

Title: Nikko Hotel Manila Garden and Ruby Lim vs. Roberto Reyes (Amay Bisaya)

Facts:

Roberto Reyes, a.k.a. "Amay Bisaya," filed a lawsuit for damages under the human relations provisions of the New Civil Code against Nikko Hotel Manila Garden (Hotel Nikko) and Ruby Lim. On October 13, 1994, Reyes was invited by his friend Dr. Violeta Filart to a birthday party at Hotel Nikko's penthouse for the hotel's manager. Reyes joined the party but was stopped by Ruby Lim, the Executive Secretary of the hotel, who loudly ordered him to leave, allegedly causing him embarrassment and humiliation in the presence of other guests. Reyes was subsequently escorted out by a Makati policeman. Reyes sought P1,000,000 in actual damages, P1,000,000 in moral and/or exemplary damages, and P200,000 in attorney's fees.

Ruby Lim admitted to asking Reyes to leave but contended that she did so discreetly to maintain the intimacy of the party as per the celebrant's wishes. Dr. Filart claimed she did not invite Reyes to the party.

The Regional Trial Court of Quezon City dismissed Reyes' complaint, favoring Lim's account that she had acted discreetly. Reyes appealed to the Court of Appeals, which reversed the trial court's ruling, finding that Lim had acted in a manner that humiliated Reyes and awarded damages against the petitioners. Lim and Hotel Nikko then petitioned the Supreme Court for review.

Issues:

1. Whether the doctrine of *volenti non fit injuria* applies, absolving Lim and Hotel Nikko of liability for damages.
2. Whether Lim acted abusively in asking Reyes to leave, thereby making her and Hotel Nikko liable under Articles 19 and 21 of the Civil Code.
3. Whether the Court of Appeals erred in reviewing and differing from the trial court's factual findings.
4. Whether the decision of the Court of Appeals improperly considered Reyes' socio-economic status.
5. Whether the defects in the appellant's brief were improperly overlooked by the Court of Appeals.

Court's Decision:

Issue 1:

The Supreme Court held that the doctrine of *volenti non fit injuria* (voluntary assumption of risk) did not absolve the petitioners of liability because Reyes' assumption of risk did not negate the duty of Lim to treat him with fairness and good faith under Articles 19 and 21 of the Civil Code.

Issue 2:

The Court found that Lim did not act abusively. It held that Lim's conduct was driven by a legitimate concern to comply with the host's wishes for an intimate gathering. Reyes failed to provide proof of any intent or bad faith on Lim's part to humiliate him. Thus, the petitioners were not liable for damages under Articles 19 and 21 of the Civil Code.

Issue 3:

The Supreme Court determined that the trial court's findings were more credible as opposed to the appellate court's contrary conclusions. The trial court found that Lim approached Reyes discreetly and politely, which was corroborated sufficiently in the records.

Issue 4:

The Court concluded that the appellate court's consideration of Reyes' socio-economic status was flawed as it was not an issue raised in the trial nor substantiated by evidence.

Issue 5:

The Court did not find any prejudicial error regarding alleged defects in the appellant's brief; thus, it did not materially affect the overall decision.

Doctrine:

The doctrine of *volenti non fit injuria* is circumscribed under the principles of fair treatment, honesty, and good faith enshrined in Articles 19 and 21 of the Civil Code. Actions and duties should be performed without intent to injure and within the bounds of moral propriety and good customs.

Class Notes:

Key Concepts:

- Doctrine of *volenti non fit injuria*: refrains from holding someone liable if the injured party consents to the risk.
- Article 19, Civil Code: obligates individuals to act with justice, give others their due, and observe honesty and good faith.
- Article 21, Civil Code: concerns compensation for acts contrary to morals, good customs,

or public policy.

Elements:

- Article 19: (1) Legal right/duty; (2) Exercised in bad faith; (3) Intent to prejudice/injure.
- Article 21: (1) Legal act; (2) Contrary to morals/good customs/public policy; (3) Intent to injure.

Statutory Provisions:

- Civil Code Article 19: "Every person must, in the exercise of his rights and in the performance of his duties, act with justice, give everyone his due, and observe honesty and good faith."
- Civil Code Article 21: "Any person who willfully causes loss or injury to another in a manner that is contrary to morals, good customs, or public policy shall compensate the latter for the damage."

Historical Background:

The case exemplifies the interpretation of human relations provisions under Philippine law, particularly in social and hospitality contexts where personal dignity and propriety are significant. This decision strengthens the judicial understanding that while individuals might assume risks, those who enforce rights must still uphold fairness and respect for human dignity.