

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

SIXTEENTH CONGRESS
Second Regular Session

House Bill Number **5716**



Introduced by Representative ROLANDO G. ANDAYA, JR.

EXPLANATORY NOTE

Dormitories and boarding houses play an integral role in the provision of housing facilities to individuals, most particularly students, who come from remote provinces and city outskirts. The influx of those seeking temporary living arrangements in major cities of the country makes the operation of dormitories and boarding houses a thriving industry. However, the lure of making money out of tenants has made the proliferation of structurally-questionable dormitories and boarding houses.

The safety and general welfare of tenants is the State's paramount concern. It recognizes that the students' holistic well-being is affected by their living conditions. As such, it is therefore necessary that the physical and environmental components of these temporary dwellings are safe, healthful and sanitary, and have amenities conducive to studying.

To give protection, not only to tenants, but also to legitimate operators of these residential facilities, this bill seeks to standardize the operation of dormitories and boarding houses. This bill requires dormitories and boarding houses to comply with the minimum requirements set forth by the National Building Code and Fire Code of the Philippines and to be regularly inspected up by local authorities before they are issued license to operate.

This bill also provides clarity around rights and responsibilities of both tenants and operators when disputes occur.

Immediate approval of this measure is earnestly requested.


ROLANDO G. ANDAYA, JR.

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**AN ACT STANDARDIZING THE OPERATION AND MAINTENANCE OF
DORMITORIES AND BOARDING HOUSES, PROVIDING PENALTIES
THEREFOR, AND FOR OTHER PURPOSES**

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

Section 1. **Statement 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 learning and living.

Section 2. **Definition of Terms.** – As used in this Act, the following terms shall mean:

- a. Boarder – any student or person who lives in a dormitory or boarding house for a consideration payable in cash;
- b. Dormitory or boarding house – any house or building or portion thereof which provide managed accommodation to boarders, with facilities for communal use by tenants;
- c. Dormitory or boarding house helpers – refer to cooks, food handlers, helpers who handle the food services for the boarders and any other persons who shall assist the owners of dormitories or boarding houses in housing maintenance and similar household chores;

- d. Landlord/lady, Owner, Operator – refers to any natural or juridical person who owns, manages or maintains a dormitory or boarding house, or the duly authorized representative or agent of such person;
- e. License/Permit – is a right or permission granted by the local government to any natural or juridical person to operate, manage or maintain a dormitory or boarding house after payment of the license fees.

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 or municipal government. The license, which is renewable annually, shall be posted in a conspicuous place and shall specify the number of persons allowed to dwell or board in each dormitory or boarding house.

All local government units (LGUs), through their respective Sanggunian, shall fix the annual license fees to be imposed on dormitories or boarding houses considering the classification provided herein, the minimum rentals paid by the boarders and other necessary considerations.

Section 4. Classes of Dormitories or Boarding Houses. – For purposes of this Act, dormitories and boarding houses 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) or more but less than fifty (50) boarders;
- c. Class C – dormitories and boarding houses providing accommodations for twenty (20) or more but less than thirty (30) boarders;
- d. Class D – dormitories and boarding houses providing accommodations for less than twenty (20) boarders;

Section 5. Registration of Boarders. – Dormitories or boarding houses shall maintain a register of boarders specifying the name, age, sex, address, school and course studied, together with the curriculum year; or place and address of employment for those working, and to include name, address and contact numbers of parents or guardians for minors. Owners or landlords/ladies shall also keep a copy of the written permission or contract with parents of minors to board in such boarding house/dormitory. This registry shall record the days, months or years of the stay of the boarders.

This registry shall be available for perusal and inspection of persons in authority for any lawful purpose.

Section 6. **Minimum Dormitory or Boarding House Rentals.** – The LGUs, through their respective Sanggunians shall fix the minimum monthly boarding rentals taking into consideration the following factors:

- a. Site of the dormitory and boarding house, whether urban or rural areas;
- b. Classification of the dormitory or boarding house;
- c. Facilities and amenities 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 dormitory or 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 7. **Rental Discounts to Student Boarders.** – All dormitories and boarding houses 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 8. **Premises and Facilities.** –

- a. **Construction** – The building to be used as dormitory or boarding house must comply with the National Building Code of the Philippines and its revised implementing rules and regulations. 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. All buildings erected or repaired for use as dormitories or boarding houses 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.

- b. Exits and passageways – shall conform with the Fire Code of the Philippines 2008 and its IRR.
- c. Alarm System and Fire Protection Equipment – shall conform with the Fire Code of the Philippines 2008 and its IRR.
- d. Rooms – Dormitories and boarding houses shall have the following separate rooms and amenities:
 - 1. Bedroom - The bedrooms for boarders must comply with the provisions of the National Building Code especially in terms of space, lighting, ventilation so as to ensure comfort and ease for the occupants of the same.
 - 2. Dining room – The dining room shall be separate from the sleeping quarters and must be maintained in a sanitary condition all the time.
 - 3. Study areas – Adequate space and facilities for a conducive study room shall be provided. Appropriate tables and comfortable chairs must be provided; likewise with lights bright enough for studying boarders.
 - 4. Receiving Room - There shall be a receiving room where visitors may be received.
 - 5. Lavatory and Bathroom – One comfort room and one bathroom shall be provided for every five (5) boarders.
 - 6. Kitchen – There shall be a separate kitchen area which shall be maintained in a sanitary condition all the time and shall be provided with garbage receptacles.
 - 7. Water Supply – There shall be provisions for safe, potable water and adequate supply for washing and other purposes.
 - 8. Laundry and Washing – There shall be adequate water and facilities for washing and drying of laundry.
- e. First Aid Facilities. – Every owner shall maintain in the dormitory or boarding house such basic first-aid medicine and equipment as may be necessary for emergency purposes.

Section 9. **Dormitory and Boarding House Helpers.** – The owners and operators of dormitories or boarding houses shall employ at least one helper for every twenty (20) boarders or occupants for the proper maintenance of the said dormitories or boarding houses. Provided that, helpers who shall be involved in food preparation must secure health permit from the LGU.

Section 10. **Security of Boarders** – The owners and operators of dormitories or boarding houses shall be responsible for the security and safety of boarders. As such, it shall be incumbent upon the owners and operators to provide necessary services or facilities to secure the boarders.

Section 11. **Treatment of Boarders.** – All boarders shall be treated in a just and humane manner. In no case shall physical violence and other ignominious act shall be inflicted upon them.

Section 12. **Termination Notice.** – If a period is fixed for the lease of a room in the dormitory or boarding house, neither the 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 dormitory or boarding house, he or she shall be paid damages equivalent to one (1) month rental. If the boarder leaves without justifiable reasons and without proper notice, he/she shall forfeit any deposit made on rentals equivalent to one (1) month. If the duration of the stay in the boarding house is not determined by contract or by agreement of the parties, the dormitory or boarding house owner or the boarder may give notice to terminate the same at least fifteen days (15) before the intended date thereof.

Section 13. **Implementing 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 14. **Penalty.** – In case of violation of any provision of this Act, the license and permit to operate the dormitory or boarding house and all sums paid therefor 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 (6) months or a fine not less than Five Thousand Pesos (₱5,000) and not more than Ten Thousand Pesos (₱10,000) or both, at the discretion of the court.

Section 15. **Separability Clause.** – If any provision or part of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

Section 16. **Repealing Clause.** – All laws, executive orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 17. **Effectivity Clause.** – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

· Approved,