

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City



SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1959

Introduced by Representative Harlin Cast. Abayon

EXPLANATORY NOTE

This bill seeks to regulate the operation and maintenance of dormitories and boarding houses with the end in view of improving the situation of those who have been living in these places. Under the proposed measure, the owners and operators of dormitories and boarding houses' shall be required to provide their boarders and occupants basic facilities such as lighting and electrical, ventilation and spacing, sanitary, fire protection, study room, and first aid. The bill also seeks to address the concerns of students by giving them rental discounts and by requiring owners of dormitories and boarding house to give them human treatment. This measure was previously filed by Senator Manny Villar in the 15th Congress. Passage of this Bill is earnestly sought now in the 16th Congress.


HARLIN CAST. ABAYON
Representative
First District of Northern Samar

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AN ACT
ESTABLISHING A COMPREHENSIVE AND INTEGRATED NATIONAL POLICY AND
PROGRAM GUIDELINES FOR THE OPERATION AND MAINTENANCE OF
DORMITORIES AND BOARDING-HOUSES, PROVIDING PENALTIES THEREFOR,
AND FOR OTHER PURPOSES

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

SECTION 1. Declaration of Policy. - It is hereby declared the policy of the State to promote and improve the condition of those living in dormitories and boarding houses. Towards this end, the State shall adopt a national standard for the operation and maintenance of dormitories and boarding houses to make these facilities conducive to living and learning.

SECTION 2. Definition of Terms. - As used in this Act, the following shall mean:

- a) Dormitory or boarding house - any house or building or portion thereof in which six (6) or more persons may be regularly accepted as boarders on a daily, weekly or monthly basis;
- b) Dormitory or boarding house helpers - shall refer to cooks, food handlers, helpers who handle the food services for the boarders and any other persons who shall assist the owners of boarding houses or dormitories in housing maintenance and similar household chores.

SECTION 3. License from Local Governments. - It shall be unlawful for any person to own, keep, maintain or operate any dormitory or boarding house without first obtaining a license from the city/municipal government. The license which shall be posted in a conspicuous place shall specify the number of persons allowed to dwell or board in every dormitory or boarding house.

SECTION 4. Classes of Dormitories and Boarding Houses. - For purposes of this Act, dormitories and boarding house shall have the following classifications:

- a) Class A - dormitories and boarding houses providing accommodations for fifty (50) boarders or more;
- b) Class B - dormitories and boarding houses providing accommodations for thirty (30) but less than fifty (50) boarders;
- c) Class C - dormitories and boarding houses providing accommodations for twenty (20) but not less than thirty (30) boarders; and
- d) Class D - dormitories and boarding houses providing accommodations for more than five (5) but less than twenty (20) boarders.

SECTION 5. Minimum Dormitory or Boarding House Rentals. - The Local Government Units (LGUs), through their respective Sanggunians shall fix the minimum monthly boarding rentals taking into consideration the following factors:

- a) situs of the dormitory and boarding house, whether urban or rural areas;
- b) classification of the dormitory or boarding house;
- c) facilities and premises offered;
- d) number of boarders allowed in each room;
- e) construction of the building; and
- f) such other factors which may be deemed necessary under the circumstances.

In the absence of any agreement for the payment or additional expenses for electric, telephone and water utility bills, the minimum boarding house rental prescribed under this Section shall be the basic rentals which shall be paid to the owner inclusive of electric, telephone and water bills.

SECTION 6. Rental Discounts to Student Boarders. All boarding houses and dormitories shall give a discount of ten percent (10%) for all students. Students shall be required to present school registration cards or similar documents to serve as proof thereof.

SECTION 7. Building Type for Dormitories and Boarding Houses. Any three-storey building erected as a dormitory or boarding house for the accommodation of one hundred (100) persons or any building or section of building exceeding three storey to be used for said purpose, must be of reinforced concrete structural framing covered with concrete. Provided, however, that existing three-storey buildings presently maintained as boarding houses or dormitories shall be exempted from the requirements of this section: Provided, further, that if more than fifty percent (50%) of such buildings are repaired or altered, the requirements herein provided shall be complied with. Buildings accommodating less than one hundred (100) persons shall not exceed three storey in height or 12 meters if the structure thereof is non-fireproof but in no case lower in quality than that of a frame structure.

SECTION 8. Dormitory and Boarding House Helpers. - The owners and operators of dormitories or boarding houses shall employ at least one helper for every fifty (50) boarders or occupants for the proper maintenance of the said dormitories or boarding houses.

SECTION 9. Lighting and Electrical Facilities. - All rooms, passageways and other parts of the premises especially those intended for reading and studying purposes shall be properly and adequately lighted by natural or artificial means or both in consonance with the standards of illumination practices.

SECTION 10. Ventilation and Spacing. All buildings erected or repaired for use as boarding houses or dormitories shall have rooms with adequate ventilation and enough space for comfort. All bedrooms shall have a window. Beds shall be arranged in such manner as would provide adequate space to give the boarders enough room for mobility.

SECTION 11. Sanitary Facilities. All dormitories and boarding houses shall provide a lavatory for every ten boarders and such other necessary sanitary facilities as may be determined by the Local Government unit where such dwelling houses are located.

SECTION 12. Fire Protection Facilities. Dormitories and Boarding houses shall provide fire escapes and other firefighting facilities including but not limited to fire extinguishers and hose cabinet.

SECTION 13. Study Room. Dormitories or boarding houses having 20 or more boarders shall provide a study room for general use by the persons dwelling on the same.

SECTION 14. First Aid. Every Owner shall maintain in his boarding house or dormitory such basic first-aid medicine and equipment as may be necessary for emergency purposes.

SECTION 15. Garbage Receptacles. All boarding houses or dormitories shall provide garbage receptacles to be disposed daily.

SECTION 16. Treatment of Boarders. All boarders shall be treated in a just and humane manner. In no case shall physical violence and other ignominious act be inflicted upon boarders.

SECTION 17. Termination Notice. If a period is fixed for the lease of a room in the boarding house or similar dwelling units, neither the boarding house owner nor the boarder may terminate the contract before the expiration of the term, except for a just cause. If the boarder is unjustly ejected from the boarding house, he or she shall be paid damages equivalent to one-half month rental. If the boarder leaves without justifiable reasons and without proper notice, he/she shall forfeit any deposit made on rentals not exceeding fifteen days. If the duration of the stay in the boarding house is not determined by contract or by agreement of the parties, the boarding house owner or the boarder may give notice to terminate the same at least five (5) days before the intended date thereof.

SECTION 18. Duty of Boarding House or Dormitory Owners. All owners of boarding houses and dormitories shall carry out the provisions of this Act in good faith. Unless there is any compelling reason, in no case shall a dormitory or boarding house owner deny the application of a student.

SECTION 19. License Fees. All local government units, through their respective Sanggunian, shall fix the annual license fees to be imposed on boarding houses and dormitories considering the classification mentioned above, the rentals paid by boarders and other necessary considerations.

SECTION 20. Local Ordinance as Necessary Rules and Regulations. Local Government units through their respective Sanggunian shall pass an ordinance providing for the necessary rules and regulations to carry out the provisions of this Act.

SECTION 21. Penalty. In case of violation of any of the provisions of this Act, the license and permit to operate the dormitory or boarding house and all sums paid therefore shall, after due notice and hearing, be revoked and forfeited, and any person responsible for such violation shall be punished with imprisonment for a period not exceeding six months or a fine not less than five thousand pesos (P5,000) nor more than ten thousand pesos (P10,000) or both, at the discretion of the Court.

SECTION 22. Separability Clause. - If any part or provision of this Act is held unconstitutional or invalid, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 23. Repealing Clause. - All laws, orders, rules or regulations which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed accordingly.

SECTION 24. EFFECTIVITY -This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,