

Title: Aratea vs. COMELEC and Antipolo: Filling the Vacant Mayoralty of San Antonio, Zambales after Lonzanida's Disqualification (G.R. No. 196804)

Facts:

1. **Background:** Romeo D. Lonzanida and Estela D. Antipolo ran for Mayor of San Antonio, Zambales in the May 2010 election.
2. **Filing of Candidacy and Initial Petition:** Lonzanida filed his certificate of candidacy on December 1, 2009. On December 8, 2009, Dra. Sigrid S. Rodolfo filed a petition under Section 78 of the Omnibus Election Code seeking to disqualify Lonzanida for serving as mayor for four consecutive terms.
3. **COMELEC Second Division Ruling:** On February 18, 2010, COMELEC Second Division canceled Lonzanida's certificate of candidacy, stating his violation of the three-term limit.
4. **Motion for Reconsideration:** Lonzanida's motion for reconsideration was pending during the election. Despite the pending disqualification, he and Efren Racel Aratea were proclaimed as Mayor and Vice-Mayor respectively.
5. **Acting Mayor Aratea:** Aratea took oath on July 5, 2010, and sought DILG's opinion on whether he should assume the Mayor's office due to Lonzanida's disqualification. DILG opined that he should act as Mayor because of Lonzanida's conviction.
6. **COMELEC En Banc Resolution:** On August 11, 2010, COMELEC En Banc disqualified Lonzanida based on his violation of the three-term limit and his criminal conviction.
7. **Intervention by Antipolo:** On August 25, 2010, Antipolo filed a Motion to Intervene, claiming her right to be proclaimed Mayor as she was the sole eligible candidate after Lonzanida's disqualification.
8. **COMELEC's January and February 2011 Rulings:** COMELEC granted Antipolo's intervention and nullified Lonzanida's proclamation, ordering a Special Board of Canvassers to proclaim Antipolo as Mayor.
9. **Petition to Supreme Court:** Aratea, opposing Antipolo's claim, filed a certiorari petition on February 9, 2011.

Issues:

1. **Nature of Petition - Disqualification or Cancellation:** Whether the petition against Lonzanida was for disqualification under Section 68 or for cancellation of his certificate of candidacy under Section 78.
2. **Effects of Disqualification or Cancellation:** Whether disqualification under Section 68

means Aratea should succeed as Mayor, or if cancellation due to false material representation under Section 78 means Antipolo should be proclaimed.

3. **Validity and Impact of Lonzanida's Candidacy:** Whether Lonzanida's certificate of candidacy was void ab initio due to disqualification grounds and whether all votes cast for him should be considered stray.

4. **Interpretation of the Three-Term Limit Rule:** Whether violating the three-term limit rule should be treated as a ground for disqualification (impeding eligibility to run) or a reason for cancellation (stating false material representation).

Court's Decision:

1. **Nature of Lonzanida's Disqualification Petition:** The Court affirmed that the petition filed by Rodolfo challenged Lonzanida's eligibility to run due to misrepresentation and disqualification based on his conviction and violation of the three-term limit rule. This combined both elements of Section 68 and 78.

2. **Lonzanida's Certificate of Candidacy:** The Court decided Lonzanida's certificate of candidacy was void ab initio. This means he was never an eligible candidate; therefore, all votes for him were stray.

3. **Proclamation of Antipolo:** The Court ruled that Antipolo should be proclaimed as Mayor because she was the only qualified candidate. The ruling declared null and void any votes for the disqualified candidate.

4. **Three-Term Limit Enforcement:** The Court emphasized that compliance with the three-term limit was a substantive eligibility requirement and misrepresentation thereof warranted cancellation of the certificate under Section 78.

Doctrine:

- **Material Misrepresentation:** False declaration regarding qualifications is grounds for cancellation of a certificate of candidacy under Section 78; this includes misrepresentation regarding eligibility to office based on the three-term limit rule.

- **Stray Votes:** Votes cast for a disqualified candidate whose certificate of candidacy is void ab initio are considered stray and cannot confer validity.

Class Notes:

- **Material Representation (Sec. 78 of OEC):** Any candidate who makes a false material representation in their certificate of candidacy can have it denied or canceled.

- **Disqualification (Sec. 68 and 12 of OEC, Sec. 40 of LGC):** Specifies prohibited acts or

conditions (e.g., criminal conviction, residency requirements) that disqualify a candidate.

- **Three-Term Limit Rule (Art. X, Sec. 8 of Constitution; Sec. 43(b) of LGC):** Local officials cannot serve more than three consecutive terms.

- **Stray Votes and Succession:** In cases of void candidacies, alternative qualified candidates must be declared winners if they secure the highest valid votes.

Historical Background:

The case arose from the 2010 election scrutiny when questions about eligibility and misrepresentation became focal points in ensuring electoral integrity and adherence to constitutional mandates like the three-term limit for local officials. The decision underscores the strict enforcement of eligibility norms and the consequences of violating electoral protocols, shaping future local electoral candidacy rules.