

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session



HOUSE BILL NO. 9042

Introduced by
REPRESENTATIVE JOSE MARIA R. ZUBIRI, JR.

EXPLANATORY NOTE

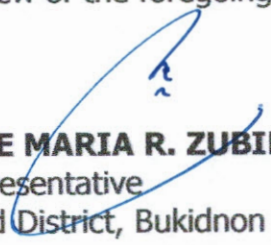
Section 9, Article II of the Constitution provides that "the State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all."

Furthermore, Section 9, Article XII provides that "the State shall, by law, and for the common good, undertake, in accordance with the public sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas."

According to the Philippine Statistics Authority, there are around 4.5 million homeless people in the Philippines with 3 million in Metro Manila. This limits the growth of our constituents and is a great detriment to their welfare. Such a basic need should always be endeavored to be provided by the government especially those who have less in life.

Usufruct as a program to provide housing to citizens in need has been a success in many of our ASEAN neighbors namely Singapore and Malaysia, and some of our local government units has made strides of success implementing the same for their constituents. It is high time that the state considers the same as a national policy.

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


JOSE MARIA R. ZUBIRI, JR.
Representative
Third District, Bukidnon

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9042

Introduced by
REPRESENTATIVE JOSE MARIA R. ZUBIRI, JR.

AN ACT
ESTABLISHING A NATIONAL POLICY OF FREE HOUSING THROUGH
ALTERNATIVE MEANS, PROVIDING FUNDS THEREFOR, AND FOR
OTHER PURPOSES

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 the “Alternative Free Housing Act of 2023.”

Section 2. Statement of Policy. – Provision for free housing for the less fortunate is hereby declared a policy of the State. A sustainable approach towards the preservation of the assets of the State vis-à-vis its duty to provide for free housing of its constituents who needs it.

Section 3. Free Housing Through Usufruct Program. – Housing units shall be distributed to qualified beneficiaries through contracts of usufruct. The National Housing Authority (NHA), Local Government Units (LGU) and other government agencies engaged in housing shall implement this program.

The government agency implementing this housing program shall retain ownership of title to the housing unit, with the beneficiary as usufructuary, allowed to enjoy the use of the property.

Section 4. Qualified Beneficiaries. – Only underprivileged and homeless Filipinos without known ownership of any real property anywhere in the country may be beneficiaries of the free housing through the usufruct program.

Section 5. Period of Usufruct. – The beneficiary shall continue to enjoy use of the property until disqualified under the preceding section. In the event of death of the beneficiary, the next of kin shall have priority to take over the usufruct provided that the next of kin is qualified under the same section of this Act.

Section 6. Prohibitions on the Usufruct. – The beneficiary shall not lease, rent, sell or in any other manner transfer possession of the property under usufruct nor shall it be allowed to be used in whatever manner by any person other than the beneficiary or his immediate family. Further, the property shall only be used by the beneficiary for residential purposes. Violation of these prohibitions shall result in the forfeiture of the usufruct and constitute disqualification of the violator as beneficiary of any housing program by the government.

Section 7. Inclusions of the Usufruct. – Usufruct shall only include use of the property. Charges for utilities such as electricity, water and communication shall be for the account of the beneficiary unless otherwise provided for by the LGU as included in the usufruct contract.

Section 8. Financing, Ownership and Management. – The NHA shall provide financial and technical assistance to the LGUs in the implementation of the program. Regardless of ownership of title to the properties subject of the program, the LGU where the housing project is located shall be responsible with the management and maintenance of the properties subject of the program. For purposes of this section, management shall include the determination of the beneficiaries of the program and maintenance shall include insuring that adequate utility services are accessible to the beneficiaries.

Section 9. Implementing Rules and Regulations. – The NHA, Department of Interior and Local Government (DILG) and the Department of Human Settlements and Urban Development (DHSUD), shall promulgate the rules and regulations for the effective implementation of the provisions of this Act.

Section 10. Appropriation. – An appropriation in the amount of Ten Billion Pesos (P10,000,0000,000.00) is hereby allocated to the NHA as seed fund which will be tapped as assistance to LGUs for the implementation of the program. Subsequent allocations shall be appropriated in the annual General Appropriations Act as is needed to sustain the program.

Section 11. Separability Clause. – If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

Section 12. Repealing Clause. – All laws, executive orders, rules and regulations inconsistent with or contrary to this Act are hereby deemed accordingly repealed or amended.

Section 13. Effectivity Clause. – This Act shall take effect after fifteen (15) days from publication in at least two (2) newspapers of general circulation.

Approved,