



**LRA CIRCULAR No. 14-2023**

**SUBJECT : OUTRIGHT CONFISCATION OF PATENTLY FAKE CERTIFICATE OF TITLE**

**WHEREAS**, the Land Registration Authority (LRA) is a government agency, under the Department of Justice, and is mandated by law to preserve the integrity of the land registration process, protect the sanctity of the Torrens System, and act as the central repository of records relative to the original registration of land titled under the Torrens System, including the subdivision and consolidation plans of titled lands and, through its Registry of Deeds (RD) nationwide, be the repository of records of instrument affecting registered and unregistered land.

**WHEREAS**, to support the said mandate and to prevent the proliferation of patently fake certificates of title, the LRA issued LRA Circular No. 97-12-B dated 02 December 1997, stating Opinion No. 83 Series of 1997 dated 20 November 1997 of then Hon. Teofisto T. Guingona Jr., Secretary of the Department of Justice, adhering to the request of LRA for the outright confiscation of indubitably fake or spurious certificates of title.

**WHEREAS**, the Department of Justice has agreed that patently fake certificates of title cannot be a source of any legal right as it is a sham and has no basis in fact or in law, that it is not registered in the ordinary course of land registration and is not issued by the Register of Deeds, that it is a mere scrap of paper, and a complete nullity, thus, should be confiscated outright to prevent it from circulating and being foisted upon the public as genuine certificate of title.

**WHEREAS**, the LRA likewise issued LRA Circular No. 27-2005 dated 09 September 2005 providing a warning on patently fake or spurious certificates of title that upon presentment or upon discovery of the same should be immediately transmitted to the Central Office for investigation.

In consideration of the foregoing, the following procedure shall be strictly observed in the outright confiscation of patently fake certificates of title, to wit:

1. Upon presentation of a patently fake certificate of title in the Registry of Deeds for a transaction or for purposes of verification, the same shall be outrightly confiscated by the Records Officer.
2. The confiscated patently fake certificate of title shall be photocopied in the presence of the presentor and a corresponding Acknowledgement Receipt signed by the Register of Deeds/Deputy Register of Deeds indicating therein that the subject patently fake certificate of title shall be investigated shall be issued to the presentor attaching therewith the photocopy of the said patently fake or spurious certificate of title.

CERTIFIED TRUE COPY

11/15/2023  
HONORABLE T. TOMAS  
Chief, Central Records Section



@lraphilippines.official



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3. The Records Officer within five (5) days from the outright confiscation of the subject patently fake certificate of title shall submit the same to the Inspection and Investigation Division (formerly known as Land Registration Monitoring Division) for proper investigation together with the summary of observation as regards the physical appearance of the patently fake certificate of title.

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

Strict compliance with this Circular is hereby enjoined.

Issued 14 NOV 2023 2023, Quezon City, Philippines.

  
**GERARDO PANGA SIRIOS**

Administrator

**CERTIFIED TRUE COPY:**

  
**MORILYN T. TOMAS**

Chief, Central Records Section



REPUBLIKA NG PILIPINAS  
KAGAWARAN NG KATARUNGAN  
PANGASIWAAN SA PATALAAN NG LUPAIN  
(LAND REGISTRATION AUTHORITY)  
East Avenue cor. NIA Road  
Quezon City

LRA CIRCULAR 27 - 2005

TO : ALL REGISTRAR OF DEEDS, DEPUTY REGISTRAR OF DEEDS AND ALL CONCERNED

SUBJECT : Warning on Patently Fake or Spurious Certificates of Title


DATE : September 9, 2005

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This Authority views with alarm the recent upsurge of the number of reported cases of patently fake and/or spurious certificates of title being peddled by unscrupulous individuals. Some of these titles have been presented to the Registry of Deeds for verification and/or registration. Thus, we cannot totally discard the possibility of the existence of a syndicate of forgers victimizing innocent persons in general and unsuspecting landowners in particular.

In view thereof, all Registrar of Deeds, Deputy Registrar of Deeds and all concerned are hereby directed to be more circumspect and exercise vigilance in the performance of their assigned task. In the event therefore, that any fake and/or spurious certificates of title are presented or discovered, the same should be immediately transmitted to the Central Office for investigation. The matter should likewise be brought to the attention of the proper authorities in order that the person or persons responsible thereof may be dealt with accordingly.

For strict compliance.

  
BENEDICTO B. ULEP  
Administrator



KAGAWARAN NG KATARUNGAN  
PANGASIWAAN SA PATALAAN NG LUPAIN  
(LAND REGISTRATION AUTHORITY)  
East Avenue cor. NIA Road  
Quezon City

December 2, 1997

LRA CIRCULAR NO. 97-12-B

**SUBJECT : OUTRIGHT CONFISCATION OF PATENTLY FAKE  
OR SPURIOUS CERTIFICATES OF TITLES**

**TO : ALL REGISTERS OF DEEDS, DEPUTY REGISTERS  
OF DEEDS AND ALL CONCERNED**

Quoted hereunder is the opinion of the Secretary of Justice, Opinion No. 83, S. 1997, dated November 20, 1997, favorably acting on LRA's request for reconsideration of the Department's Opinion No. 105, s. 1992, and clarifying that the ruling in the said opinion has no application to indubitably fake or spurious titles which may be the subject of outright confiscation by the Register of Deeds, to wit:

*"Administrator Reynaldo Y. Maulit  
Land Registration Authority  
East Avenue cor. NIA Road  
Quezon City*

*Sir:*

*This refers to your request for reconsideration of this Department's Opinion No. 105, s. of 1992, pertinent portion of which reads:*

*"We doubt the legality of the outright confiscation by the Register of Deeds of certificates of titles which, on their face, are found to be spurious and fake. Such act would be violative of the due process clause as it would authorize a possible impairment of the property rights without due process of law."*

*You state that your office "believes that confiscation by the Register of Deeds of titles which on their face are patently fake or spurious is sanctioned by the recognized role of the LRA (Land Registration Authority) in maintaining and preserving the stability and integrity of the Torrens system of registration by preventing the proliferation of spurious and purely fabricated certificates of title."*

You also state that outright confiscation of patently spurious or fake titles would not impair any property right since these titles "are merely fabricated and therefore were not duly issued by the Register of Deeds in the ordinary course of business". Thus, these "titles do not represent any vested and legitimate rights over the property they are supposed to cover that may be impaired".

The original query, it should be recalled, stemmed from the letter of one Atty. Edmundo I. Perez questioning the authority of the Register of Deeds of Quezon City "to confiscate certificates of title presented to him for registration on a mere allegation that the same, on their face, appear to be patently spurious and fake".

In said Opinion, this Department stated that the Register of Deeds could not just confiscate a certificate of title on the basis of his sole judgment that the title is fake or spurious, but that in case the Register of Deeds has doubts on the registrability of the title, he should deny registration pursuant to Section 17 of P.D. No. 1529 and forthwith make a report to the Administrator of Land Registration for possible action under Section 100 of the same law for annulment or amendment of the title. The assumption made in the said Opinion was that the title presented to the Register of Deeds for registration was a title which went through the process of land registration but was defective or tainted with irregularity in its issuance as when it overlapped with another title, or covered areas which are not registrable, or proceeded from a fake or inexistent title.

We take it that in your instant request for reconsideration, you allude to a totally different category of titles, as you refer to titles which "are not even worth the paper on which they are printed since they are merely fabricated and therefore were not duly issued by the Register of Deeds in the ordinary course of business". Such titles, you believe, may be confiscated outright by the Register of Deeds without impairing property rights because they are patently fake or spurious.

We agree with your view. A title may be irregularly issued but not spurious or fake. Opinion No. 105, s. 1992 contemplates genuine, although irregularly issued titles. These titles which were registered, or derived from titles duly registered, under the land registration law, although questionable because of some defects or irregularity in their issuance, cannot be confiscated outright without violating the registered owner's right to due process. The registered owner has a legal right to protect in these titles and he should be given his day in court.

A spurious or fake title, on the other hand, cannot be the source of any legal right. It is a sham and has no basis in fact or law. It is purely manufactured or fabricated. It was not registered in the ordinary course of land registration and was not issued by the Register of Deeds. Such title is a mere scrap of paper, a complete nullity, and may, and should, in fact, be confiscated outright by the Register of Deeds to prevent it from circulating around and being foisted upon the public as genuine titles.

In view of the foregoing, our ruling in Opinion No. 105, S. 1992 which applies to defective but genuine titles, has no application to indubitably fake or spurious titles which may be the subject of outright confiscation by the Register of Deeds in the interest of the public.

Please be guided accordingly.

Very truly yours,

(SGD.) TEOFISTO T. GUINGONA, JR.  
Secretary"

For your information and guidance.

~~REYNALDO Y MAULIT~~  
Administrator