



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



Sixteenth Congress
First Regular Session

HOUSE BILL NO. 904

Introduced by Honorable Erlinda M. Santiago

EXPLANATORY NOTE

Section 9, Article XIII of the 1987 Constitution provides: "The State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas. x x x"

Republic Act (RA) No. 7279, otherwise known as the "Urban Development and Housing Act of 1992" was enacted primarily to uplift the conditions of the underprivileged and homeless citizens in urban areas and in resettlement areas by making available to them decent housing at affordable cost, basic services, and employment opportunities. Section 28 of RA 7279 provides for the situations when eviction and demolition shall be allowed. Among others, eviction and demolition shall be allowed "when there is a court order."

This bill seeks to amend Section 28 (c) of RA No. 7279 by emphasizing that the "court order" referred to therein shall apply only to final and executory judgments. Likewise, the proposed measure modifies said provision to the effect that no execution pending appeal shall be granted or allowed by the courts in cases involving underprivileged and homeless citizens who are beneficiaries under RA No. 7279. This implies that these individuals have no money to pay the appeal fees or the supersedeas bond necessary to stay the execution of an ejectment case pending appeal. Hence, this bill.

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


ERLINDA M. SANTIAGO



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AN ACT
ALLOWING THE ORDER OF EVICTION OR DEMOLITION BY
THE COURTS ONLY WHEN JUDGMENT BECOMES FINAL AND
EXECUTORY AMENDING FOR THE PURPOSE REPUBLIC ACT
NUMBERED SEVENTY-TWO HUNDRED AND SEVENTY NINE
OTHERWISE KNOWN AS THE URBAN DEVELOPMENT AND
HOUSING ACT.

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

SECTION 1. Paragraph (c) of Section 28 of Republic Act No. 7279 is
hereby amended to read as follows:

“SEC. 28. Eviction and Demolition. – Eviction or
demolition as a practice shall be discouraged. Eviction or
demolition, however, may be allowed under the following
situations:

(a)	x	x	x
	xxx	xxx	xxx

“(c) When there is a court order for eviction and
demolition [.] BASED ON A FINAL AND EXECUTORY
JUDGMENT: *PROVIDED*, HOWEVER, THAT, WHEN A
JUDGMENT HAS BEEN RENDERED AND AN APPEAL

HAS BEEN DULY PERFECTED BUT A PARTY WHO IS
AN UNDERPRIVILEGED AND HOMELESS CITIZEN AS
DEFINED IN THIS ACT FAILS TO FILE SUFFICIENT
BOND, THE SAME SHALL NOT BE A CAUSE FOR
COURTS TO ISSUE AN ORDER FOR EXECUTION OF
JUDGMENT."

x x x

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

Approved,