

****Title:** Corinthian Gardens Association, Inc. vs. Spouses Reynaldo and Maria Luisa Tanjangco, and Spouses Frank and Teresita Cuaso******

****Facts:****

The Tanjangcos owned Lots 68 and 69, while the Cuasos owned the adjacent Lot 65 in Corinthian Gardens Subdivision, Quezon City. A relocation survey by Geodetic Engineer Democrito De Dios was conducted for the Cuasos' Lot 65 before their house construction. The survey and construction process involved multiple parties: De Dios for surveying, C.B. Paraz Construction Co., Inc. for building, and Corinthian Gardens Association, Inc. for approving plans and conducting ocular inspections. Eventually, the Cuasos' perimeter fence encroached on the Tanjangcos' Lot 69 by 87 square meters. After failed amicable settlement efforts, the Tanjangcos filed a suit for Recovery of Possession with Damages against the Cuasos, who subsequently filed a Third-Party Complaint implicating Corinthian, C.B. Paraz, and Engr. De Dios for negligence. The RTC ruled in favor of the Tanjangcos, with the Cuasos deemed builders in good faith, prompting appeals to the CA by all parties. The CA reversed the RTC, finding the Cuasos acted in bad faith and held them, alongside Corinthian, C.B. Paraz, and Engr. De Dios, liable for various damages and negligence.

****Procedural Posture:****

After the CA decision, Corinthian sought a reversal through a Petition for Review on Certiorari under Rule 45. The SC gave due course to Corinthian's petition but ultimately denied the Cuasos' application for a TRO/preliminary injunction to prevent the demolition of their encroaching perimeter fence, citing the lack of clear and unmistakable legal right for such relief.

****Issues:****

1. Whether Corinthian Gardens Association, Inc. was negligent in its approval of the Cuasos' construction plans and inspections, contributing to the encroachment issue.
2. Whether the CA erred in unilaterally increasing the rental damages from P2,000.00 to P10,000.00 per month without explicit request from the Tanjangcos.

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

The SC denied Corinthian's petition, affirming the CA's decision:

- Corinthian was found negligent for failing to ensure the Cuasos adhered to its Manual of Rules and Regulations, leading to the encroachment. The CA's factual findings were deemed supported by evidence and aligned with law and reason.
- The SC held that the increase in monthly rental damages by the CA was justified given the

deprivation of property use endured by the Tanjangcos for over two decades.

****Doctrine:****

1. The SC reiterated the doctrine under Article 2176 of the Civil Code on negligence (quasi-delict), emphasizing that negligence is established by the lack of reasonable care expected of an ordinary person in the same situation.
2. A party's responsibilities derived from benefits received entail liabilities for consequences arising from negligence.

****Class Notes:****

1. ****Elements of Negligence (Quasi-Delict):**** Damage suffered by the plaintiff, fault or negligence of the defendant, and causation. Preponderance of evidence is required to establish these elements.
2. ****Responsibility Derived from Authority:**** Approval of construction plans and inspections implies an obligation to ensure compliance with regulations and standards, leading to liability for negligence if such duties are breached.
3. ****Property Rights:**** Encroachment on another's property due to negligence involves compensatory mechanisms, including rental damages reflecting the deprivation of property use.

****Historical Background:****

This case contextualizes the responsibilities and liabilities within homeowner associations regarding property management, construction approval, and oversight in the Philippines. It underscores the legal ramifications of negligence, particularly in suburban high-value residential areas, and the judiciary's role in adjudicating property disputes, reinforcing property rights, and determining liabilities for encroachment and negligence.