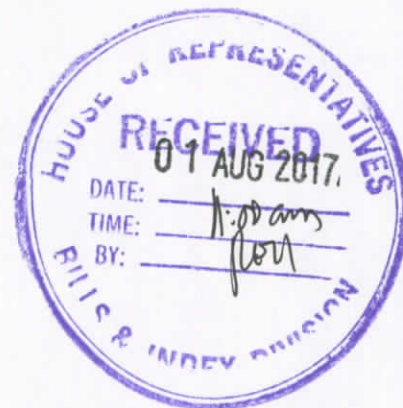


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH (17TH) CONGRESS
Second Regular Session

HOUSE BILL NO. **6095**



Introduced by Representative Manuel Monsour T. Del Rosario III

EXPLANATORY NOTE

This bill principally intends to provide equal protection to informal settlers and to landowners. In particular, it aims to provide a mandatory period for relocating informal settlers and to grant tax exemption to illegally occupied residential lands. Moreover, it seeks to compensate landowners in case of failure of the local government unit to act on the request of the landowner to evict illegal occupants within the prescribed period.

Squatting is a huge social and economic problem in the Philippines. Squatters (now called "informal settlers" to hew to the expedience of political correctness) are protected by law that make it difficult to remove them from properties they infest. With the repeal of Presidential Decree 772 in 1997—the erstwhile Marcos-era law that criminalized "squatting"—by Republic Act No. 8368 ("Anti-Squatting Law Repeal Act of 1997"), the problem of squatting has increased dramatically.

Recognizing that the goal of achieving genuine urban housing and land reform has been greatly retarded by the abuses of professional squatters and squatting syndicates who have taken advantage of the seeming "*de-criminalization*" of their activities, Republic Act No. 7279, [Urban Development and Housing Act (UDHA)], established restrictions against these unlawful elements. Yet, despite this law, hapless landowners continue to suffer from the impunity of squatters. Even socialized housing intended for poor, homeless but qualified beneficiaries have not been spared the nefarious activities of professional squatters and squatting syndicates who exploit the homeless poor and destabilize the government's housing programs.

This utter disregard for the property rights of landowners often find support from traditional politicians who abet the unlawful activities of professional squatters and squatting syndicates, instead of faithfully implementing the provision of the UDHA on summary eviction. This has paved the way for professional squatters and squatting syndicates to circumvent the UDHA with impunity.

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


MANUEL MONSOUR T. DEL ROSARIO III

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH (17TH) CONGRESS
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HOUSE BILL NO. **6095**

Introduced by Representative Manuel Monsour T. Del Rosario III

AN ACT
PROVIDING FOR A MANDATORY PERIOD TO RELOCATE SQUATTERS,
GRANTING DISTURBANCE FEE AND TAX EXEMPTION TO OWNERS OF
ILLEGALLY OCCUPIED RESIDENTIAL LANDS, AND PENALIZING VIOLATIONS
THEREOF

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 “Landowners Protection Act”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to afford protection and promote full respect for property rights of every citizen to ensure optimum utilization of one’s property free from any infringements and encroachments.

SEC. 3. *Definition.* – As used in this Act, the term “*squatter*” shall refer to any person who occupies residential land without the consent of the landowner.

SEC. 4. *Relocation; Disturbance fee.* – The local government unit shall, in coordination with the Housing and Urban Development Coordinating Council and the National Housing Authority, be responsible for the relocation of squatters within six (6) months from receipt of the written request for assistance from the landowner to evict squatters; Provided, however, that, should relocation not be effected, the local government unit concerned shall pay the landowner a disturbance fee equivalent to the tax due of the illegally occupied land until the squatters have been relocated; Provided further, that, payment of the disturbance fee shall commence one (1) year after the prescribed period to relocate had lapsed.

SEC. 5. *Tax Exemption.* – All residential lands illegally occupied shall be exempt from payment of real property tax during the period of occupancy; Provided that, tax exemption under this Section shall commence sixty (60) days after presentation of the written request for assistance to evict squatters.

SEC. 6. *Penalties.* – Any person found guilty of violating any provision this Act shall suffer the penalty of imprisonment of not more than three (3) years or a fine of One Hundred Thousand Pesos (P100,000.00), or both, at the discretion of the court.

The local chief executive and the *Punong Barangay* who fail to prevent the construction of any kind of dwelling unit or structure of privately-owned residential land within their jurisdiction

shall be meted a penalty of suspension for a period of six (6) months and penal sanctions provided under this Section.

SEC. 7. *Implementing Rules and Regulations.* – The Department of the Interior and Local Government, in coordination with the Housing and Urban Development Coordinating Council and the National Housing Authority, shall issue the implementing rules and regulations within ninety (90) days upon approval of this Act.

SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,