

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5051

Introduced by **REP. ANTHONY G. DEL ROSARIO**

EXPLANATORY NOTE

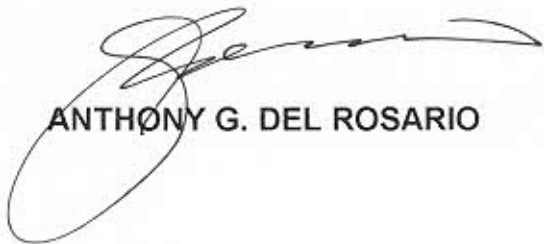
Section 15 (n) of Republic Act No. 9904, otherwise known as the "*Magna Carta for Homeowners and Homeowners' Associations*," states that Association Bylaws shall provide for: "*The creation of election, grievance and audit committees, and such other committees which the association may deem necessary; as well as a conciliation or mediation mechanism for the amicable settlement of disputes among members, directors or trustees, officers and committee members of the association.*"

Pursuant thereto, the proposed measure seeks to create a mediation or conciliation committee which shall be composed of three (3) members of the board of directors or trustees of the homeowners' association who shall be chosen from among its members.

The proposed mediation or conciliation mechanism will complement the barangay justice system in administering justice. With the backlog of cases before the courts, it takes a long time, even years, for a matter to be heard and settled. Hopefully, cases that go through this kind of alternative dispute resolution will take only a short period of time. This in turn, will help decongest the court dockets of unwanted cases thereby improving the efficiency and quality of dispensation of justice.

With the settlement through mutual agreement between homeowners, the bond among them will be strengthened and disputes will be lessened.

In view of the foregoing, early approval of this bill is earnestly sought.



ANTHONY G. DEL ROSARIO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5051

Introduced by REP. ANTHONY G. DEL ROSARIO

AN ACT
PROVIDING FOR AN ALTERNATIVE SETTLEMENT OF DISPUTES AMONG
MEMBERS OF HOMEOWNERS' ASSOCIATION, AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 9904, OTHERWISE KNOWN AS THE "MAGNA
CARTA FOR HOMEOWNERS AND HOMEOWNERS' ASSOCIATIONS"

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 15 (n) of Republic Act No. 9904 is hereby amended to read as follows:

"SEC. 15. *Association Bylaws.* – The bylaws of the association shall be adopted by a simple majority of the members of the association. Consistent with the provisions of this Act, it shall provide for:

a) xxx

xxx

xxx

xxx

n) The creation of election, grievance and audit committees, and such other committees which the association may deem necessary; as well as a conciliation or mediation mechanism for the amicable settlement of disputes among members, directors or trustees, officers and committee members of the association.

THE MEDIATION OR CONCILIATION COMMITTEE SHALL BE
COMPOSED OF THREE (3) MEMBERS WHO SHALL BE CHOSEN

FROM AMONG THE BOARD OF DIRECTORS OR TRUSTEES OF
THE HOMEOWNERS' ASSOCIATION.

THE AGREEMENT REACHED AT THE MEDIATION OR
CONCILIATION COMMITTEE SHALL HAVE THE FORCE AND
EFFECT OF A FINAL JUDGMENT. IN CASE OF FAILURE TO
SETTLE THE DISPUTE, HOWEVER, THE COMMITTEE SHALL
ISSUE A CERTIFICATION FOR SUBMISSION TO THE
KATARUNGANG PAMBARANGAY.

xxx

xxx

xxx."

SEC. 2. This Act shall take effect fifteen (15) days after its publication in
the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,