

Title:

Rodolfo V. Jao vs. Court of Appeals and Perico V. Jao, G.R. No. 127780 (2001)

Facts:

- **1988-1989**: Ignacio Jao Tayag and Andrea V. Jao passed away intestate, leaving behind real estate, cash, shares of stock, and other personal properties. Their sons, Rodolfo and Perico Jao, were their only heirs.
- **April 17, 1991**: Perico filed a petition in the Regional Trial Court (RTC) of Quezon City, Branch 99, for the issuance of letters of administration for their parents' estate (Special Proceedings No. Q-91-8507). He sought to be appointed special administrator, alleging Rodolfo was dissipating estate assets.
- **Rodolfo's Dismissal Motion**: Rodolfo sought dismissal on the grounds of improper venue, claiming their parents' permanent residence was in Angeles City, Pampanga, not Quezon City. He provided documentary evidence (tax returns, voter's affidavits, etc.) to support his claim.
- **Perico's Opposition**: Perico countered that their parents resided in Rodolfo's Quezon City home at the time of their deaths, citing their death certificates indicating 61 Scout Gandia Street, Quezon City as their last residence.
- **Rodolfo's Rejoinder**: Rodolfo claimed he entered Quezon City as their residence on the death certificates in good faith due to their parents' frequent hospital treatments in Metro Manila.
- **Trial Court Appointment**: The case was temporarily archived due to non-submission of administrator nominees but later revived, leading to the appointment of Justice Carlos L. Sundiam as special administrator.
- **April 6, 1994**: The RTC denied Rodolfo's motion to dismiss, highlighting inconsistencies in his claims regarding the death certificates.
- **Court of Appeals**: Rodolfo filed a certiorari petition (CA-G.R. SP No. 35908), which the Court of Appeals dismissed on December 11, 1996. His motion for reconsideration was similarly denied on February 17, 1997.
- **Supreme Court Appeal**: Rodolfo filed a petition for review in the Supreme Court, questioning the determination of the venue for estate settlement.

Issues:

1. What is the appropriate venue for the settlement proceedings of the decedents' estate—Quezon City or Angeles City, Pampanga?
2. Did the Court of Appeals err in considering physical presence as determinative of residence for purposes of venue?

3. Should the principle of estoppel apply to Rodolfo regarding the entries he made in the death certificates?
4. Should the entries in the death certificates be given more weight than other documentary evidence of permanent residence?

Court's Decision:

****Main Issue: Proper Venue for Estate Settlement****

- The Supreme Court upheld the trial court and the Court of Appeals decisions that Quezon City was the proper venue.
- ****Reasoning****: The decedents had their "actual residence" in Quezon City as established by the death certificates, which Rodolfo himself filled out.

****Extended Analysis****:

1. ****Physical Presence vs. Permanent Residence****:

- While Rodolfo cited *Eusebio v. Eusebio*, the Court found that the decedents had demonstrated sufficient physical presence in Quezon City to be considered residents thereof.
- The distinction between permanent and actual residence was crucial. Just like in *Garcia-Fule v. Court of Appeals*, "resides" for venue purposes means actual residence.

2. ****Estoppel****:

- Rodolfo's entry on his mother's death certificate declared Quezon City as her residence, creating an estoppel against contradicting this fact later.

3. ****Validity of Death Certificates****:

- Death certificates are prima facie evidence of the facts stated within. Given they were completed before the dispute, the Court found no reason to doubt their accuracy.

Doctrine:

- ****Actual Residence****: For purposes of determining venue under Rule 73, Section 1 of the Rules of Court, the term "resides" refers to the decedent's actual residence at the time of death, rather than their permanent domicile.
- ****Estoppel****: A party may not later contest the truth of facts which they have previously affirmed or accepted through their own actions or declarations.
- ****Prima Facie Evidence****: Death certificates are admissible as primary evidence of a decedent's details like residence at the time of death.

Class Notes:

- **Key Issues**:
- **Venue for Intestate Proceedings** (Rule 73, Section 1)
- **Actual vs. Permanent Residence** (Garcia-Fule v. Court of Appeals)
- **Prima Facie Evidence from Death Certificates**
- **Estoppel** principle
- **Statutes/Provisions**:
- **Rule 73, Section 1**: **"Where estate of deceased persons be settled."**
- **Rule 4, Section 2**: **"Venue of personal actions."**

Historical Background:

- **1980s**: Economic and legal reforms affecting estate and property laws in the Philippines. This case underscores the importance of "residence" in determining jurisdiction for estate settlements amid increasing intercity migrations for medical and economic reasons.