

****Title:**** Reyes vs. COMELEC and Tan: A Case on Certificate of Candidacy Cancellation due to Alleged Misrepresentations

****Facts:**** The case originated when Joseph Socorro B. Tan challenged the validity of Regina Ongsiako Reyes' Certificate of Candidacy (COC) for the lone district representative of Marinduque. Tan argued that the COC contained several material misrepresentations regarding her marital status, place of residence, date of birth, citizenship, and residency. Reyes countered these claims by clarifying her marital status with Congressman Mandanas, her residence, and her citizenship status. However, during the case, evidence presented by Tan, including an online article and a Certification of Travel Records from the Bureau of Immigration, suggested Reyes was a U.S. citizen and passport holder. The COMELEC First Division canceled Reyes' COC citing her failure to re-acquire Philippine citizenship under R.A. No. 9225, lack of residency, and subsequently, the COMELEC En Banc affirmed this decision. Despite the ruling, Reyes was proclaimed winner of the election and took her oath before the Speaker of the House of Representatives. This prompted her to file a petition for certiorari with the Supreme Court, challenging COMELEC's jurisdiction and the validity of its resolutions on various grounds including due process violations and jurisdictional issues.

****Issues:****

1. Whether the COMELEC retained jurisdiction over the case despite Reyes' proclamation as the election winner and oath-taking as a Member of the House of Representatives.
2. Whether the COMELEC committed grave abuse of discretion in its treatment of evidence and its conclusion on Reyes' citizenship and residency, violating her right to due process.
3. Whether the imposition of the requirements of R.A. No. 9225 by the COMELEC added qualifications beyond what the Constitution provides for members of the House of Representatives.

****Court's Decision:**** The Supreme Court found no grave abuse of discretion by the COMELEC. It held that the COMELEC retained jurisdiction as the proclamation of a winning candidate does not automatically divest the COMELEC of jurisdiction unless a petition is filed before the HRET, which had not happened in this case. The Court also found that the COMELEC did not violate Reyes' right to due process and had sufficient grounds to cancel her COC based on her failure to prove her Filipino citizenship and compliance with residency requirements.

****Doctrine:**** The Supreme Court reiterated that the jurisdiction of the HRET begins only when a candidate has been considered a Member of the House of Representatives. For

jurisdiction to shift from the COMELEC to the HRET, there must be a valid proclamation, a proper oath, and the assumption of office. Additionally, the Court emphasized that the COMELEC is not strictly bound by technical rules of evidence in the evaluation of COC cancellation petitions, reinforcing the summary nature of such proceedings.

****Class Notes:****

- ****Jurisdiction:**** The jurisdiction over election-related cases transitions from COMELEC to HRET once a candidate is proclaimed, has taken an oath, and assumed office.
- ****Evidence and Due Process in Administrative Proceedings:**** In administrative cases like those handled by the COMELEC, procedural due process allows for a liberal treatment of evidence, aimed at an expeditious resolution while ensuring the parties' right to present their case.
- ****Requirements under R.A. No. 9225:**** Those seeking elective public office and have pledged allegiance to a foreign country must re-acquire Philippine citizenship and renounce foreign citizenship formally to qualify.
- ****Qualifications for Membership in the House of Representatives:**** The qualifications for being a member of the House are specified by law, and agencies like the COMELEC cannot impose conditions beyond those. However, verifying the fulfillment of these conditions falls within the COMELEC's jurisdiction.

****Historical Background:**** This case underscores the complexities surrounding the qualifications of individuals running for public office in the Philippines, especially against the backdrop of modern circumstances like dual citizenship. It highlights the critical role of the COMELEC in ensuring the eligibility of candidates in adherence to constitutional and statutory requirements, as well as the delineation of jurisdiction between the COMELEC and HRET concerning election-related disputes.