

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 6464



Introduced by **Rep. MARIO VITTORIO “MARVEY” A. MARIÑO**
5th District, Batangas

EXPLANATORY NOTE

Large tracts of private lands remain idle or underdeveloped and thus non-contributing to our country’s growth and development simply because of our reliance on the Torrens system of registration on lands, which serves as the only legally recognized proof of ownership. Not having a title means that the land cannot be developed for residential, agricultural, industrial or commercial use.

This measure seeks to provide an alternative means for private landowners to prove their ownership so that they could develop the property they have inherited, bought or have been in possession of for years, have been paying the requisite real property taxes but for one reason or another, have not been able to register or secure a title for said property.

Salient points of this measure include the issuance of the city or municipal assessor’s office of Certificates of Ownership for private landowners who pass the screening process. The Certificate shall serve in lieu of a title in all matters pertaining to property development, including as loan collateral.

This measure is necessary to infuse new momentum in our country’s real estate or property use and development. Developed properties will add to the infusion of more revenues into our national coffers while idle properties do not.

Thus, the passage of this bill is earnestly requested.

A handwritten signature in black ink, appearing to read "Mario Vittorio 'Marvey' A. Mariño".

MARIO VITTORIO “MARVEY” A. MARIÑO

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AN ACT
RECOGNIZING TAX DECLARATION OF PROPERTY AS PROOF OF
OWNERSHIP OVER UNREGISTERED OR UNTITLED LANDS

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

SECTION 1. *Declaration of Policy.* – It is the policy of the State to promote land use and property development as a means toward sustainable economic growth. To this end, the State shall ensure that idle private lands are developed by providing alternative means of establishing ownership which is a main requirement for land or property development.

SEC. 2. The City or Municipal Assessor’s Office where the property is located shall issue a Tax Declaration of Property and a Certification attesting to compliance under the conditions enumerated in Sec. 3. The Tax Declaration of Property and the Certification issued shall constitute proof of ownership over subject property.

SEC. 3. The City or Municipal Assessor’s Office shall conduct the following procedures before issuing a Certification:

- a. Ensure that property is not registered or titled
- b. Ensure that the property is alienable and disposable and properly classified. It should not be within a protected area or located within a geographically hazardous area. The property should also not be under the Department of Agriculture’s agrarian reform program or the Department of Environment and Natural Resources’ stewardship. An application will not be processed if the property falls under above categories.
- c. Ensure that there are no multiple tax declarations filed on the same property. Applications for lands with multiple tax declarations or with existing disputes shall not be processed.
- d. Ensure that the name of the owner as reflected in the Tax Declaration of Property, the payor of the real property tax and the requesting party have proof of relationship or claim over subject property.

- e. Validate that the requesting party, heirs or designates is in possession of the property and can conclusively prove continuous payment of real property taxes on the property for a period of five (5) years. Only properties with current or updated real property tax payments before filing of the application shall be processed.
- f. Secure a copy of a cadastral survey of the property, to be conducted by a professional surveyor any time after the filing of the application for a Certification. The cadastral survey shall be at the expense of the applicant and shall form part of the records of the local Assessor's Office, the details of which shall be included in the Tax Declaration form.
- g. Publish application for Certification which shall include name of applicant, address of the property, size and other pertinent details in a newspaper of local circulation and post the same in the website of the local government unit (LGU), if applicable, or in bulletin board sited in a conspicuous location within the city or municipal hall for a period of one (1) month. Publication in a newspaper of local circulation shall be at the expense of the applicant.
- h. The Certification shall be issued in the name of the applicant.

The City or Municipal Assessor's Office may charge reasonable administrative fees for the processing of the applications for Certification.

The City or Municipal Assessor's Office shall also upgrade and update its record keeping functions.

SEC. 4. The Certification issued shall not preclude the filing for an application for registration under the Torrens system. The Certification shall have the same force and effect as a Transfer Certificate of Title (TCT), it may be used in lieu of a TCT in all matters pertaining to property development, including as a loan collateral.

SEC. 5 The Certification shall have a validity equivalent to the number of fiscal years of which the real property taxes have been paid in advance.

SEC. 6. All public officials and employees, and private entities, who directly or indirectly circumvents the provisions of this Act shall be charged administratively and criminally in violation of Republic Act 3019 or the Anti-Graft and Corrupt Practices Act, Republic Act 9885 or the Anti-Red Tape Act, Republic Act 11032 or the Ease of Doing Business and Efficient Government Service Delivery Act, Republic Act 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees, whichever if applicable.

SEC. 7. The Department of Interior and Local Government, in coordination with the national association of city and municipal assessors, shall formulate the implementing rules and regulations of this Act within 120 days after its passage.

SEC. 8. If any section or provision of this Act shall be declared unconstitutional or invalid, other sections or provisions not affected thereby shall continue to be in full force and effect.

SEC. 9. All laws, presidential decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with this Act are hereby repealed, superseded or modified accordingly.

SEC. 10. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,