

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
Second Regular Session

8338  
HOUSE BILL NO. \_\_\_\_\_



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Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

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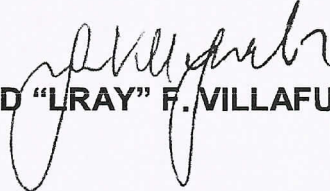
**AN ACT PROVIDING FOR A MORATORIUM ON RENTAL PAYMENT  
AND EVICTION DURING DISASTERS AND OTHER EMERGENCIES**

This measure proposes the extension of assistance to lessees or sublessees during calamities, disasters or other state of emergency, which usually cause disruptions such as temporary closure of businesses or suspension of work. These disruptions may cause temporary cash-flow difficulties especially for the poor and disadvantaged sectors.

Among others, this bill provides for a moratorium on the enforcement of payment of all fees, charges, and costs relating to rental of residential units, whether covered by a lease or sublease contract, for the entire duration of a national or local state of calamity or emergency and for thirty (30) days from the termination of said State of Calamity of Emergency.

The benefit of the moratorium on rental payment and eviction may also be applied to commercial or office space rental of Micro, Small and Medium Enterprises (MSMEs).

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

  
**LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

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**AN ACT PROVIDING FOR A MORATORIUM ON RENTAL PAYMENT  
AND EVICTION DURING DISASTERS AND OTHER EMERGENCIES**

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

SECTION 1. Short Title. - This Act shall be known as "Rental Payment and Eviction Moratorium during Disasters and Emergencies Act."

Section 2. Declaration of Policy. - In the interest of promoting the common good and the general welfare, it is hereby declared the policy of the State to provide adequate relief and protection to those suffering from the ravages of calamities and other emergency situations.

Section 3. Definition of Terms. - For purposes of this Act, these terms are defined as follows:

a. "Disaster" - a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Disasters are often described as a result of the combination of: the exposure to a hazard; the conditions of vulnerability that are present; and insufficient capacity or measures to reduce or cope with the potential negative consequences. Disaster impacts may include loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with damage to property, destruction of assets, loss of services. Social and economic disruption and environmental degradation;

b. "Emergency" - unforeseen or sudden occurrence, especially danger, demanding immediate action;

c. "State of Calamity" - a condition involving mass casualty and/or major damages to property, disruption of means of livelihoods, roads and normal way of life of people in the affected areas as a result of the occurrence of natural or human-induced hazard.

d. "Rent" - shall mean the amount paid for the use or occupancy of a residential unit whether payment is made on a monthly or other basis.

e. "Residential unit" shall refer to an apartment, house and/or land on which another's dwelling is located and used for residential purposes and shall include not only building houses, dormitories, rooms and bedspaces offered for rent by their owners, except motels, motel rooms, hotels, hotel rooms, but also those used for home industries, retail stores or other business purposes if the owner thereof and his or her family actually live therein and use it principally for dwelling purposes.

f. "Lessee" shall mean the person renting a residential unit.

g. "Owner/Lessor" shall include the owner or administrator or agent of the owner of the residential unit.

h. "Sublessor" shall mean the person who leases or rents out a residential unit leased to him by an owner.

i. "Sublessee" is the person who holds a lease which was given to another person for all or part of a property.

Section 4. Scope of Application. - This Act shall cover disasters and other kinds of emergencies which are (1) national in scope, as declared through a State of Calamity or State of National Emergency by the President of the Philippines, and (2) provincial, city or municipal in scope, as declared through a State of Calamity or Emergency by the appropriate local government unit.

Section 5. Moratorium on Rental Payments. -There shall be a moratorium on the enforcement of payment of all fees, charges, and costs relating to the rental of residential units, whether in a lease or sublease arrangement and whether reduced in a written form or not, for the duration of the State of Calamity or Emergency mentioned in Section 4 of this Act and for thirty (30) days from the termination of said State of Calamity of Emergency; Provided, that if the covered period exceeds a total of sixty (60) days, the payment of the deferred fees, charges and costs shall be spread out for a six-month period of equal installments; Provided further, That no penalties or interests shall be collected on the payments by virtue of this Act.

The benefit of this moratorium on rental payment may be applied to commercial or office space rental of Micro, Small and Medium Enterprises (MSMEs), at the discretion of the Secretary of the Department of Trade and Industry (DTI), taking into consideration the fact of closure/shutting down of businesses, community quarantine orders, or any other circumstance that may hamper their operations.

Nothing in this Act shall prevent the contractual parties from mutually agreeing on other forms of payment relief or assistance, or from voluntarily waiving the benefit of the moratorium on rental payments.

Section 6. Moratorium on Eviction. - During the same period stated in Section 5 of this Act, the lessor, sublessor or owner of a residential unit may not make, or cause to be made, any eviction or similar legal proceeding to recover possession of the residential

unit from the lessee/sublessee regardless of cause, except when a lessee/sublessee perpetrates a criminal act that threatens the life, limb and property of the lessor, sublessor or owner, or his/her immediate family, other tenants or staff of the property in which the residential unit is located.

The benefit of this moratorium on eviction may be applied to commercial or office space rental of Micro, Small and Medium Enterprises (MSMEs), at the discretion of the Secretary of the Department of Trade and Industry (DTI), taking into consideration the fact of closure/shutting down of businesses, community quarantine orders, or any other circumstance that may hamper their operations.

Section 7. Implementing Rules and Regulations. - Within sixty (60) days from the effectivity of this Act, the Department of Trade and Industry (DTI) and the Department of Human Settlements and Urban Development, in consultation with other relevant government agencies and stakeholders, shall issue the necessary rules and regulations to implement the provisions of this Act.

Section 8. Repealing Clause. —All laws, presidential decrees, executive orders, proclamations, rules and regulations, or any part thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 9. Separability Clause. - If any provision or part of this Act, or the application thereof to any person or circumstance, is held unconstitutional or invalid, the remainder of this Act shall not be affected thereby.

Section 10. Effectivity Clause. — This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

*Approved,*