



Republic of the Philippines
PROVINCE OF NEGROS OCCIDENTAL
Old Capitol Building, Bacolod City
Tel. No. 707-8075 (Admin) * 435-7698 (Board Member) * 709-0121 (Legislative Division)
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF NEGROS
OCCIDENTAL HELD IN THE CITY OF BACOLOD ON THE 16TH DAY OF
DECEMBER, 2025**

PRESENT:

Hon. Jose Benito A. Alonso	Vice-Governor/Presiding Officer
Hon. Laurence Marxlen J. de la Cruz	Member - 1 st District
Hon. Araceli T. Somosa	Member - 1 st District
Hon. Arthur Christopher D. Marañon	Member - 2 nd District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Hope Marey B. Depasucat	Member - 3 rd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Patricia Paula M. Alonso-Valderrama	Member - 4 th District
Hon. Nicholas M. Yulo	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Hadji P. Trojillo	Member - 5 th District
Hon. Genaro G. Alvarez, IV	Member - 6 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Richard Julius L. Sablan	Member - ABC Rep.
Hon. Mayvelyn L. Madrid	Member - SKF Rep.

ON OFFICIAL BUSINESS:

Hon. Julius Martin D. Asistio	Member - PCL Rep.
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RESOLUTION NO. 1347
Series of 2025

RESOLUTION AFFIRMING THE DECISION OF SP ADMIN CASE NO. 2025-07AC, CITY OF HIMAMAYLAN, AS PER RESOLUTION NO. 2025B-036, OTHERWISE KNOWN AS "RESOLUTION DISMISSING ADMINISTRATIVE CASE NO. 2025-01, RE: ADMINISTRATIVE COMPLAINT FILED BY JOECEL EMBARQUE AGAINST PUNONG BARANGAY HON. BENJIE TAN AND BARANGAY KAGAWAD HON. RAMIL TAN FOR LACK OF PROBABLE CAUSE," AND FURTHER DISMISSING SP ADMIN CASE 2025-007 AC FOR LACK OF MERIT.

Authored by:

HON. SIXTO TEOFILO ROXAS V. GUANZON, JR.
Ponente Writer of Quasi-Judicial Body of the 37th Sangguniang Panlalawigan

WHEREAS, the facts of the matter have been thoroughly evaluated after investigation and hearings were conducted by the Sangguniang Panlungsod of the City of Himamaylan regarding the accusations against two (2) Barangay Officials, namely Punong Barangay Hon. Benjie Tan and Kagawad Hon. Ramil Tan, filed by the Complainant, Mr. Joecel Embarque;

WHEREAS, the Preliminary Hearing was conducted on November 11, 2025, with the presence of Mr. Joecel Embarque, after complying with all the requirements of Quad Resolution No. 1216-2025 and all other related requirements;



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WHEREAS, the Quasi-Judicial Body finally decided to anchor its discussion on the three (3) groundwork issues laid down for both the appellant and the appellee, allowing them to respond within the timeframe given and submit their positions for deliberation on December 1, 2025;

WHEREAS, on December 2, 2025, at 11:00 o'clock, at the SP Session Hall, the Trial Hearing resumed in the presence of both Mr. Joecel Embarque as Complainant-Appellant and Hon. Benjie Tan and Hon. Ramil Tan as Appellees-Respondents, in the absence of legal counsel;

WHEREAS, both parties concurred to continue the hearing even without their respective counsels, as they were eager to provide all necessary factors considered important for arriving at a Decision;

WHEREAS, in his narration of truthful intention, the Complainant-Appellant, Mr. Joecel Embarque indicated with high enthusiasm his pursuit of the collection of Four hundred ninety-one thousand, one hundred eighteen pesos (Php 491,118.00) as indemnification for the loss of income for the period from December 2023, when his stall was dismantled, up to the present time, comprising an accumulated period of one (1) year and six (6) months after he filed a formal Administrative Case before the Sangguniang Panlungsod in June 2025;

WHEREAS, the computation of this considerable sum of money was presented by Mr. Joecel Embarque as indemnification from the Appellees-Respondents, Hon. Benjie Tan and Hon. Ramil Tan;

WHEREAS, it was evaluated that, based on the testimonies and the motive behind pursuing the Administrative Case, the claim was not actually anchored on substantial evidence with high probative value, but rather on the recollection of money as a form of indemnification, which is outside the jurisdiction of the Quasi-Judicial Body;

WHEREAS, the Committee Report demonstrated that public safety and hygiene were given the highest priority over the long-vacated stall, which had not been voluntarily surrendered by Mr. Embarque to the Barangay officials. The failure to voluntarily vacate the stall, which belongs to the government of Himamaylan through the Barangay Officials, indicated a dishonest attempt to conceal the true motive behind pursuing the Administrative Case, which was essentially to collect a large sum of money;

WHEREAS, this action cannot be tolerated by the Quasi-Judicial Body, as the filing of administrative cases in this context was not anchored on statutory law or its intended purpose;

WHEREAS, a deferment of the matter during the December 9, 2025 Regular Session of the Sangguniang Panlalawigan;

WHEREAS, in view of the foregoing, the SP Committee on Laws, finding the documents to be in order, deemed it best to approve the same;



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NOW THEREFORE, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr., seconded by Hon. Laurence Marxlen J. de la Cruz, Hon. Araceli T. Somosa, Hon. Patricia Paula M. Alonso-Valderrama, Hon. Nicholas M. Yulo, Hon. Genaro G. Alvarez, IV, Hon. Jeffrey T. Tubola, and Hon. Mayvelyn L. Madrid while Hon. Hadji P. Trojillo inhibited;

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to affirm the Decision of SP Admin Case No. 2025-07AC, City of Himamaylan, as per Resolution No. 2025B-036, otherwise known as "RESOLUTION DISMISSING ADMINISTRATIVE CASE NO. 2025-01, RE: ADMINISTRATIVE COMPLAINT FILED BY JOECAL EMBARQUE AGAINST PUNONG BARANGAY HON. BENJIE TAN AND BARANGAY KAGAWAD HON. RAMIL TAN FOR LACK OF PROBABLE CAUSE," AND FURTHER DISMISSING SP ADMIN CASE 2025-007 AC FOR LACK OF MERIT;

FURTHER BE IT RESOLVED, that both the Appellant and the Appellee shall be furnished with a copy of this Committee Report as well as this Resolution;


FURTHER BE IT RESOLVED, that this Resolution shall serve as a basis for the formulation of a decision in legal format by the Secretariat of the Sangguniang Panlalawigan;

FINALLY BE IT RESOLVED, that a copy of this Resolution be furnished to the Office of the Governor, the City of Himamaylan, and the Department of Interior and Local Government (DILG).

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. JOSE BENITO A. ALONSO
Vice-Governor/Presiding Officer

ATTESTED:


ATTY. MARIANGEL O. ASCALON
Provincial Secretary