

REPUBLIKA NG PILIPINAS  
KAGAWARAN NG KATARUNGAN  
**PANGASIWAAN SA PATALAAN NG LUPAIN**  
East Avenue cor. NIA Road  
Quezon City

LAND REGISTRATION SYSTEMS, INC.  
**RECEIVED**  
PROJECT MANAGEMENT OFFICE  
DATE: 03-01-21 BY: J. Domingo

LRA CIRCULAR No. 05 - 2021

U.P. LAW CENTER  
OFFICE of the NATIONAL ADMINISTRATIVE REGISTER  
Administrative Rules and Regulations  
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**Subject: POLICY ON THE ELEVATION OF CONSULTA TO THE ADMINISTRATOR OF LAND REGISTRATION AUTHORITY**

**WHEREAS**, the Land Registration Authority ("LRA") is a government agency under the Department of Justice mandated by law to preserve the integrity of the land registration process, protect the sanctity of the Torrens System, and act as a central repository of records relative to original registration of land titled under the Torrens System, including subdivision and consolidation plans of titled lands and, through its Registry of Deeds ("Registry") Offices nationwide, be the repository of records of instruments affecting registered and unregistered lands and chattel mortgages in the province and the city wherein such office is situated;

**WHEREAS**, in the course of processing of transactions, *Consultas* may be availed of in cases where Registers of Deeds (RD) or Deputy Register of Deeds (DRD) are in doubt with respect to the processing of transactions, or when a Client disagrees with the decision taken by an RD as provided in Section 117 of PD 1529;

**WHEREAS**, when the RD or DRD approves the registration of an instrument, there is already a complete action on the part of the RD or DRD that is considered *fait accompli* and there is no necessity for further action on the part of the LRA;

**WHEREAS**, when the RD or DRD denies the registration of an instrument, there is also a complete action on the part of the RD or DRD;

**WHEREAS**, when the RD or DRD elevates *en Consulta* the question of the registrability of an instrument, there is yet no action on the part of the RD or DRD as well as on the part of the LRA, thus, results in a "hiatus" of the transaction while awaiting its resolution;

**WHEREAS**, it is noted that there are instances where RD or DRD elevates a transaction *en Consulta* notwithstanding the existence of previous similar cases resolved by this Authority;

**WHEREAS**, the necessity to formulate a standard procedure in *Consulta* elevation by the RD or DRD is warranted under the circumstance;

**WHEREFORE**, the following steps are hereby provided for the guidance of the RD or DRD:

1. The RD or DRD may, without elevating the transaction *en Consulta*, request a Certification from the Legal Division whether or not there is a Consulta Resolution applicable to the subject transaction;

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[Signature] 2/18/2021  
**NORILYN T. TOMAS**  
Chief, Central Records Section

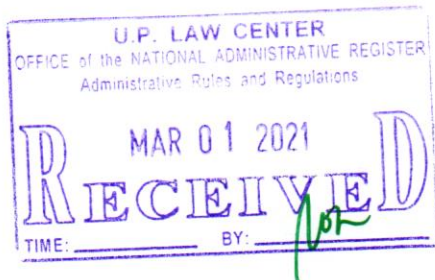


2. The Legal Division, if warranted under the circumstances of the transaction, shall issue a categorical certification that it has a similar and/or identical *Consulta* Resolution, citing the latter thereon;
3. Such a request, however, shall not toll the running of Turn-Around-Time (TAT) for processing of transaction as prescribed by the Citizen's Charter of the agency;
4. The RD or DRD is not barred or precluded from elevating the transaction *en Consulta* with or without the request and/or Certification from the Legal Division and regardless of its findings;
5. Should the RD or DRD elevate the transaction *en consulta*, the Legal Division, upon receipt thereof, if warranted under the circumstances of the transaction, shall issue a categorical certification that it has a similar and/or identical *Consulta* Resolution, citing the latter thereon;
6. In the same vein, the RD or DRD, regardless of the findings of the Legal Division, is not precluded from proceeding with the *Consulta*. He may, however, withdraw the elevated *Consulta* if in his opinion the transaction under consideration is clearly identical and/or similar to the *Consulta* Resolution cited by the Legal Division; and
7. An appropriate disciplinary action shall, however, be initiated against the concerned RD or DRD upon findings that the *Consulta* elevated is nuisance for being clearly identical and/or similar to the previously resolved *Consulta* based on the certification provided by the Legal Division.

This Circular shall take effect after fifteen (15) days from its publication in a newspaper of general circulation, and the filing of three (3) copies hereof with the University of the Philippines Law Center.

All orders, guidelines, circulars, rules and regulations inconsistent with this are hereby repealed or amended accordingly.

Issued FEB 15 2021, 2021, Quezon City, Philippines.



  
**RENATO D. BERMEJO**  
 Administrator

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 2/18/2021  
**NORILYN T. TOMAS**  
 Chief, Central Records Section