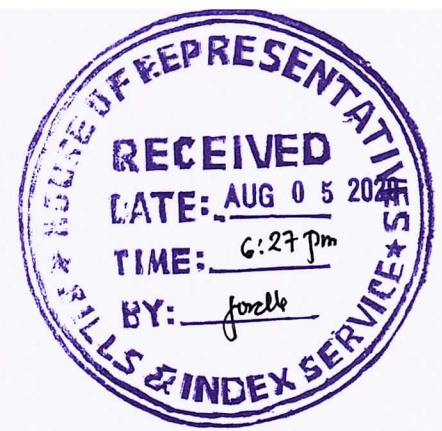


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7292



Introduced by **HON. JOY MYRA S. TAMBUNTING**

EXPLANATORY NOTE

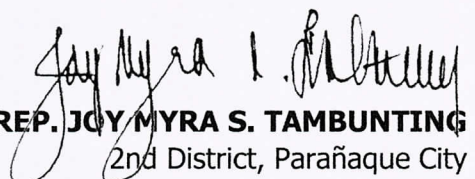
Over the years, the number of informal settler families (ISFs) in urban centers has been continuously growing. As per latest data, ISFs account for 27 percent of the total housing need in the country. With poverty and unaffordable housing options, migrants from provinces seeking work in the urban centers opt to live in the slums—where they can either make makeshift houses or enter into a rental scheme in informal settler communities. Informal settler communities are mostly situated in danger and high-risk areas—near waterways, along rail tracks, under bridges, etc.

In recognition of the policy of the State under Article II, Section 9 of the 1987 Constitution “to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and improved quality of life for all”, this proposed measure seeks to free ISFs from the danger they are exposed to on a daily basis in their current settlements.

Considering the country’s housing backlog, it would be difficult to provide socialized housing to every impoverished family across the country at once. This proposed measure targets informal settler families particularly those who are living in high-risk areas, areas reserved for government infrastructure projects, public structures or areas not made for habitation and the like. This measure aims to provide financial assistance to ISFs so they may be able to consider rent accommodations in the private market.

This measure is a priority to this Representation as we represent an urban area where many of our constituents are considered informal settlers. We are looking forward to many of our constituents benefitting from this program. It will provide them housing security.

On behalf of the people of Parañaque City’s Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. JOY MYRA S. TAMBUNTING
2nd District, Parañaque City

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EIGHTEENTH CONGRESS
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HOUSE BILL NO. 7292

Introduced by **HON. JOY MYRA S. TAMBUNTING**

AN ACT
ESTABLISHING THE RENTAL HOUSING SUBSIDY PROGRAM AND PROVIDING FUNDS
THEREFOR AND FOR OTHER PURPOSES

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 "Rental Housing Subsidy Program Act".

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to:

- a. Promote a just, equitable, and inclusive urban development through programs providing adequate social services, broader housing options, livelihood and employment, and an improved quality of life for the Filipino people, especially the underprivileged;
- b. Provide an innovative housing program providing affordable, livable, and decent housing, as well as access to basic social services, especially for the underprivileged;
- c. Protect the urban poor from the impact of immediate dislocation due to eviction and demolition arising from government projects; and
- d. Provide for options for interim housing for dislocated families due to natural and man-made disasters.

Sec. 3. Definition of Terms. – For purposes of this Act, the following terms or words and phrases shall be understood to mean as follows:

- a. Dislocation - refers to the state of being displaced from one place to another due to causes such as but not limited to eviction and demolition;
- b. Informal Settler Beneficiary (ISB) - refers to individuals or households living under any of the following conditions:
 1. Where the individual or household is living in a lot or dwelling unit without the consent of the legal owner of such lot or dwelling unit;
 2. Where the individual or household is living in a lot or dwelling unit considered to be part of an informal settler area or developing community as classified by the city or municipality which has jurisdiction over the area;

3. Where the individual or household is indigent as certified by the barangay where he/they have residence;
 4. Where the individual or household is living in a danger area as determined by the Department of Human Settlements and Urban Development (DHSUD);
 5. Where the individual or household is living in an area reserved or used for government infrastructure projects;
 6. Where the individual or household is living in an area which is classified as a protected or forest area, except indigenous peoples;
 7. Where the individual or household is living in an area declared as a priority development area under Proclamation No. 1967, series of 1980, as applicable; or
 8. Where the individual or household is living on public lands, structures, or facilities not intended for human habitation.
- c. Rental Housing Subsidy- refers to the financial assistance provided by the government to rent accommodation in the private rental market, the amount which shall not exceed the rates as regulated under Republic Act No. 9653, otherwise known as the 'Rent Control Act.'

Sec. 4. Rental Housing Subsidy Program. – A Rental Housing Subsidy Program, hereinafter referred to as the "Program," shall be established as a housing and social protection program with the end view of enabling ISBs to lead decent lives and supporting them in accessing the formal housing market. It shall be made an option to address the temporary relocation of displaced families due to natural and man-made disasters.

Eligible beneficiaries shall receive a rental subsidy, the amount of which shall be determined by the DHSUD taking into consideration, among others, the prevailing rental rates in the concerned locality and the economic standing and potential of the family. The subsidy shall be a percentage of the total amount of rentals as determined by the rental or lease contract between the eligible beneficiary and the lessor, provided that for those eligible beneficiaries below the poverty threshold as determined by the Philippine Statistics Authority, the subsidy shall be at least 50% of the total amount of rentals.

Notwithstanding any provisions to the contrary, at any time but not more than once every two (2) years, subsidies given under the program shall be reviewed or revised to conform to prevailing economic conditions.

Rental subsidy shall be granted to eligible beneficiaries for a maximum of five (5) years or upon their availment or acquisition of permanent housing whichever comes first.

Sec. 5. Eligibility. – To be an eligible beneficiary under this Act, an individual or household must:

- a. Live under any of the conditions under Sec. 3, paragraph b, of this Act;
- b. Have a source of livelihood or have at least one (1) member of the household gainfully employed; and
- c. Vacate the informal settlement area in which they are presently living and transfer or relocate to a safer area.

Sec. 6. Conditions for Continued Entitlement or Eligibility. – All eligible beneficiaries shall comply with the following conditions for continued availment of the benefits under this Act:

- a. The beneficiaries shall not move or relocate back to the area in which they were originally living in unless such move or relocation has been permitted by the proper government authorities taking into consideration the purpose of the program; and
- b. The beneficiaries shall pay that portion of the rentals not subsidized under the program to the lessor. Beneficiaries who maintain good payment standings shall be prioritized as beneficiaries in government housing programs.

Sec. 7. Form of Payment. – The rental subsidy shall be distributed by the DSHUD in such form as may be identified by the DHSUD to be most beneficial and appropriate for the beneficiaries.

Sec. 8. Roles of Government Agencies. – The program shall involve the national government agencies and instrumentalities with the following roles:

- a. The DHSUD shall:
 1. Coordinate with housing agencies to formulate program targets and integrate these to the national housing policy;
 2. Promulgate appropriate housing policies among the attached corporations of the DHSUD in line with the implementation of this program.
 3. Enlist beneficiaries and their lessors for the program;
 4. Set up monitoring and evaluation system, tools, exit strategy, and methodologies on compliance with conditions, implementation, output, and impact assessments together with its attached agencies, the Department of Social Welfare and Development (DSWD), the Presidential Commission on the Urban Poor (PCUP), and the local government units; and
 5. Recommend to Congress measures for the proper and responsive implementation of this Act.
- b. The National Housing Authority (NHA) shall:
 1. Certify the eligibility of the beneficiaries under the program;
 2. Coordinate with infrastructure program implementing agencies, including but not limited to the Department of Public Works and Highways (DPWH) and the Department of Transportation (DOTr) for the identification of areas housing persons who are in need of immediate resettlement;
 3. Update the alphalist and socio-economic profiles of beneficiaries to be resettled as part of the National Resettlement Program; and
 4. Design and conduct appropriate monitoring and evaluation of the implementation of this program, which shall include a grievance and redress system.
- c. The Home Development Mutual Fund (HDMF) shall enroll the beneficiaries to the HDMF system so as to facilitate their entry into the formal housing market.

d. The DSWD shall:

1. Design the social preparation activities and form and conduct workshops and training programs to ensure that beneficiaries are aware of the benefits under the program, including the parameters and conditions for eligibility.

e. The PCUP shall:

1. Assist the DSWD in the design of social preparation activities, workshops, and training programs for beneficiaries;
2. Conduct social preparation activities with the local government units.

f. The Technical Education and Skills Development Authority (TESDA) shall provide skills training to beneficiaries.

g. The local government units shall:

1. Maintain a publicly accessible register of lessors in their respective areas of jurisdiction;
2. Assist the NHA in conducting census and tagging of ISBs in need of immediate resettlement;
3. Assist the DSWD and PCUP in conducting social preparation activities;
4. Contain the vacated areas of ISBs to help achieve the objectives of this program;
5. Assist the DSWD in monitoring and evaluating the implementation of this program; and
6. Conduct field valuation of beneficiaries and their respective lessors with DSWD in the rental housing units.

Sec. 9. Additional Positions and Personnel for the DHSUD. – For purposes of this Act, the DHSUD shall, in accordance with pertinent civil service rules, create positions and enlist additional personnel to ensure the proper and appropriate implementation of the program under this Act.

Sec. 10. Appropriations. – The amount necessary for the effective implementation of this Act shall be charged against the current appropriations for the DHSUD. Thereafter, such amounts as necessary for its continued implementation shall be included in the General Appropriations Act.

Sec. 11. Implementing Rules and Regulations. – The DHSUD, in coordination with relevant government agencies, shall issue rules, regulations, and guidelines necessary to carry out the intent and purposes of this Act within six (6) months from date of effectivity.

Sec. 12. Mandatory Review on the Implementation of this Act. – The DHSUD shall submit to the Congress a report on the implementation of this program at the end of the second (2nd) year from date of effectivity and every two (2) years thereafter.

Sec. 13. Separability Clause. – If any portion or provision of this Act is held unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

Sec. 14. Repealing Clause. – All laws, executive orders, proclamations, rules, and regulations and the issuances, or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

Sec. 15. Effectivity. – This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,