

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

**SIXTEENTH CONGRESS
FIRST REGULAR SESSION**

House Bill No. 89



Introduced by Honorable Amado S. Bagatsing

EXPLANATORY NOTE

*Republic Act No. 7279, otherwise known as the "Urban Development and Housing Act (UDHA) of 1992", was enacted in pursuit of the Constitutional mandate for the State to undertake a continuing program of urban land reform and housing which will make decent housing and basic services available at affordable cost to underprivileged and homeless citizens in urban centers and resettlement areas.

This landmark shelter legislation focuses on socialized housing as its primary concern and, as such, has included a system of balanced housing development requiring developers of subdivision projects "to develop an area for socialized housing equivalent to at least twenty percent (20%) of the total subdivision area or total subdivision projects cost within the same city or municipality, wherever feasible" and likewise included certain alternatives by which developers may comply.

The UDHA also mandates that basic services to afford decent living in socialized housing or resettlement areas, including education facilities, be provided. In fact, it is a policy of the State to give priority to education to accelerate social progress and promote total human liberation and development.

While government continues to exert efforts to address the problems of housing and education facilities, the country remains confronted with an acute housing backlog. As of 2011, informal settler families in the National Capital Region (NCR) totalled 584,425 of which 104,219 lived in danger areas, as consolidated by the National Housing Authority- NCR. Social progress and human dignity necessitate that every Filipino enjoys his right to education. Unfortunately, the country equally faces an acute shortage in education facilities nationwide.

In view hereof, this bill seeks to amend the balanced housing development system under the UDHA to include the provision of educational facilities as an alternative compliance thereof.

This bill is a refiled bill of House Bill No. 4371 entitled "An Act To Amend Sections 18 And 21 Of Republic Act No. 7279, Entitled "An Act To Provide For A Comprehensive And Continuing Urban Development And Housing Program, Establish The Mechanism For Its Implementation, and For Other Purposes," Otherwise Known As The "Urban Development And Housing Act Of 1992", To Include The Construction Of Education Facilities As An Alternative Compliance To The Balanced Housing Development", authored by Representative Rodolfo G. Valencia during the 15th Congress.

The early passage of this bill is earnestly requested.



AMADO S. BAGATSING
Representative
5th District, Manila

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AN ACT TO AMEND SECTIONS 18 AND 21 OF REPUBLIC ACT NO. 7279, ENTITLED "AN ACT TO PROVIDE FOR A COMPREHENSIVE AND CONTINUING URBAN DEVELOPMENT AND HOUSING PROGRAM, ESTABLISH THE MECHANISM FOR ITS IMPLEMENTATION, AND FOR OTHER PURPOSES," OTHERWISE KNOWN AS THE "URBAN DEVELOPMENT AND HOUSING ACT OF 1992", TO INCLUDE THE CONSTRUCTION OF EDUCATION FACILITIES AS AN ALTERNATIVE COMPLIANCE TO THE BALANCED HOUSING DEVELOPMENT

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

SECTION 1. Short Title. – This Act shall be known as the "Balanced Housing Amendment of 2013"

SEC. 2. Declaration of Policy – It is the policy of the State to undertake, in cooperation with the private sector, a comprehensive and continuing housing and urban development program. It is likewise the policy of the State to give priority to education to accelerate social progress and promote human liberation and development. Toward this end, the State shall pursue the provision of educational facilities as an alternative to the balanced housing development to augment the classroom shortage in the country.

SEC. 3. Amendatory Provisions. – For purposes of this Act, the following provisions of Republic Act No. (R.A.) 7279, entitled: "An Act to

Provide for a Comprehensive and Continuing Urban Development and Housing Program, Establish the Mechanism for its Implementation, and for other purposes," otherwise known as the "Urban Development and Housing Act of 1992", are hereby amended:

(a) Section 18 of R.A. 7279 is hereby amended to read as follows:

"Sec. 18. *Balanced Housing Development.* – the Program shall include a system to be specified in the Framework Plan whereby developers of proposed subdivision projects shall be required to develop an area for socialized housing equivalent to at least twenty percent (20%) of the total subdivision area or total subdivision project cost, at the option of the developer, within the same city or municipality, wherever feasible, and in accordance with the standard set by the Housing and Land Use Regulatory Board and other existing laws. The balanced housing development as herein required may also be complied with by the developers concerned in any of the following manner:

- a) Development of new settlement;
- b) Slum upgrading or renewal of area for priority development either through zonal improvement programs or slum improvement and resettlement programs;
- c) Join-venture projects with either the local government units or any of the housing agencies; [or]
- d) Participation in the community mortgage program[.] ; OR

E) DEVELOPMENT OF EDUCATION FACILITIES WITHIN THE PROJECT, WHENEVER FEASIBLE, OR WITHIN THE CITY OR

MUNICIPALITY, WHEREVER FEASIBLE, IN ACCORDANCE WITH SECTION 21 HEREOF."

(b) Section 21 of R.A. 7279 is hereby amended to read as follows:

"Sec. 21. **Basic Services.** – Socialized housing or resettlement areas shall be provided by the local government unit or the National Housing Authority in cooperation with the private developers and concerned agencies with the following basic services and facilities:

- a) Potable water;
- b) Power and electricity and an adequate power distribution system;
- c) Sewerage facilities and an efficient and adequate solid waste disposal system; and
- d) Access to primary roads and transportation facilities.

The provision of other basic services and facilities such as health, education, communication, security, recreation, relief and welfare shall be planned and shall be given priority for implementation by the local government unit and concerned agencies in cooperation with the private sector and the beneficiaries themselves[.] **PROVIDED, THAT THE PROVISION OF EDUCATION FACILITIES BY A DEVELOPER IN SOCIALIZED HOUSING AREAS PURSUANT TO SECTION 18 (E) HEREOF SHALL BE ACCORDED A HIGH PRIORITY.**

The local government unit, in coordination with the concerned national agencies, shall ensure that these basic services are provided at the most cost-efficient rates, and shall set a mechanism to coordinate operationally the thrusts, objectives and activities of other government agencies concerned with providing basic services to housing projects."

SEC. 4. Repealing Clause. – All laws, decrees, executive orders, proclamations, rules and regulations, and other issuances, or part or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 5. Separability Clause. – If for any reason, any provision of this Act is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in force and effect.

SEC. 6. Effectivity Clause. – This Act shall take effect fifteen (15) days after the completion of its publication in the Official Gazette or at least two (2) newspapers of general circulation.

Approved,