

Title: Makati Shangri-La Hotel and Resort, Inc. v. Ellen Johanne Harper, Jonathan Christopher Harper, and Rigoberto Gillera

Facts:

Christian Fredrik Harper, a Norwegian national and the Business Development Manager for Asia of ALSTOM Power Norway AS, checked into the Shangri-La Hotel in Makati City in early November 1999 for a business trip. Harper was due to check out on November 6, 1999. However, on the morning of November 6, Harper was found murdered in his hotel room (Room 1428).

The investigation began when the American Express Card Company made a routine check regarding the use of Harper's credit card. At around 11:00 a.m., a Caucasian male using Harper's credit cards unsuccessfully attempted to purchase a Cartier watch at the Alexis Jewelry Store in Glorietta, Ayala Center, Makati City. This attempt aroused suspicion, leading to the discovery of Harper's body at approximately 11:27 a.m. by the hotel's Duty Manager, Raymond Alarcon, and a security personnel.

Investigations by Col. Rodrigo de Guzman, the hotel's Security Manager, and subsequently by the Makati City Police, revealed that Harper's credit cards, passport, laptop, and an undetermined amount of cash were stolen. CCTV footage showed that Harper entered his room at 12:14 a.m. on November 6, followed by a woman at 12:17 a.m. Another Caucasian male entered the room at 2:48 a.m., while the woman and male left around 5:33 a.m. and 5:46 a.m., respectively.

On August 30, 2002, Harper's heirs, through their representative, Rigoberto Gillera, filed a civil case in the Regional Trial Court (RTC) of Quezon City against the hotel, citing gross negligence in providing adequate security that led to Harper's death.

Procedural Posture:

The RTC ruled in favor of Harper's heirs, awarding them various damages. The hotel appealed to the Court of Appeals (CA), questioning the heirs' legal relationship with Harper and challenging the findings of negligence. The CA affirmed the RTC's decision with modifications. Dissatisfied, the hotel brought the case to the Supreme Court.

Issues:

1. Whether respondents proved they were the legal heirs of Christian Fredrik Harper.
2. Whether the hotel was negligent, and whether such negligence was the proximate cause of Harper's death.

3. Whether Harper's own negligence was the proximate cause of his death.

Court's Decision:

1. **Proof of Heirship:**

The Supreme Court upheld the CA's finding that the respondents had substantially complied with the rules on proving heirship. The documentary evidence, including the marriage and birth certificates, and the probate court certificate, were authenticated by the Royal Norwegian Ministry of Foreign Affairs and the Philippine Consulate in Stockholm, Sweden. Despite some lapses in procedural requirements, there was substantial compliance, enough to admit the documents as evidence.

2. **Negligence of the Hotel:**

The hotel was found to have been negligent in providing adequate security, which was the proximate cause of Harper's death. The Supreme Court reiterated that hotels have a duty to ensure the safety of their guests. The management ignored recommendations from their Chief Security Officer to increase the number of security guards. Testimonials from hotel personnel showed significant lapses, including the unmonitored entry of the murder suspects into the hotel and Harper's room.

3. **Responsibility of Harper:**

The Court rejected the argument that Harper's own negligence was the proximate cause of his death. Given the legal precedent that hotels must provide adequate security, Harper's assumption that he was safe after checking into a five-star hotel was found reasonable. Therefore, the hotel's inadequate security measures were deemed the proximate cause of the murder.

Doctrine:

The doctrine reaffirmed that hotels, being establishments imbued with public interest, are bound to ensure the safety of their guests. This duty includes taking reasonable care in providing sufficient security measures proportionate to the hotel's rating and guest expectations.

Class Notes:

- **Negligence:** The legal concept of negligence involves the failure to exercise reasonable care expected under the circumstances. The hotel's failure to provide sufficient security was the proximate cause of Harper's death.
- **Substantial Compliance:** Even if documentary evidence does not meet every

procedural requirement, it may still be admissible if the core requirements and intents are substantially satisfied, especially to avoid injustice.

- ****Public Duty of Hotels:**** Enhanced responsibilities for security and safety apply to hotels due to their public service nature. Relevant Civil Code provisions (Articles 2000, 2001, 2002) focusing on the hotel's liability for both property and personal injuries of guests.

Historical Background:

This case highlights the growing awareness and judicial recognition of the intricate responsibilities hotels have for the safety of their guests. Following globalization and increased international travel, hotel security standards, especially for high-end establishments, are scrutinized more rigorously. This case epitomizes the judiciary's role in holding such establishments accountable for lapses in ensuring their patrons' safety, signifying an era where customer security is paramount in the hospitality industry.