



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

OCA CIRCULAR NO. 20-2004

**TO : ALL EXECUTIVE JUDGES AND CLERKS OF COURT  
OF THE REGIONAL TRIAL COURTS**

**SUBJECT : PROCEDURE IN EXTRA-JUDICIAL FORECLOSURE  
OF MORTGAGE**

For the information and guidance of all concerned, quoted hereunder is the pertinent portion of the Court En Banc resolution dated 20 January 2004 in Administrative Matter No. 99-10-5-0 Re: Procedure in Extra Judicial Foreclosure of Mortgage, to wit:

“A.M. No. 99-10-05-0 Re: Procedure in Extra-Judicial Foreclosure of Mortgages.- The Court resolved upon recommendation of the Office of the Court Administrator, to **DECLARE** that cooperatives shall remain not exempt from the payment of filing fees for actions filed in court relative to extra-judicial foreclosure of mortgages, because the said actions are not among those contemplated under the provision of Article 62 (6), R.A. 6938.

Accordingly, the last paragraph of Section 2(c) of the resolution in A.M. No. 99-10-05-0 is hereby **AMENDED** to read as follows:

*Cooperatives, thrift banks and rural banks are not exempt from the payment of filing fees and other fees under the guidelines (A.M. No. 99-0-280-RTC, September 29, 1998 and A.M. No. 99-3-93-RTC, April 20, 1999.”*

For strict compliance.

10 February 2004.

  
**JOSE P. PEREZ**  
Acting Court Administrator