

### Title: Rex Daclison vs. Eduardo Baytion (Civil Case No. Q-09-66145)

### Facts:

Eduardo Baytion filed a forcible entry and damages case against Rex Daclison for unauthorized possession and use of a portion of a property Baytion co-owned, covered by Transfer Certificate Title (TCT) No. 221507. Despite demands, Daclison refused to vacate, leading to the lawsuit. Daclison contended he occupied a portion not covered by TCT No. 221507 but was connected to his leased area through previous arrangements and improvements.

The Metropolitan Trial Court (MeTC) initially dismissed the case due to Baytion not including his co-owners as plaintiffs. Baytion appealed to the Regional Trial Court (RTC), which assumed jurisdiction and ruled in Baytion's favor, ordering Daclison to vacate and pay monthly use of premises. Daclison's appeal to the Court of Appeals (CA) resulted in the affirmation of the RTC's decision. Daclison's subsequent motion for reconsideration was denied, leading to his appeal to the Supreme Court.

### Issues:

1. Whether the case constitutes accion publiciana rather than forcible entry due to the nature of possession and time frame.
2. The determination of the rightful possessor of the contested portion of the property.
3. Whether the contested portion is considered an improvement on Baytion's property.
4. Baytion's legal capacity to sue given the co-ownership of the property.
5. The validity of ordering Daclison to pay monthly for the use of the premises.

### Court's Decision:

The Supreme Court reversed the CA and RTC rulings, stating the disputed land cannot be considered an accretion under Article 457 of the Civil Code nor an improvement pursuant to Article 445. The contested portion was a result of human intervention, not the natural process described by law for accretions. Furthermore, Baytion lacked prior physical possession of this portion and failed to show it was an integral improvement of the titled property. Thus, Baytion had no better right to possess the contested portion, leading to the dismissal of his complaint for possession.

### Doctrine:

The case reaffirmed the definitions and requirements of accretion under Article 457 and improvements under Article 445 of the New Civil Code, emphasizing the necessity of natural

processes and relevancy to the property in question for claims of accretion, and the requirement for improvements to be on the property.

### Class Notes:

- **Accretion (Article 457, Civil Code)**: Requires gradual and imperceptible deposit, effected by the current of the water, adjacent to the banks of rivers.
- **Improvements (Article 445, Civil Code)**: Attach to the owner of the land, but must be made directly on or within the property.
- **Accion Publiciana**: Used when possession has been withheld for longer than one year, focusing on the better right of possession irrespective of ownership.
- **Prior Physical Possession**: Necessary to establish a forcible entry case.
- **Capacity to Sue in Co-ownership**: Requires interest or sufficient representation of all co-owners unless actions benefit all.

### Historical Background:

This case underscores the complexity of property disputes, especially when involving unregistered land or changes to land features through human intervention. It clarifies legal positions on accretions and improvements in relation to property rights, set against a background of evolving land use and disputes in the Philippines.