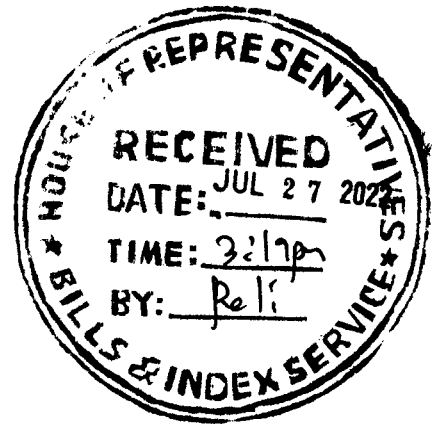


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Bill No. **2530**



INTRODUCED BY REPRESENTATIVE MARISSA “DEL MAR” P. MAGSINO

**AN ACT
PROVIDING FOR A FREE PUBLIC HOUSING PROGRAM,
AMENDING REPUBLIC ACT NO. 11201
FOR THAT PURPOSE AND OTHER PURPOSES**

EXPLANATORY NOTE

One of the most fundamental rights of human beings is the right to a home. One that is not only decent, but safe and habitable. However, it would take no more than a few minutes of roaming around the streets of the Metropolis before one would notice how the streets have become the dwelling place of many; how the cold and hard pavement have served as their beds; and how they have the mere shade from the trees and the protection from make-shift protection from heavy rains as the roof above their heads.

This is the reality that many Filipinos must live with daily. For the longest time, the government has failed to address this issue. It has become not only a failure – but a crisis. Imagine, kids who ought to have a home to grown in, have the streets as their residence. It has led to many accidents which could very well be avoided had the State provided them with their right to a home.

The poor and the marginalized are most vulnerable to this social dilemma, whose daily income is not even enough to put food on the table. Even those who, even after earning fair day's wage, could not avail of housing loans because the bureaucracy demands from them papers and other documentary requirements that serve to discourage them from pursuing their dream of securing a home.

They have long suffered the perils of being homeless because systems give them a runaround – worse, because government housing projects are either too costly or burdensome.

It is about time to amend existing laws to be more responsive to the housing needs of the poor and the marginalized.

One of the salient provisions of the proposed measure ensures that the realities on the ground are addressed so that families who are given the chance to start anew are not later forced back to the streets. What are the usual complaints of families who are given free housing? - the lack of electricity and safe and potable water, and lack of access to main roads. These the very reasons why even after being provided with a house, they choose to go back to the streets. They complain of dark alleys and lack of electricity in the area. Some do not even comply with sanitary standards. It is as if, as a band aid solution, families are driven out thoughtlessly and provided with the bare minimum.

That should not be the case. This is the exact reason why we are seeking to amend the law through this proposed measure.

No one deserves to live their lives on the streets when the State can – and should, be providing them with their rights not only under the Constitution, but also under our international commitments.

This humble representation dreams of a tomorrow where every Filipino family will have a safe and decent place to call home, and where children could be raised safely.

In view of the foregoing, urgent passage of this measure is most earnestly sought.


MARISSA "DEL MAR" P. MAGSINO

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

1 Section 1. *Short Title.* – This Act shall be known as “*The Free Public Housing*
2 *Act.*”

3 Sec. 2. Section 2 of Republic Act No. 11201, otherwise known as the *Department*
4 *of Human Settlements and Urban Development Act*, is hereby amended to read as
5 follows:

6 Section 2. *Declaration of Policy.* - The State shall,
7 pursuant to Section 9, Article XIII of the
8 Constitution, ensure that underprivileged and
9 homeless citizens, **AND ESPECIALLY THOSE**
10 **FROM THE MOST VULNERABLE AND**
11 **MARGINALIZED GROUPS, HAVE EQUAL**
12 **AND NON-DISCRIMINATORY ACCESS TO**
13 **FREE PUBLIC HOUSING WITH A**
14 **SECURITY OF TENURE THAT IS**
15 **PROGRAMMED IN PARTNERSHIP WITH**
16 **THE GOVERNMENT, THEREBY**
17 **ENSURING LEGAL PROTECTION AGAINST**
18 **FORCED EVICTIONS, HARASSMENT AND**

1 **OTHER THREATS, AND FACILITATING**
2 **THE AVAILABILITY OF SERVICES AND**
3 **FACILITIES FOR BETTER HABITATION.**
4 **AS SUCH, THE HOMELESS SHALL BE**
5 **ASSISTED WITH** an adequate, safe, secure,
6 habitable, sustainable, resilient, and affordable
7 home. The State shall, by law and for the common
8 good, undertake, in cooperation with the private
9 sector, a continuing program of housing and urban
10 development which shall make available decent
11 housing and basic services to underprivileged and
12 homeless citizens in urban centers and
13 resettlement areas. In the implementation of the
14 program, the State shall respect the rights of small
15 property owners.

16 **THE STATE SHALL PROMOTE FURTHER**
17 **UPLIFTMENT BY STRENGTHENING**
18 **AWARDEES IN THE RESETTLEMENT**
19 **SITES WITH ELEMENTS OF SELF-**
20 **DEVELOPMENT, INCLUDING**
21 **ACCESSIBILITY TO EMPLOYMENT**
22 **OPPORTUNITIES, HEALTH CARE**
23 **SERVICES, SCHOOLS AND OTHER**
24 **NECESSARY SOCIAL FACILITIES THAT**
25 **MAY ENHANCE THEIR CAPABILITY TO**
26 **PROGRESS AND MAKE AN UPWARD**
27 **SOCIAL MOVEMENT PURSUING**
28 **SUFFICIENT HUMAN SETTLEMENT**
29 **CONDITIONS OF THEIR CHOICE.**

30 The State shall pursue the realization of a modern,
31 humane, economically-viable, and
32 environmentally-sustainable society where the
33 urbanization process is manifest in towns and cities

1 being centers of productive economic activity and is
2 led by market forces; where urban areas have
3 affordable housing, sustainable physical and social
4 infrastructure and services facilitated under a
5 democratic and decentralized system of governance;
6 and where urban areas provide the opportunities
7 for an improved quality of life and the eradication
8 of poverty.

9 **NONETHELESS, THE STATE SHALL**
10 **CONSIDER A COUPLED SOLUTION TO**
11 **OBTAIN THE OBJECTIVE OF A DISPERSED**
12 **URBAN NET AND A MORE BALANCED**
13 **URBAN-RURAL INTERDEPENDENCE.**

14 The State shall ensure that poor dwellers in urban
15 and rural areas shall not be evicted, nor their
16 dwelling demolished, except in accordance with law.

17 In addition, the State shall encourage on-site
18 development in the implementation of housing
19 programs and shall promote the creation of new
20 settlements and development of sustainable urban
21 renewal programs while guaranteeing the
22 preservation of agricultural lands necessary for
23 food security.

24 Section 3. Section 3, Subparagraph (c), of Republic Act No. 11201, is hereby amended
25 to read as follows:

26 Section 3. *Definition of Terms.* - As used in this
27 Act, the following terms are defined as follows;

28 “xxx xxx xxx”

29 (c) Housing refers to a multi-dimensional
30 concept relating to the process of residing and the
31 objects of dwelling whose main attributes are
32 location relative to access to livelihood, tenure

1 arrangements, cost, and physical structure, as well
2 as their environment, **INCLUDING SAFE**
3 **DRINKING WATER, ADEQUATE**
4 **SANITATION, AND ENERGY FOR**
5 **COOKING, LIGHTING, AND FOOD**
6 **STORAGE.** Housing is likewise a physical
7 structure as well as a social structure, functioning
8 at different spatial scales from homes,
9 neighborhoods, communities, municipalities,
10 cities, provinces, and regions. It is also a sector of
11 the economy, an important category of land. Use
12 in both urban and rural areas, especially in cities,
13 and is an important factor in the overall dynamics
14 of the urban system;

15 Section 4. Section 5, Part I, Subparagraph (a), of Republic Act No; 11201, is
16 hereby amended 4 to read as follows:

17 Section 5. *Powers and Functions.* - The
18 Department shall exercise the following powers
19 and functions:

20 **I. Policy Development, Coordination,**
21 **Monitoring and Evaluation**

22 (a) Formulate national housing and urban
23 development policies, strategies and standards
24 that are consistent with the Philippine
25 Development Plan to promote social and
26 economic welfare, in coordination and in
27 consultation with national and local
28 stakeholders, local government units (LGUs),
29 and other government agencies, **INCLUDING**
30 **A REVIEW OF PRESENT HOUSING**
31 **PROGRAM MECHANISMS IN RELATION**
32 **TO REALISTIC PROJECTIONS MOVING**
33 **FORWARD TO ENSURE A MORE**

1 **SUSTAINABLE IMPLEMENTATION OF**
2 **THE NATIONAL HOUSING PROGRAM**
3 **THAT WILL INCLUDE FREE PUBLIC**
4 **HOUSING FOR THE HOMELESS, AND**
5 **ESPECIALLY THOSE FROM THE MOST**
6 **VULNERABLE AND MARGINALIZED**
7 **GROUPS, WITH A SECURITY OF**
8 **TENURE THAT IS PROGRAMMED IN**
9 **PARTNERSHIP WITH THE**
10 **GOVERNMENT;**

11 Section. 5. *Implementing Rules and Regulations.* Pursuant to Section 7,
12 Subparagraph (c) of Republic Act No. 11201, the Secretary of the Department of
13 Human Settlements and Urban Development shall promulgate the rules and
14 regulations and make other issuances necessary to carry out the policies and objectives
15 of this Act within one (1) year from its effectivity.

16 Section. 6. *Repealing Clause.* Republic Act No. 11201 is accordingly amended.
17 All other laws, presidential decrees and issuances, executive orders, rules and
18 regulations or parts thereof inconsistent with the provisions of this Act are hereby
19 repealed or modified accordingly.

20 Section 7. *Separability Clause.* If, for any reason or reasons, any part or
21 provision of this Act shall be held to be unconstitutional or invalid, other parts or
22 provisions hereof which are not affected thereby shall continue to be in full force and
23 effect.

24 Section 8. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its
25 publication in two (2) national newspapers of general circulation. The publication
26 shall not be later than seven (7) days after the approval hereof

 Approved,