

CHAIRMAN OF THE BOARD, BOARD OF DIRECTORS, AND OFFICERS OF GOLDEN CITY TAYTAY HOMEOWNERS' ASSOCIATION, INC. (GCHAI), PETITIONER, VS. SAMAHAN NG TUNAY NA PAGBABAGO NG GOLDEN CITY...

G.R. No. E-01554, July 13, 2026

Ponente: HERNANDO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/bdd6acfbadb9/>

HERNANDO, J.:

This Verified Petition for Review on Certiorari[3] under Rule 45 of the Rules of Court assails the Decision[4] and the Resolution[5] of the Court of Appeals (CA), which affirmed the Decision[6] and the Resolution[7] of the Human Settlements Adjudication Commission (HSAC) finding the board of directors and officers of Golden City Taytay Homeowners' Association, Inc. (GCHAI), namely, petitioners Edito B. Buenconcejo, Edgardo C. Bayani, Pedro B. Volante, Jr., Pedro D. Bolaños, Antonio Cariño, Dionisio Tolentino, Reynaldo R. Surop, and Hercules Umayam (Buenconcejo et al.), along with others who no longer joined the Petition,[8] liable for violations of Republic Act No. 9904, otherwise known as the Magna Carta for Homeowners and Homeowners' Associations, and related regulations governing homeowners' associations.

Antecedents

The controversy arose from a Complaint[9] filed by Samahan ng Tunay na Pagbabago ng Golden City Subdivision (Samahan), represented by respondents Rizalito Velasquez, Romeo Billones, Primitiva Balinton, Venusto Mendoza, and Reuben Mercado (Velasquez et al.), against Buenconcejo et al. before the HSAC Adjudication Branch. Velasquez et al. alleged that Buenconcejo et al. committed several violations of Republic Act No. 9904 and related regulations.[10]

Specifically, Velasquez et al. questioned: (1) the passage of Board Resolution No. 2019-0404 reducing the construction fee from PHP 600.00 to PHP 150.00 per square meter; (2) Board Resolution No. 2019-014 increasing the monthly dues from PHP 100.00 to PHP 200.00; (3) the construction of a Puregold outlet and a 7-Eleven convenience store without prior consultation; (4) Buenconcejo et al.'s refusal to produce and furnish association books and records despite repeated demands; (5) the demolition of a subdivision waiting shed; and (6) alleged delinquencies relating to members' monthly dues, among others.[11]

Velasquez et al. claimed that they repeatedly requested copies of financial records, minutes of meetings, and other association documents from Buenconcejo et al., but their requests were ignored. They likewise alleged that the construction of Puregold and 7-Eleven materially altered the residential character of the subdivision and was undertaken without the approval required under Republic Act No. 9904 and the association's by-laws.[12]

Buenconcejo et al. denied the allegations. They asserted, among others, that the complainant, Samahan, had no legal personality to sue because it was merely an unregistered association and not a juridical entity distinct from its members. Buenconcejo et al. likewise maintained that the questioned increase in association dues was

approved by the homeowners during a general assembly. As regards the construction of Puregold and 7-Eleven, Buenconcejo et al. claimed that the establishments were located on property owned by the municipality.[13]

Ruling of the HSAC Adjudicator

In a Decision,[14] the HSAC Adjudicator ruled that Buenconcejo et al. violated Republic Act No. 9904 and related regulations by increasing association dues without proper consultation and by allowing the construction of Puregold and 7-Eleven without the approval of the majority of homeowners.[15]

As to the challenge on the legal personality of Samahan, the HSAC Adjudicator found no merit and ruled that Velasquez et al. validly filed the complaint. Although Samahan was an unregistered association, the complaint was signed and verified by the individual homeowners, who were the real parties-in-interest.[16]

The dispositive portion of the Decision reads:

WHEREFORE, premises considered, Judgment [is] hereby rendered ordering respondents to pay [PHP 15,000.00] for violating Sec. 49 of the Implementing Rules and Regulations of Republic Act No. 9904 and HLURB Resolution No. 001, Series [of] 2017; to present before the complainants all pertinent books and documents of the Association, particularly those linked to the construction of the Puregold and 7-11 convenience store. All other claims and counterclaims are hereby DISMISSED.

SO ORDERED.[17] (Emphasis in the original)

Buenconcejo et al. appealed to the HSAC.[18]

Ruling of the HSAC

In a Decision, the HSAC denied Buenconcejo et al.'s appeal and affirmed the findings of the adjudicator. It imposed upon them the penalty of fine and permanent disqualification from being elected or appointed as members of the board of GCHAI, and directed the Department of Human Settlements and Urban Development's Homeowners Association and Community Development Bureau to call and conduct a special election for the replacement of Buenconcejo et al.[19]

The HSAC further ordered Buenconcejo et al. to open the books and records of the association for inspection and directed the temporary closure of Puregold and 7-Eleven within the subdivision until the proper consultation and approval of the majority of members had been secured.[20] The dispositive portion reads:

WHEREFORE, premises considered, the respondents-appellants' appeal is hereby DENIED and the Decision dated [March 18, 2022], rendered by Special Adjudicator Celeste M. Cua-Tiu of the HSAC RAB-IV-A is hereby MODIFIED as follows:

1. ORDERING that each of the respondents-appellants Edito Buenconcejo, Daniel Saldito, Edgardo Bayani, Dionisio Tolentino, Noel Mauricio, Pedro Volante, Jr., Pedro Bolaños, Galicano Manlunas, Hercules Umayam, Antonio Cariño, Reynaldo Surop, Renato de Borja and Gemma Divinagracia be PERMANENTLY DISQUALIFIED from being elected or appointed as member of the board, officer or employee of the GCHAI;
2. ORDERING respondents-appellants Edito Buenconcejo, Daniel Saldito, Edgardo Bayani, Dionisio Tolentino, Noel Mauricio, Pedro Volante, Jr., Pedro Bolaños, Galicano Manlunas, Hercules Umayam, Antonio Cariño, Reynaldo Surop, Renato de Borja and Gemma Divinagracia, to individually pay a fine of [PHP] 5,000.00 each for violating Sec. 49 of the Implementing Rules and Regulations of Republic Act No. 9904 and HLURB Resolution No. 001 Series of 2017;
3. DIRECTING the Department of Human Settlements and Urban Development – Homeowners Associations and Community Development Bureau to call and facilitate the conduct of a Special Election to elect a new set

of Officers and Board of Directors to replace respondents-appellants Edito Buenconcejo, Daniel Saldito, Edgardo Bayani, Dionisio Tolentino, Noel Mauricio, Pedro Volante, Jr., Pedro Bolaños, Galicano Manlunas, Hercules Umayam, Antonio Cariño, Reynaldo Surop, Renato de Borja and Gemma Divinagracia; and

4. ORDERING respondents-appellants Edito Buenconcejo, Daniel Saldito, Edgardo Bayani, Dionisio Tolentino, Noel Mauricio, Pedro Volante, Jr., Pedro Bolaños, Galicano Manlunas, Hercules Umayam, Antonio Cariño, Reynaldo Surop, Renato de Borja and Gemma Divinagracia to present before the complainants-appellees all pertinent books and documents of the Association, particularly those linked to the construction of the Puregold outlet and the 7-11 convenience store.

5. ORDERING the temporary closure of the Puregold Outlet and 7-Eleven Convenience Store within the subdivision premises until such time that the proper consultation and approval of the simple majority of the members of the association has been garnered.

All other claims and counterclaims are hereby DISMISSED.

SO ORDERED.[21] (Emphasis in the original)

On even date, the HSAC issued an Order[22] amending the caption of the case to include the individual names of Velasquez, et al., noting that an examination of the complaint shows their clear intent to file the case as individual complainants and as residents of the subdivision.[23]

GCHAI moved for reconsideration,[24] but the HSAC denied the motion, thus:

WHEREFORE, premises considered, the Manifestation with Motion for Reconsideration dated [January 28, 2023] of respondents-appellants is hereby DENIED.

SO ORDERED.[25] (Emphasis in the original)

Aggrieved, Buenconcejo et al. filed a Verified Petition for Review[26] under Rule 43 before the CA.

Ruling of the Court of Appeals

In its Decision, the CA denied the petition and affirmed the HSAC's ruling. It held that administrative bodies are not strictly bound by technical rules of procedure and that the complaint was validly filed because the individual homeowners themselves signed and verified it. According to the CA, the fact that the complaint was brought in the name of Samahan did not negate the existence of the real parties-in-interest behind the association.[27]

The CA likewise sustained the findings that Buenconcejo et al. violated Republic Act No. 9904 when they allowed the construction of Puregold and 7-Eleven without the approval required under the law and the association's by-laws.[28]

The dispositive portion reads:

WHEREFORE, the Petition for Review is DISMISSED. The September 22, 2022 Decision and the February 27, 2023 Resolution of the Human Settlements Adjudication Commission in HSAC Case No. HOA-A-220526-0286 are hereby AFFIRMED.

SO ORDERED.[29] (Emphasis in the original)

Buenconcejo et al. moved for reconsideration,[30] but the CA denied the motion.[31]

Hence, the present Petition, where petitioners argue that the CA erred in upholding the HSAC's ruling that the complaint was validly filed despite Samahan being an unregistered association, and in ordering the amendment of the caption to include the individual respondents. Petitioners likewise assert that the order directing the temporary

closure of Puregold and 7-Eleven was invalid since the said establishments and their operators were not impleaded in the case.[32]

Issues

Did the CA err in ruling (1) that the complaint was validly filed, and (2) that the temporary closure of Puregold and the 7-Eleven was proper?

Our Ruling

The Petition is partly meritorious.

On the legal personality of Samahan

Petitioners insist that Samahan had no legal personality to institute the complaint because it was merely an unregistered association. They argue that the complaint should have been dismissed outright for lack of capacity to sue.[33]

Under Section 1, Rule 3 of the Rules of Court, only natural or juridical persons, or entities authorized by law, may be parties in a civil action. Jurisprudence holds that an unregistered association, not being endowed with juridical personality, has no legal capacity to sue in its own name.[34] Thus, Samahan itself could not have independently maintained the complaint before the HSAC.

The records of this case, however, show that the controversy was not prosecuted solely by the unregistered association. Although the complaint named Samahan as the complainant in its caption, a closer examination of the pleading reveals that Velasquez et al. filed it not merely as representatives of Samahan, but individually, in their own personal capacities as residents, homeowners, and members of GCHAI. They alleged direct injury arising from Buenconcejo et al.'s acts, including the refusal to allow inspection of association records, the increase in association dues, and the lack of consultation in allowing the construction of Puregold and 7-Eleven.[35] These are rights personal to them as members of the homeowners' association and are enforceable independently of any associational standing.

While legal capacity to sue is determined by law, the determination of who the actual parties asserting the causes of action are, is not controlled solely by the caption of the pleading, but by its allegations and the identities of those who personally seek relief.[36] Here, the body of the complaint shows that Velasquez et al. are real parties-in-interest within the contemplation of Rule 3, Section 2 of the Rules of Court—standing to be benefited or injured by the judgment in the case.

Petitioners' reliance on *Alliance of Quezon City Homeowners' Association, Inc. v. Quezon City Government*,[37] *Dueñas v. Santos Subdivision Homeowners Association*,[38] and *Association of Flood Victims v. Commission on Elections*[39] is misplaced.

In *Alliance of Quezon City Homeowners' Association*, the petition was filed solely in the name of the association whose registration had already been revoked. Although its trustees authorized the filing of the petition, they signed only in their official capacities as trustees of the association, and not as individuals asserting personal rights.[40] The Court thus ruled that the defect was not cured, emphasizing that the petition itself did not show that natural persons had joined the action in their own personal capacities.[41] The Court notably distinguished the case from *Samahan ng mga Progresibong Kabataan (SPARK) v. Quezon City*,[42] where it decided to give due course to the petition despite the unregistered association's lack of legal capacity to sue because "individuals or natural persons joined as co-petitioners in the suit, unlike in the present case." [43]

Further, in *Dueñas*, the complaint was filed by an unregistered association seeking to enforce a right belonging to

the association itself, specifically the right to an open space. Although several members signed and verified the complaint, the Court held that this did not cure the association's lack of legal capacity to sue because the members were not shown to have valid authority to represent the association, and their signatures could not confer juridical personality or legal capacity upon an unregistered association.[44] Dueñas did not involve a situation where identified natural persons directly asserted personal claims arising from alleged violations of rights individually belonging to them as association members.

Similarly, in *Association of Flood Victims*, the petition was signed only by an individual who claimed to act as representative of the unincorporated association. No other member joined the suit or asserted individual claims.[45] The petition was therefore dismissed by this Court.[46]

Significantly, the HSAC subsequently directed the amendment of the caption to reflect the individual respondents as complainants.[47] This amendment effectively addressed any irregularity arising from the failure to include the individual respondents as complainants in the original caption. Contrary to petitioners' argument,[48] the amendment neither introduced entirely new parties nor altered the causes of action already asserted in the original complaint. Rather, it merely clarified the designation of the individuals who had, from the beginning, personally sought relief before the HSAC.

Under these circumstances, and considering the liberal application of procedural rules in administrative proceedings, the HSAC and the CA did not err in refusing to dismiss the complaint solely on the ground that Samahan itself lacked juridical personality.

On the closure of Puregold and 7-Eleven

Petitioners argue that the HSAC erred in ordering the temporary closure of Puregold and 7-Eleven because neither the establishments nor their operators were impleaded as parties to the case.[49]

The argument is meritorious.

Basic due process requires that no person be deprived of property or business interests without being given an opportunity to be heard.[50] Corollary to this, courts and quasi-judicial bodies generally cannot grant relief directly affecting the rights of persons who were not impleaded and who were never afforded the chance to participate in the proceedings.[51]

Here, the owners or operators of Puregold and 7-Eleven were not impleaded as respondents before the HSAC. The complaint was directed solely against petitioners for alleged violations of Republic Act No. 9904 and related regulations governing homeowners' associations.[52] While the complaint questioned the construction and operation of the establishments within the subdivision, no relief was specifically sought against the operators themselves.[53] Thus, insofar as the assailed rulings ordered the temporary closure of Puregold and 7-Eleven, the HSAC exceeded the permissible bounds of its authority, necessitating the deletion of such specific order.

As regards the rest of the findings and directives of the HSAC, which had been affirmed by the CA, the Court finds no reason to disturb them. Petitioners' present challenge is confined principally to the legal personality of Samahan and the validity of the order directing the temporary closure of Puregold and 7-Eleven. The remaining findings involve factual matters already passed upon by both the administrative agency and the appellate court.

In fine, the Court finds no reversible error in the recognition of the standing of Velasquez et al. to file the complaint. However, the order directing the temporary closure of Puregold and 7-Eleven cannot be sustained and must be deleted for violation of due process.

FOR THESE REASONS, the Petition is PARTLY GRANTED. The Decision dated June 26, 2024 and the

Resolution dated July 29, 2025 of the Court of Appeals in CA-G.R. SP No. 178228 are AFFIRMED with the MODIFICATION that the order to temporarily close the Puregold outlet and the 7-Eleven convenience store is DELETED. As it now stands:

1. Edito Buenconcejo, Daniel Saldito, Edgardo Bayani, Dionisio Tolentino, Noel Mauricio, Pedro Volante, Jr., Pedro Bolanos, Galicano Manlunas, Hercules Umayam, Antonio Cariño, Reynaldo Surop, Renato de Borja, and Gemma Divinagracia are PERMANENTLY DISQUALIFIED from being elected or appointed as member of the board, officer, or employee of the Golden City Taytay Homeowners' Association, Inc.;
2. They are ORDERED to individually pay a fine of PHP 5,000.00 each for violating Section 49 of the Implementing Rules and Regulations of Republic Act No. 9904 and HLURB Resolution No. 001, series of 2017;
3. The Department of Human Settlements and Urban Development's Homeowners Associations and Community Development Bureau is ORDERED to call and facilitate the conduct of a special election to elect a new set of officers and board of directors to replace Edito Buenconcejo, Daniel Saldito, Edgardo Bayani, Dionisio Tolentino, Noel Mauricio, Pedro Volante, Jr., Pedro Bolanos, Galicano Manlunas, Hercules Umayam, Antonio Cariño, Reynaldo Surop, Renato de Borja, and Gemma Divinagracia; and
4. They are ORDERED to present before the respondents all pertinent books and documents of the association, particularly those linked to the construction of the Puregold outlet and the 7-Eleven convenience store.

All other claims and counterclaims are DISMISSED.

SO ORDERED.

Gesmundo, C.J. (Chairperson), Zalameda, Rosario, and Marquez, JJ., concur.

[-] The Human Settlements Adjudication Commission is dropped as party-respondent pursuant to Section 4, Rule 45 of the Rules of Court.

[1] Namely, Edito B. Buenconcejo, Edgardo C. Bayani, Pedro B. Volante, Jr., Pedro D. Bolanos, Antonio Cariño, Dionisio Tolentino, Reynaldo R. Surnp, and Hercules Umayam.

[2] Although the Petition does not specifically name Rizalito Velasquez, Romeo Billones, Primitiva Balinton, Venusto Mendoza, and Reuben Mercado as respondents, both the allegations in the pleading and the records themselves show that they are respondents in the case.

[3] Rollo, pp. 14-30.

[4] Id. at 31-45. The June 26, 2024 Decision in CA-G.R. SP No. 178228 was penned by Associate Justice Florencio M. Mamauag, Jr. and concurred in by Associate Justices Victoria Isabel A. Paredes and Mary Charlene V. Hernandez-Azura of the Eleventh Division, Court of Appeals, Manila.

[5] Id. at 46-47. The July 29, 2025 Resolution in CA-G.R. SP No. 178228 was penned by Associate Justice Florencio M. Mamauag, Jr. and concurred in by Associate Justices Ruben Reynaldo G. Roxas and Mary Charlene V. Hernandez-Azura of the Special Former Eleventh Division, Court of Appeals, Manila.

[6] CA rollo, pp. 28-48. The September 22, 2022 Decision in HSAC Case No. HOA-A-220526-0286 was penned by Commissioner Sergio E. Yap II and concurred in by Commissioners Michael P. Cloribel and John-Christopher T. Mahamud of the Human Settlements Adjudication Commission, Third Division, Diliman, Quezon City.

[7] Id. at 24-27. The February 27, 2023 Resolution in HSAC Case No. HOA-A-220526-0286 was penned by Commissioner Sergio E. Yap II and concurred in by Commissioners Michael P. Cloribel, John T. Mahamud, and Fidel J. Exconde, Jr., and Executive Commissioner Melzar P. Galicia of the Human Settlements Adjudication Commission, Commission En Banc, Diliman, Quezon City.

[8] Id. at 49-50. They are Daniel Saldito, Noel Mauricio, Galicano Manlunas, Renato de Borja, and Gemma Divinagracia.

[9] Id. at 49-61.

[10] Rollo, pp. 31-33.

[11] Id.

[12] Id.

[13] Id. at 34-35.

[14] Id. at 106-117. The March 18, 2022 Decision in HLURB Case No. RIV-HOA-210201-00110 was penned by Special Adjudicator Celeste M. Cua-Tiu of Regional Adjudication Branch No. IV-A, Human Settlements Adjudication Commission, Calamba, Laguna.

[15] Id. at 112-116.

[16] Id. at 112.

[17] Id. at 116-117.

[18] See id. at 129.

[19] Id. at 136-148.

[20] Id.

[21] Id. at 147-148.

[22] Id. at 153-156. The September 22, 2022 Order in HSAC Case No. HOA-A-220526-0286 was penned by Commissioner Sergio E. Yap II and concurred in by Commissioners Michael P. Cloribel and John T. Mahamud of the Human Settlements Adjudication Commission, Third Division, Diliman, Quezon City.

[23] Id. at 155-156.

[24] Id. at 157-170, 171-177.

[25] CA rollo, p. 27.

[26] Id. at 3-23.

[27] Rollo, p. 42.

[28] Id. at 43-44.

[29] Id. at 44.

[30] Id. at 48-52.

[31] Id. at 47.

[32] *Id.* at 20-29.

[33] *Id.* at 20-25.

[34] *Alliance of Quezon City Homeowners' Association, Inc. v. The Quezon City Government*, 840 Phil. 277, 291 (2018) [Per J. Perlas-Bernabe, En Banc]. (Citations omitted)

[35] *Rollo*, pp. 53-65.

[36] See RULES OF COURT, Rule 3, sec. 2; see *Spouses Velarde v. Heirs of Candari*, 931 Phil. 314, 322 (2022) [Per J. Lopez, M., Second Division]; *Pili, Jr. v. Resurreccion*, 854 Phil. 324, 336 (2019) [Per J. Caguioa, Second Division].

[37] 840 Phil. 277, 294 (2018) [Per J. Perlas-Bernabe, En Banc]; *Rollo*, pp. 53-65.

[38] 474 Phil. 834 (2004) [Per J. Quisumbing, Second Division].

[39] 740 Phil. 472 (2014) [Per Acting C.J. Carpio, En Banc].

[40] *Alliance of Quezon City Homeowners' Association, Inc. v. The Quezon City Government*, 840 Phil. 277, 292-294 (2018) [Per J. Perlas-Bernabe, En Banc]. (Citations omitted)

[41] *Id.*

[42] 815 Phil. 1067, 1136 (2017) [Per J. Perlas-Bernabe, En Banc].

[43] *Alliance of Quezon City Homeowners' Association, Inc. v. The Quezon City Government*, 840 Phil. 277, 294 (2018) [Per J. Perlas-Bernabe, En Banc]. (Citations omitted)

[44] *Dueñas v. Santos Subdivision Homeowners Association*, 474 Phil. 834, 846-847 (2004) [Per J. Quisumbing, Second Division].

[45] *Association of Flood Victims v. Commission on Elections*, 740 Phil. 472, 479 (2014) [Per Acting C.J. Carpio, En Banc].

[46] *Id.* at 482.

[47] *Rollo*, pp. 153-156.

[48] See *id.* at 25-27.

[49] *Id.* at 27-28.

[50] CONST., art. III, sec. 1.

[51] See *Lapuy Battalion Employees Agrarian Reform Beneficiaries Cooperative (LABEARBCO) v. Babao*, September 29, 2025 [Per J. Rosario, First Division] at 7. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website. (Citation omitted)

[52] *Rollo*, pp. 53-65.

[53] *Id.*

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.