



EXCERPTS FROM THE MINUTES OF THE THIRD (3RD) SPECIAL SESSION OF THE 12TH SANGGUNIANG BAYAN HELD ON NOVEMBER 27, 2025 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

PRESENT:

Hon. Marlo PJ A. Alipon	Municipal Vice Mayor/Presiding Officer
Hon. Miko C. Pelegrina	S.B. Member
Hon. Muriel Laisa B. Dizon	S.B. Member
Hon. Leren Mae M. Bautista	S.B. Member
Hon. Benedicto S. Alborida	S.B. Member
Hon. Rand Edouard R. De Jesus	S.B. Member
Hon. Myla E. Alinsunurin	S.B. Member
Hon. Jay G. Rolusta	S.B. Member
Hon. Gaudencio P. Macatangay	Ex-Officio Member/Liga President
Hon. Samantha Nicole A. Banasihan-Ortega	Ex-Officio Member/SK Federation President

ABSENT:

Hon. Aldous Amiel B. Perez	S.B. Member, O.B.
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RESOLUTION NO. 2025-234

A RESOLUTION DISMISSING THE ADMINISTRATIVE CASE NO. 2025-02: PALIVINO V. MANINGAS, FOR LACK OF MERIT.

Author : **Councilor Myla E. Alinsunurin**

WHEREAS, on August 13, 2025, Ms. Ruby V. Palivino and Virginia Publico Palivino, residents of Barangay Mayondon, Los Baños, Laguna, filed a Complaint-Affidavit against Punong Barangay Rommel E. Maningas, also from Barangay Mayondon, for Grave Misconduct and Violation of Ethical Standards Required of a Government Official before the Office of the Sangguniang Bayan of Los Baños;

WHEREAS, on August 18, 2025, a notice to refile a verified complaint was sent, and on the same date, Ms. Ruby Palivino refiled her verified complaint;

WHEREAS, on August 22, 2025, the Administrative Investigating Committee (AIC) convened a meeting to determine the sufficiency in form and substance of the case, and on the same date, the notice to file a verified answer was sent to Punong Barangay Rommel E. Maningas;

WHEREAS, copies of both the Complaint-Affidavit and the Verified Answer were given to the Members of the Administrative Investigating Committee (AIC) of the Sangguniang Bayan;

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WHEREAS, on September 7, 2025, the respondent, Punong Barangay Rommel E. Maningas, filed his verified answer;

WHEREAS, on September 12, 2025, the AIC convened to review the sufficiency of the verified answer and the commencement of investigation;

WHEREAS, on September 24, 2025, the AIC again convened for the preliminary conference, marking of evidence, and clarificatory steps;

WHEREAS, after careful perusal and deliberation on the merits of the case, the AIC submitted its recommendation, which was adopted as its Decision on the case by the Sangguniang Bayan;

NOW THEREFORE, on motion of Councilor Myla E. Alinsunurin and unanimously approved by all the councilors present;

RESOLVED AS IT IS HEREBY RESOLVED, to approve and adopt the recommendation of the Administrative Investigating Committee (AIC) as its Decision on Administrative Case No. 2025-02: Palivino vs. Punong Barangay Maningas, as follows:

**RUBY P. PALIVINO and
VIRGINIA PUBLICO PALIVINO,**

Complainants,

-versus-

**FOR: GRAVE MISCONDUCT
AND VIOLATIONS OF ETHICAL
STANDARD REQUIRED OF
A GOVERNMENT OFFICIAL**

ROMMEL E. MANINGAS
Barangay Captain, Barangay Mayondon
Los Baños, Laguna

Respondent

X-----X

RESOLUTION

This is an administrative complaint filed against Hon. Rommel E. Maningas, Punong Barangay of Barangay Mayondon, Los Baños, Laguna, for grave misconduct and violation of the ethical standards required of a government official, instituted by Ruby P. Palivino and Virginia P. Palivino.



The complaint was filed and received by the Department of the Interior and Local Government (DILG), Los Baños Municipal Field Office on February 5, 2025, and February 18, 2025, respectively.

On August 18, 2025, complainant Ruby P. Palivino received a letter from the Sangguniang Bayan requiring her to refile the complaint with the Office of the Sangguniang Bayan within three (3) days from receipt thereof. The directive was issued on the ground that the complaint failed to comply with the requirements prescribed by law, particularly Section 61 of the Local Government Code, which mandates that a complaint filed against an elective barangay official must be verified.

Moreover, Section 5 of Resolution No. 2025-16 provides that:

SECTION 5. REFILING OF THE COMPLAINT - In case the complaint does not include a prayer, the Administrative and Investigative Committee may require the complainant to include his/her prayer in his/her complaint within three (3) days from receipt of notice. Failure on the part of the complainant to comply with the directive of the Administrative and Investigative Committee within the time prescribed will warrant the dismissal of the case. The complaint can only be refiled strictly based on the following grounds:

- a. The complaint is not verified;
- b. The complaint did not include a party's daim;
- c. The complaint did not include a prayer;

On August 19, 2025, complainant Ruby P. Palivino complied with the directive of the Committee and caused the refiling of her complaint against respondent Rommel E. Maningas. The refiled complaint was duly accompanied by a Verification and Certification Against Forum Shopping and Certification Against Forum Shopping, in accordance with the procedural requirements.

A Notice directing the respondent, Rommel E. Maningas, to file a Verified Answer within fifteen (15) days from receipt thereof was duly served. In compliance therewith, the respondent filed his Verified Answer on September 6, 2025.

THE VERSION OF COMPLAINANT RUBY P. PALIVINO

That on or about January 10, 2025, the Complainant and her mother Virginia Palivino were summoned to the office of Punong Barangay Rommel E. Maningas (hereinafter referred to as the "Respondent") in connection with a barangay-level dispute raised by one Zenaida Macatangay against them.

During the scheduled hearing, while Ms. Macatangay was presenting her side, the Respondent remained silent and allowed her to speak uninterrupted. However, upon the



conclusion of her narration, the Respondent turned to the Complainant and her mother and addressed them in a dismissive manner, stating: *"Oh kayong dalawa, ano masasabi nyo?"* The Complainant respectfully raised her hand to seek permission to respond and present her version of events. The Respondent initially permitted her to speak. However, in the middle of her statement, the Respondent interrupted her and remarked in a raised tone: *"Hindi ba kayo titigil sa kakapangulo nyo?"* To which the Complainant calmly replied: *"Kap. Bakit po kami eh nanahimik po kami, siya po ang habla ng habla."*

Despite this, the Respondent continued to address the Complainant and her mother with visible hostility and disdain, stating that he would petition for their expulsion ("mapalayas") from the barangay, purportedly under the authority vested in him as Punong Barangay. Subsequently, and in full view of others present, the Respondent uttered the following words directed toward the Complainant, while pointing his finger at them: *"Hoy, palabasin nyo nga itong mga... Palabasin nyo nga itong putang inang ito!"*

Shocked and distressed, the Complainant and her mother were effectively forced to leave the barangay hall. As they exited, members of the Lupon Tagapamayapa and others present reportedly laughed at them, further compounding their humiliation and emotional distress.

As a result of this traumatic incident, the Complainant and her mother experienced emotional suffering, sleepless nights, and anxiety over the Respondent's explicit threat to have them expelled from their own community. The verbal abuse and degrading treatment they endured at the hands of an elected public official not only caused them deep embarrassment but also raised fears over their safety and standing in the barangay.

THE VERSION OF COMPLAINANT VIRGINIA PUBLICO PALIVINO:

In her unverified written complaint, it was deduced that on or about January 10, 2025, Virginia Publico Palivino and her daughter was summoned to the Barangay Hall of Mayondon, Los Baños, Laguna, in relation to a complaint filed against them by one Zenaida Macatangay.

During the proceeding presided over by Barangay Captain Rommel Maningas, Ms. Macatangay presented her allegations against her and Ruby. Throughout the duration of Ms. Macatangay's narration, Barangay Captain Maningas remained silent.

However, shortly thereafter, Brgy. Captain Maningas uttered offensive and derogatory language stating, *"Palabasin nyo nga itong Putang inang ito"* while pointing directly at Ruby Palivino.

Furthermore, Brgy. Captain Maningas declared his intention to file a petition to have Virginia and Ruby expelled from the Barangay of Mayondon, Los Baños, Laguna. They were subjected to public humiliation and verbal abuse in the presence of other individuals during the proceeding.



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Despite this, the Respondent continued to address the Complainant and her mother with visible hostility and disdain, stating that he would petition for their expulsion ("mapalayas") from the barangay, purportedly under the authority vested in him as Punong Barangay. Subsequently, and in full view of others present, the Respondent uttered the following words directed toward the Complainant, while pointing his finger at them: *"Hoy, palabasin nyo nga itong mga... Palabasin nyo nga itong putang inang ito!"*

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THE VERSION OF COMPLAINANT VIRGINIA PUBLICO PALIVINO:

In her unverified written complaint, it was deduced that on or about January 10, 2025, Virginia Publico Palivino and her daughter was summoned to the Barangay Hall of Mayondon, Los Baños, Laguna, in relation to a complaint filed against them by one Zenaida Macatangay.

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However, shortly thereafter, Brgy. Captain Maningas uttered offensive and derogatory language stating, *"Palabasin nyo nga itong Putang inang ito"* while pointing directly at Ruby Palivino.

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Since the incident, she suffered from emotional distress manifesting in sleeplessness, loss of appetite, and headaches, arising from the fear and anxiety of being unjustly expelled from their community.

THE VERSION OF RESPONDENT ROMMEL E. MANINGAS:

The Respondent categorically denies the allegations that he uttered foul or insulting words against the Complainants. He asserts that such statements are untrue and without any basis in fact.

On January 10, 2025, the Respondent called for a dialogue to address a complaint involving another resident, Ms. Zenaida Macatangay. During the meeting, the Complainants allegedly repeatedly interrupted the proceedings, raised their voices, and did not allow the Respondent to properly speak or mediate the matter.

That as the presiding officer and Punong Barangay, it was the Respondent's responsibility to maintain order within his office. Due to the Complainants' continued disrespectful behavior, the Respondent requested that they leave his office to allow the proceedings to continue in an orderly manner. However, he did not expel them from the Barangay Hall itself, nor did he humiliate them in the presence of others.

The Respondent maintains that the accusations of cursing or uttering profanities are false, malicious, and intended solely to damage his reputation and service as Punong Barangay. At all times, he acted within the scope of his mandate to preserve peace, respect, and order within the Barangay office.

ISSUE

Whether or not the Respondent committed grave misconduct and violations of ethical standard required of a government official?

DISPOSITION

At the outset, the instant case should not have been acted upon by this body considering that the prayer of the complainants, that is, for the respondent to be dismissed or removed from office, is beyond the authority of this body to be imposed.

Under Rule 13 Section 1 of Resolution No. 2025-16 of the Rules and Regulations in Administrative Cases before the Sangguniang Bayan of Los Baños Laguna against Elective Barangay Officials, the highest penalty that may be imposed is only suspension. The Sangguniang Bayan has no Authority under the same Rules to impose removal or dismissal from office.

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Nevertheless and considering the general prayer delineated in the complaint quoted as "such other reliefs as may be just and equitable under the premises", this body deemed it proper to exercise its authority in resolving the matter at hand. Hence, the foregoing disquisition.

In administrative cases, the quantum of proof necessary is substantial evidence or such relevant evidence as a reasonable mind may accept as adequate to support a conclusion.

Moreover, it is provided in Section 2, Rule 15-Evidence of Resolution No. 2025-16 that:

SECTION 2. *Substantial Evidence.* - In cases filed before the Sangguniang Bayan of Los Baños, Laguna, a fact may be deemed established if it is supported by substantial evidence, or that amount of relevant evidence which a reasonable mind might accept as adequate to justify a conclusion.

After a thorough evaluation of the allegations, the applicable law and evidence on record, this body finds the case to be unmeritorious for further consideration.

Addressing the complaint filed by Ruby P. Palivino, it is evident that Respondent did not violate the standards of ethical and professional conduct as set in the Code of Conduct and Ethical Standards for Public Officials and Employees (Republic Act No. 6713).

It bears emphasis that barangay officials, most especially the Punong Barangay, are expected to uphold the highest standards of ethical conduct, integrity, and decorum in the performance of their official duties. This standard is heightened when the official acts in a quasi-judicial or mediatory capacity, such as during barangay conciliation proceedings. In such settings, the barangay captain is duty-bound to conduct himself with impartiality, self-restraint, and respectful communication toward all parties appearing before him. Any deviation from this standard undermines public confidence in the barangay justice system and may give rise to administrative liability, depending on the gravity and circumstances of the act committed.

As a barangay official, the Respondent is bound to observe the Republic Act No. 6713 – Code of Conduct and Ethical Standards for Public Officials and Employees which provides the following:

Section 4. *Norms of Conduct of Public Officials and Employees*

- (A) Every public official and employee shall observe the following as standards of personal conduct in the discharge and execution of official duties:

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(b) *Professionalism.* — **Public officials and employees shall perform and discharge their duties with the highest degree of excellence, professionalism, intelligence and skill.** They shall enter public service with utmost devotion and dedication to duty. They shall endeavor to discourage wrong perceptions of their roles as dispensers or peddlers of undue patronage.



(c) – *Justness and sincerity*. — Public officials and employees shall remain true to the people at all times. They must act with justness and sincerity and shall not discriminate against anyone, especially the poor and the underprivileged. **They shall at all times respect the rights of others, and shall refrain from doing acts contrary to law, good morals, good customs, public policy, public order, public safety and public interest.** They shall not dispense or extend undue favors on account of their office to their relatives whether by consanguinity or affinity except with respect to appointments of such relatives to positions considered strictly confidential or as members of their personal staff whose terms are coterminous with theirs.

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While the use of vulgar and profane language during official barangay proceedings is generally discouraged, it does not, in every instance, rise to the level of a violation of the ethical standards expected of public officials. The utterance, though regrettable, may be understood as an expression of frustration rather than an act intended to demean the dignity of the office or compromise the integrity of the proceedings.

The Respondent's denial of the allegations, while general, must be given due consideration in the absence of clear and convincing evidence to the contrary. The Complainant's assertions, though detailed, were not sufficiently corroborated by independent or documentary evidence to meet the threshold of substantial evidence required in administrative proceedings.

In such cases, bare allegations even if coherent and consistent cannot automatically prevail over a respondent's innocence, particularly when the latter remains unchallenged by credible proof. Consequently, without more compelling evidence, the complaint cannot be sustained based on uncorroborated claims alone.

The utterance of the words "Putang inang ito" in the presence of the parties and Lupon members, while discourteous, does not necessarily constitute abuse of position, particularly in the context of the pressures inherent in the exercise of official duties. As a Punong Barangay, the Respondent is indeed expected to maintain restraint and dignity; however, isolated instances of profane language, though regrettable, may be viewed as lapses that do not automatically equate to violations of ethical norms or the dignity of public office.

In *Ganzon v. Arlos*, G.R. No. 174321, October 22, 2013, the Supreme Court emphasized that to constitute grave misconduct, the complained act must not only be wrongful or improper, but must also involve corrupt motives, a willful disregard of legal norms, or an intentional violation of the law. The Court in that case held:

"Misconduct is considered grave if it involves the additional elements of corruption, willful intent to violate the law, or to disregard established rules. Absent these elements, the misconduct, no matter how improper, may not be classified as grave."

Applying the foregoing principle, the Court notes that there is no substantial evidence indicating that the respondent acted with corrupt motives or with the deliberate intent to violate the law. The use of offensive language, while regrettable and inappropriate, appears to have been an impulsive reaction and not a calculated abuse of authority.

In addressing the other complaint filed by Virginia Palivino, she failed to comply with the order of the Sangguniang Bayan to refile and/or submit a verified petition. It is mandated under under Rule 3, Section 1 of Resolution No. 2025-16, with the title "*A Resolution Adopting Resolution No. 2024-21 dated January 29, 2025 entitled "A Resolution prescribing the Rules and Procedures in Administrative Cases before the Sangguniang Bayan of Los Banos, Laguna against Elective Barangay Officials."* in relation to Section 61 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, which requires that any administrative complaint against an elective barangay official must be verified. The absence of such verification is a fatal defect that warrants the dismissal of the complaint:

Rule 3- *Complaint*, Section 1 of Resolution No. 2025-16- *Who may file a complaint –*

Any person may file a verified complaint stating any of the grounds mentioned above against an elective barangay official before the Sangguniang Bayan of Los Banos, Laguna to which the Barangay official concerned belongs.

Section 61. *Form and Filing of Administrative Complaints.* - A verified complaint against any erring local elective official shall be prepared as follows:

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(c) A complaint against any elective barangay official shall be filed before the sangguniang panlungsod or sangguniang bayan concerned whose decision shall be final and executory.

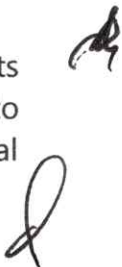
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Thus, there is no reason anymore to delve into the depths of Virginia’s complainant. If there is any, this body treats the same as mere corroborative evidence. Be that as it may, the complaint as a whole and taking into consideration the statement of Virginia, cannot by themselves overcome the presumption of innocence guaranteed by law in favor of the respondent. Conversely, the allegations therein cannot be deemed tantamount to evidence and even if treated that way, did not qualify to meet the quantum of evidence required.

RECOMMENDATION

After a thorough evaluation of the facts and circumstances attendant to the complaint filed against the Respondent, the undersigned hereby submits the following recommendation:

- 1. As to the complaint filed by Ruby P. Palivino, after a careful examination of the facts and the respective versions of both parties, the Body finds no sufficient basis to conclude that the Respondent violated any of the standards of ethical or professional



conduct set forth in the Code of Conduct and Ethical Standards for Public Officials and Employees (Republic Act No. 6713). The evidence presented fails to establish, by substantial proof, that the Respondent's actions amounted to a breach of the ethical duties imposed upon public officials.

Upon careful evaluation, the Body finds that while the Respondent's use of profane and offensive language during an official barangay proceeding, assuming it to be true, was inappropriate and unbecoming of a public officer, such conduct does not rise to the level of even simple misconduct warranting administrative sanctions.

Accordingly, while no substantial administrative liability is found, the Respondent is hereby admonished and sternly warned to exercise greater prudence, restraint, and decorum in the performance of official duties. He is hereby **ADMONISHED** and **WARNED**, that any repetition of similar acts shall be dealt with more severely and may warrant the filing of appropriate administrative or criminal charges,

2. The complaint filed by Virginia Publico Palivino is hereby **DISMISSED** for failure to comply with the directive of the Sangguniang Bayan, as provided in the procedural requirements set forth under the law.

Let it be placed on record that this Decision shall form part of the collective action of the Sangguniang Bayan of Los Baños, Laguna, and shall be duly authored and signed by all its members.

Let copies of this Decision be forthwith furnished to the complainant, the respondent, and all other interested parties, in the interest of due notice and to ensure compliance with the requirements of procedural due process.

So ordered.

RESOLVED FINALLY, that copies of this Resolution be duly furnished Ms. Ruby V. Palivino, Virginia Publico Palivino and Punong Barangay Rommel E. Maningas, the Office of the Mayor and the MLGOO for information, guidance and appropriate action.






I HEREBY CERTIFY to the correctness of the above-quoted Resolution.


DONA T. ALBORIDA-DIZON
Secretary to the Sangguniang Bayan

ATTESTED:


HON. MARLO P. J. ALIPON, MPA, REE, RMP
Vice Mayor/Presiding Officer

WITH THE CONCURRENCE OF THE
SANGGUNIANG BAYAN:

 HON. MIKO C. PELEGRINA Municipal Councilor	ABSENT (O.B.) HON. ALDOUS AMIEL B PEREZ Municipal Councilor
 HON. MURIEL LAIZA B. DIZON Municipal Councilor	 HON. LEREN MAE M. BAUTISTA Municipal Councilor
 HON. BENEDICTO S. ALBORIDA Municipal Councilor	 HON. RAND EDOUARD R. DE JESUS Municipal Councilor
 HON. MYLA E. ALINSUNURIN Municipal Councilor	 HON. JAY G. ROLUSTA Municipal Councilor
 HON. GAUDENCIO P. MACATANGAY Ex-Officio Member/Liga President	 HON. SAMANTHA NICOLE A. BANASIHAN-ORTEGA Ex-Officio Member/SK Federation President