

****Title: Tony Peter Partsch vs. Atty. Reynaldo A. Vitorillo****

****Facts:****

Tony Peter Partsch, a Swiss national, sought to purchase an 800-square-meter beachfront property in Cagayan de Oro City from Atty. Reynaldo A. Vitorillo. Initially, Atty. Vitorillo claimed ownership of the property, asserting that 100 square meters were titled under his name, with 700 square meters pending registration. A deal was struck for a total of P2,500,000.00, with a down payment made by Partsch. However, the promised titles and deed of absolute sale were not delivered. Atty. Vitorillo made several excuses and eventually informed Partsch he no longer intended to sell the property, leading Partsch to demand a refund. After failed mediation and further demands, Partsch filed a disbarment complaint against Atty. Vitorillo. The case went through the Integrated Bar of the Philippines (IBP), where it was recommended that Vitorillo be suspended from practicing law for two years. The Supreme Court, upon review, extended this to three years.

****Issues:****

1. Whether Atty. Vitorillo engaged in deceitful conduct by misrepresenting his ownership of the property.
2. Whether Atty. Vitorillo's actions constituted gross misconduct and a violation of the Lawyer's Oath.
3. The appropriateness of the penalty of suspension from the practice of law.

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

The Supreme Court found Atty. Vitorillo guilty of deceitful conduct, gross misconduct, and violation of the Code of Professional Responsibility and the Lawyer's Oath, extending his suspension from the practice of law to three years. The decision was based on the evidence that Atty. Vitorillo misrepresented his ownership of the property and failed to fulfill his promises to Partsch, violating several ethical standards expected of lawyers.

****Doctrine:****

1. A lawyer shall not engage in unlawful, dishonest, immoral, or deceitful conduct (Canon 1, Rule 1.01 of the CPR).
2. A lawyer shall uphold the integrity and dignity of the legal profession at all times (Canon 7, Rule 7.03 of the CPR).

****Class Notes:****

- Misrepresentation by a lawyer about property ownership constitutes deceitful conduct.

- Failure to comply with contractual agreements and ethical representations violates the Code of Professional Responsibility.
- The Supreme Court will not act as a collection agency for disputed and indefinite debts but will address ethical violations.
- Suspension from the practice of law is a viable penalty for deceitful conduct and misconduct.

****Historical Background:****

This case underscores the Philippine Supreme Court's commitment to maintaining ethical standards within the legal profession. It highlights the necessity for lawyers to act with honesty and integrity, especially in transactions involving non-legal professionals. Importantly, it reveals the Court's stance on reinforcing disciplinary actions to protect public interest and trust in the legal system.