



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 107 - 2022

TO : ALL CONCERNED JUDGES, CLERKS OF COURT, BRANCH CLERKS OF COURT AND OFFICERS-IN-CHARGE/ACTING CLERKS OF COURT OF THE FIRST AND SECOND LEVEL COURTS

SUBJECT : GUIDELINES IN THE ASSESSMENT OF LEGAL FEES AND SHERIFF'S TRUST FUND IN CADASTRAL AND LAND REGISTRATION CASES

Due to numerous queries and concerns in the assessment of legal fees in Cadastral and Land Registration Cases, all Clerks of Court, Branch Clerks of Court, Officers-in-Charge/Acting Clerks of Court of the First and Second Level Courts **are hereby DIRECTED to ADOPT** the following guidelines in the assessment of legal fees and Sheriff's Trust Fund in Cadastral and Land Registration Cases, in consonance with Presidential Decree No. 1529 [*Amending and Codifying the Laws Relative to Registration of Property and for Other Purposes*] (PD 1529), which took effect on 11 June 1978:

1. Cadastral and Land Registration Cases **shall CONSIST** of Petitions for:

- (a) Application for Registration of Title to Land (Sec.14, PD 1529);
- (b) Review of the Decree of Registration (Sec.32, PD 1529);
- (c) Registration Represented by the Solicitor General for Public Interest (Sec.36, PD 1529);
- (d) Cancellation of Adverse Claim (Sec.70, PD 1529);
- (e) Application for New Certificate upon Expiration of Redemption Period (Sec.75, PD 1529);
- (f) Surrender of Duplicate Certificate (Sec.79 & 107, PD 1529);
- (g) Amendment and Alteration of Certificates (Sec.108, PD 1529);
- (h) Replacement of Lost Duplicate Certificate (Sec.109, PD 1529);
- (i) Reconstitution of Lost or Destroyed Original of Torrens of Title (Sec.110, PD 1529); and
- (j) Issuance of Writ of Possession in Extrajudicial Foreclosure of Mortgages (OCA Circular No. 46-2022 dated 3 March 2022);

2. Cadastral and Land Registration Cases **shall be DOCKETED and ASSESSED** with the appropriate legal fees for each title to land or for each property involved, in case of unregistered land. A separate petition **shall be PROVIDED** for each title to land or property involved. Motion to Consolidate petitions **shall be allowed** upon filing of the case for the determination of the amount to be deposited to the Sheriff's Trust Fund depending on the number of respondents;

3. Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts, and Municipal Circuit Trial Courts **shall HEAR and DETERMINE** cadastral or land registration cases involving uncontested and contested lots, the assessed value of which does not exceed One hundred thousand pesos (P100,000.00), such value to be ascertained by the affidavit of the claimant or by agreement of the respective claimants if there are more than one (*and if the land involved has not yet been assessed for taxation*), or from the corresponding tax declaration of the real property. Their decisions in these cases shall be appealable in the same manner as decisions of the Regional Trial Courts.¹ Nothing in Section 93 of PD 1529 shall in any way preclude the court from increasing the valuation of the property should it appear during the hearing that the value stated is too small.² Also, it must be noted that Section 34 of Batas Pambansa Blg. 129, as amended, was not included in R.A. No. 11576 [*An Act Further Expanding the Jurisdiction of the Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts, and Municipal Circuit Trial Courts, Amending for the Purpose Batas Pambansa Blg. 129, Otherwise known as "The Judiciary Reorganization Act of 1980," As Amended*];

4. Cadastral and Land Registration Cases in the First Level Courts **shall be ASSESSED** in this manner:

<u>P100,000.00</u> <u>Assessed Value of</u> <u>the Property</u>	Legal Basis of Fees/STF	Registration of Title to Land (No. 1(a) Above)	Review of the Decree of Registration (No. 1(b) Above)	No. 1(d, e, f, g & h) Above	No. 1(c & i) Above
Assessed Value		<u>P 100,000.00</u>	<u>P 100,000.00</u>	<u>P 100,000.00</u>	<u>P 100,000.00</u>
Filing Fees	Sec. 8(d), Rule 141	P 700.00	P 700.00	P 700.00	<i>Exempt</i>
Summons Fee per respondent	Sec. 10(a), Rule 141	200.00	200.00	200.00	<i>Exempt</i>
MF	Sec. 9, Rule 141	500.00	500.00	500.00	<i>Exempt</i>
LRF	PD 1856	10.00	10.00	10.00	<i>Exempt</i>
VCF	Sec. 20, Rule 141	5.00	5.00	5.00	<i>Exempt</i>
STF (per respondent if consolidated; otherwise, per case)	Par. 2, Sec. 10, Rule 141	1,000.00	1,000.00	1,000.00	1,000.00
LRAF (or Cadastral Fees):					

¹ Administrative Circular No. 6-93-A dated 15 November 1995, pursuant to Section 34 of Batas Pambansa Blg. 129, as amended by Republic Act No. 7691 which took effect on 14 April 1995.

² Paragraph 2 of Section 93, Presidential Decree No. 1529.

Registration Fee	OCA Circular No. 24-2003 [Sec. 111(A)(1)(c), LRA Circular No. 11-2002]	480.00	<i>Not Applicable</i>	<i>Not Applicable</i>	<i>Not Applicable</i>
Posting of Notice Fee per Title	OCA Circular No. 24-2003 [Sec. 111(B)(1), LRA Circular No. 11-2002]	18.00	<i>Not Applicable</i>	<i>Not Applicable</i>	<i>Not Applicable</i>
Posting of Notice Fee for each group of 100 lots	OCA Circular No. 24-2003 [Sec. 111(B)(2), LRA Circular No. 11-2002]	<i>Not Applicable</i>	18.00	18.00	<i>Exempt</i>
Amount to be Paid		<u>₱ 2,913.00</u>	<u>₱ 2,433.00</u>	<u>₱ 2,433.00</u>	<u>₱ 1,000.00</u>

5. Cadastral and Land Registration Cases in the Second Level Courts shall be **ASSESSED** in this manner:

<u>₱500,000.00</u> <i>Assessed Value of the Property</i>	Legal Basis of Fees/STF	Registration of Title to Land (No. 1(a) Above)	Review of the Decree of Registration (No. 1(b) Above)	No. 1(d, e, f, g & h) Above	No. 1(c & i) Above
Assessed Value		<u>₱ 500,000.00</u>	<u>₱ 500,000.00</u>	<u>₱ 500,000.00</u>	<u>₱ 500,000.00</u>
Filing Fees	Sec. 7(b)(1), Rule 141	₱ 2,000.00	₱ 2,000.00	₱ 2,000.00	<i>Exempt</i>
Summons Fee per respondent	Sec. 10(a), Rule 141	200.00	200.00	200.00	<i>Exempt</i>
MF	Sec. 9, Rule 141	500.00	500.00	500.00	<i>Exempt</i>
LRF	PD 1856	20.00	20.00	20.00	<i>Exempt</i>
VCF	Sec. 20, Rule 141	5.00	5.00	5.00	<i>Exempt</i>
STF (per respondent if consolidated; otherwise, per case)	Par. 2, Sec. 10, Rule 141	1,000.00	1,000.00	1,000.00	1,000.00
LRAF (or Cadastral Fees):					
Registration Fee	OCA Circular No. 24-2003 [Sec. 111(A)(1)(d), LRA Circular No. 11-2002]	1,440.00	<i>Not Applicable</i>	<i>Not Applicable</i>	<i>Not Applicable</i>
Posting of Notice Fee per Title	OCA Circular No. 24-2003 [Sec. 111(B)(1), LRA Circular No. 11-2002]	18.00	<i>Not Applicable</i>	<i>Not Applicable</i>	<i>Not Applicable</i>
Posting of Notice Fee for each group of 100 lots	OCA Circular No. 24-2003 [Sec. 111(B)(2), LRA Circular No. 11-2002]	<i>Not Applicable</i>	18.00	18.00	<i>Exempt</i>
Amount to be Paid		<u>₱ 5,183.00</u>	<u>₱ 3,743.00</u>	<u>₱ 3,743.00</u>	<u>₱ 1,000.00</u>

6. Matters subsequent to the original registration determined by Second Level Courts, including petitions for reconstitution of lost titles, shall not be unloaded to the First Level Courts. The Second Level Courts **are hereby DIRECTED** to take cognizance of and exercise jurisdiction over such matters;³ and,

7. The fees on Petitions for Issuance of Writ of Possession in Extrajudicial Foreclosure of Mortgages **shall be ASSESSED** in this manner, pursuant to OCA Circular No. 46-2022 dated 3 March 2022:

<i>Petitions for Issuance of Writ of Possession in Extrajudicial Foreclosure of Mortgages</i>	Legal Basis of Fees	Amount
Filing Fees:		
Reception of Evidence Fee	Sec. 21(e), Rule 141	₱ 500.00
Motion Fee	Sec. 21(b)(2), Rule 141	<i>Suspended (En Banc Resolution dated 21 September 2004)</i>
LRF	PD 1856	10.00
LRAF (or Cadastral Fees) for each petition/title	OCA Circular No. 24-2003 [Sec. 111(A)(2), LRA Circular No. 11-2002]	120.00
Amount to be Paid		<u>₱ 630.00</u>

For your guidance and strict compliance.

11 May 2022


RAUL BAUTISTA VILLANUEVA
 Court Administrator


 (MIMV/AGJ/DSI)

³ OCA Circular No. 38-97 dated 20 June 1997.