

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **5529**



Introduced by Honorable Michael L. Romero and Enrico A. Pineda

EXPLANATORY NOTE

In the Republic of the Philippines, the present set up of our government agencies that are involved in housing and urban development has inherent institutional weaknesses. The Housing and Urban Development Coordinating Council (**HUDCC**) has served as the oversight, over-all coordinator, initiator, enabler and facilitator of all government policies, plans and programs for the housing sector. It sets the overall direction and targets for the sector, determines strategies, formulates appropriate policies, monitors and evaluates the programs, projects and performance of the implementing shelter agencies.

But its limited resources and authorities as a coordinating body has served as constraints in providing and implementing an overall urban development and housing strategy for the country and in orchestrating a national development framework that will rationalize and manage the process of urbanization, at the same time empowering and harnessing the full capacity of the Local Government Units (LGUs) to promote sustainable development, environmental awareness and equitable growth.

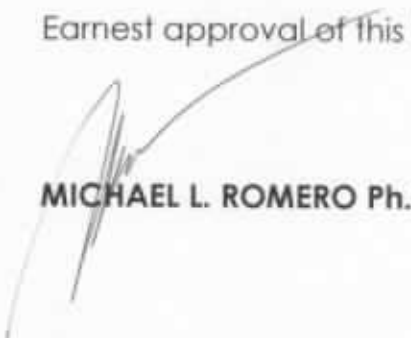
On the other hand, the Housing and Land Use Regulatory Board (**HLURB**), an attached body to the HUDCC, has integrative roles of town planning assistance to LGUs, real estate management and regulation, and adjudication of cases involving buyers in subdivisions and condominiums against developers, oppositions to applications involving regulatory permits and licenses, and appeals from the decisions of local zoning bodies. Republic Act 8763 otherwise known as the "home guaranty corporation act of 2000" also transferred the

regulatory and adjudicatory jurisdictions over homeowners associations to the HLURB.

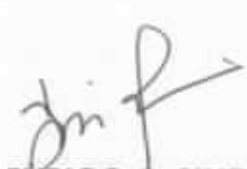
With these vast powers of the HLURB, the HUDCC is limited to policy making and is not involved in the implementation of HLURB's mandates.

This House Bill seeks to address this weakness, the need to reorganize the housing or shelter agencies. The adjudicatory function of the HLURB shall be lodged into an independent and enhanced adjudicatory commission.

Earnest approval of this bill is hereby requested.



MICHAEL L. ROMERO Ph.D



ENRICO A. PINEDA

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**AN ACT
TO CREATE A CONTINUING MECHANISM TO PROMOTE THE
IMPLEMENTATION OF URBAN HOUSING PROJECTS, TO ESTABLISH
SUSTAINABILITY, PROVIDING FUNDS THEREOF, AND FOR OTHER
PURPOSES**

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

SECTION 1. Title — This Act shall be known as the "Comprehensive Housing
Development Act of 2017."

SECTION 2. Declaration of Policy — It is a policy of the government to
promote the continuity of the development of economic and urbanized
housing projects, primarily by the private sector in order to make available
adequate urbanized housing units for average and low income earners in urban
and rural areas.

SECTION 3. Objectives - It shall be the policy of the State to undertake, in
cooperation with the private sector, a comprehensive and sustainable Urban
Development and Housing Program.

SECTION 4. Implementing Rules and Regulations — the state shall establish a sustainable Urban Development and Housing mechanism to be formulated by the Housing and Land Use Regulatory Board under the direction of the Housing and Urban Development Coordinating Council (HUDCC) in coordination with all local government units (LGUs) and other concerned public and private sectors within six **(6)** months from the effectivity of this Act. The mechanism protocol shall refer to the comprehensive plan for urban and urbanizable areas aimed at achieving the objectives of the Program.

In the formulation of this mechanism, a review and rationalization of testing town and land use plans, housing programs, and all other objectives and activities of government agencies and the private sectors which may substantially affect urban land use patterns, transportation and public utilities, infrastructure, environment and population movement shall be undertaken with the concurrence of the local government units concerned.

SECTION 5. Housing Tax — Consistent with the constitutional principle that the ownership and enjoyment of property bear a social function and to raise funds for the Program, all local government units are hereby authorized to impose an additional one percent **(1%)** tax on the assessed value of all lands in urban areas in excess of Fifty thousand pesos **(P50,000.00)**.

SECTION 6. Appropriations — The amount necessary to carry out the purposes of this Act shall be included in the annual budget of implementing agencies in the General Appropriations Act (GAA) of the year following its enactment into law and every year thereafter.

The State shall hereby provide a separate authorize capitalization of Two billion pesos **(P2,000,000,000.00)** to evolve and implement a comprehensive

national program to meet the housing and related needs and to maintain the continuity of its mandate.

The state shall hereby authorized the Housing and Urban Development Coordinating Council (HUDCC) to re-align its appropriations, in the current year of the date of the effectivity of this Act to conform with its mandate and requirements.

SECTION 7. Periodic Reports - The HUDCC shall submit periodic reports on its findings and make recommendations on actions to be taken by Congress and Senate and the appropriate department, and in order to carry out the objectives and mandates of this Act.

SECTION 8. Automatic Review - Every three **(3) years** after the effectivity of this Act, an independent review panel composed of experts to be appointed by the President shall review the policies and programs in the HUDCC and shall make recommendations, based on its findings, to the President and to both Houses of Congress.

SECTION 9. Repealing Clause. All laws, executive orders, issuances, rules and regulations inconsistent with this Act are hereby amended, repealed or modified accordingly.

SECTION 10. Separability Clause. If, for any reason or reasons, any portion or provision of this Act shall be held unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

SECTION 11. Effectivity Clause. This Act shall take effect fifteen (15) days after its publication in any newspaper of general circulation.

Approved,