Court of Appeals and subsequently, to the Supreme Court.

### Issues:

1. Whether Montemayor was denied due process in the PCAGC investigation.
2. Whether Montemayor's guilt was substantiated by substantial evidence.
3. Whether the dismissal of similar cases before the Ombudsman rendered the administrative case moot.

### Court's Decision:

The Supreme Court dismissed Montemayor's petition, affirming his dismissal. The Court concluded that due process was sufficiently met as Montemayor was given ample opportunity to present his case. Despite the initial complaint's lack of verification and Bundalian's absence in hearings, the case proceeded with substantial evidence, with

Montemayor's active participation throughout the proceedings. The Court stressed that administrative findings are to be respected if supported by substantial evidence and that Montemayor's argument on the mootness due to the Ombudsman's dismissal of similar charges did not hold since administrative and criminal investigations serve different purposes.

### ### Doctrine:

This case reiterates two key principles in Philippine jurisprudence: (1) In administrative proceedings, the essence of due process is the opportunity to explain one's side or seek reconsideration of the action or ruling complained of; technical rules of procedure and evidence are not strictly applied. (2) The burden of proof lies with the complainant to establish accusations by substantial evidence, with administrative findings respected if supported by such evidence.

### ### Class Notes:

- **\*\*Due Process in Administrative Proceedings:\*\*** Opportunity to be heard, explain one's side, or seek reconsideration suffices; strict technical rules of evidence don't apply.
- **\*\*Substantial Evidence:\*\*** Relevant evidence that a reasonable mind might accept as adequate to support a conclusion.
- **\*\*Burden of Proof:\*\*** Rests on the complainant in administrative cases; findings respected if supported by substantial evidence.
- **\*\*Res Judicata in Administrative Proceedings:\*\*** Does not apply to separate administrative and criminal proceedings stemming from the same facts.

### ### Historical Background:

This case is situated within the broader context of the Philippine government's efforts to combat corruption within its ranks. The PCAGC was specifically established to investigate graft and corruption among presidential appointees, reflecting an ongoing struggle to ensure integrity and accountability in public service.