

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

NINETEENTH CONGRESS
First Regular Session

House Bill No. **7706**



**INTRODUCED BY REPRESENTATIVES RALPH WENDEL P. TULFO
AND JOCELYN P. TULFO**

EXPLANATORY NOTE

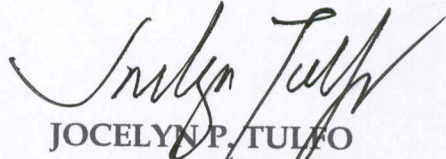
In order to uplift the conditions of the underprivileged and homeless citizens in urban areas and in resettlement areas, Republic Act No. 7279, also known as the "Urban Development and Housing Act of 1992", was passed. This law sought to make available to them decent housing at affordable cost, basic services, and employment opportunities.

However, the stringent requirements for the expropriation of lands for public use, specifically for socialized housing, continue to hinder the speedy and equitable utilization of residential lands in urban and urbanizable areas for the underprivileged and homeless.

To address the aforesaid issue, this Representation seeks the passage of this proposed measure in order to give local government units (LGUs) authority in determining and utilizing lands for socialized housing in line with RA 7279's policy of improving the capability of LGUs in undertaking urban development and housing programs and projects. Further, in dispensing with an order of priority, the State, through the LGUs, will be able to provide land and housing to the underprivileged and homeless citizens through a more rationalized system.

In view of the foregoing, the urgent passing of this bill is earnestly sought.


RALPH WENDEL P. TULFO
Representative
2nd District of Quezon City


JOCELYN P. TULFO
Representative
ACT-CIS Partylist

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1 **AN ACT STRENGTHENING THE RIGHT OF GOVERNMENT TO EXPROPRIATE**
2 **LANDS FOR SOCIALIZED HOUSING, AMENDING FOR THE PURPOSE SECTIONS 9,**
3 **10, AND 11 OF REPUBLIC ACT NO. 7279, OTHERWISE KNOWN AS THE**
4 **"URBAN DEVELOPMENT AND HOUSING ACT OF 1992"**
5

6 *Be It enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*
7

8 **SECTION 1.** Sections 9, 10, and 11 of Republic Act No. 7279 are hereby amended to read
9 as follows:
10

11 "SEC. 9. [*Priorities in the*] *Acquisition of Land* **FOR SOCIALIZED HOUSING.**
12 — [Lands for socialized housing shall be acquired in the following order] **THE**
13 **FOLLOWING LANDS MAY BE ACQUIRED FOR SOCIALIZED HOUSING:**

14 "(a) Those owned by the Government or any of its subdivisions,
15 instrumentalities, or agencies, including government-owned or controlled corporations and
16 their subsidiaries;

17 "(b) Alienable lands of the public domain;

18 "(c) Unregistered or abandoned and idle lands;

19 "(d) Those within the declared Areas for Priority Development, Zonal
20 Improvement Program sites, and Slum Improvement and Resettlement Program sites
21 which have not yet been acquired;

22 "(e) Bagong Lipunan Improvement of Sites and Services or BLISS sites which have
23 not yet been acquired; and

24 "(f) Privately-owned lands.

25 "[Where on-site development is found more practicable and advantageous to the
26 beneficiaries, the priorities mentioned in this section shall not apply. The local
27 government units shall give budgetary priority to on-site development of government
28 lands.]

29 **"THE POWER TO IDENTIFY AND TO PRIORITIZE THE**
30 **PARTICULAR AREA TO BE ACQUIRED SHALL BE WITH THE LOCAL**
31 **GOVERNMENT UNIT OR THE PROPER AGENCY ACQUIRING LAND FOR**
32 **SOCIALIZED HOUSING. FOR THIS PURPOSE, THE ENUMERATION IN THIS**
33 **SECTION SHALL NOT, IN ANY WAY, BE INTERPRETED AS SETTING AN**
34 **ORDER OF PRIORITY."**

1 "SEC. 10. *Modes of Land Acquisition*. – The modes of acquiring lands for purposes
2 of this Act shall include, among others, community mortgage, land swapping, land
3 assembly or consolidation, land banking, donation to the Government, joint-venture
4 agreement, negotiated purchase, and expropriation: *Provided*, [however, That expropriation
5 shall be resorted to only when other modes of acquisition have been exhausted: *Provided*,
6 further,] That where expropriation is resorted to, parcels of land owned by small property
7 owners shall be exempted for purposes of this Act: *Provided*, [finally] **FURTHER**, That
8 abandoned property, as herein defined, shall be reverted and escheated to the State in a
9 proceeding analogous to the procedure laid down in Rule 91 of the Rules of Court.

10 "For the purpose of socialized housing, government-owned and foreclosed
11 properties shall be acquired by the local government units, or by the National Housing
12 Authority primarily through negotiated purchase: *Provided*, That qualified
13 beneficiaries who are actual occupants of the land shall be given the right of first
14 refusal."

15 "SEC. 11. *Expropriation of Idle Lands*. – All idle lands in urban and
16 urbanizable areas, as defined and identified in accordance with this Act, shall be
17 expropriated and shall form part of the public domain. These lands shall be disposed of or
18 utilized by the Government for such purposes that conform with their land use plans.
19 Expropriation proceedings shall be instituted if, after the lapse of one (1) year following
20 receipt of notice of acquisition, the owner fails to introduce improvements as defined in
21 Section 3(f) hereof, except in the case of *force majeure* and other fortuitous events.
22 Exempted from this provision, however, are residential lands owned by small property
23 owners [or those the ownership of which is subject of a pending litigation]."

24
25 **SEC. 2. *Repealing Clause***. – All laws, decrees, executive orders, proclamations, rules and
26 regulations, or any part thereof which are inconsistent with this Act, are hereby repealed
27 or modified accordingly.
28

29 **SEC. 3. *Effectivity***. – This Act shall take effect fifteen (15) days after its publication in the
30 *Official Gazette* or in a newspaper of national circulation.
31

32 Approved,