



Introduced by Honorable Ma. Alana Samantha Taliño Santos

AN ACT AMENDING EXECUTIVE ORDER NO. 209, ALSO KNOWN AS THE FAMILY CODE OF 1988, ARTICLE 157 ON THE VALUE OF THE FAMILY HOME

EXPLANATORY NOTE

The Civil Code of the Philippines defines the family home *as the dwelling house where a person and his family reside, and the land on which it is situated.*¹ It is where families create memories, have meals together, celebrate special occasions, and provide support and love for one another. For a typical Filipino family their family home will always be a sacred and safe space, a place of comfort, security, and belonging.

With the unmeasurable amount of sanctity and respect given to a family home, it is necessary to reconsider the monetary value provided by law with regard to the said family property. Article 157 of the Family Code of the Philippines provides that:

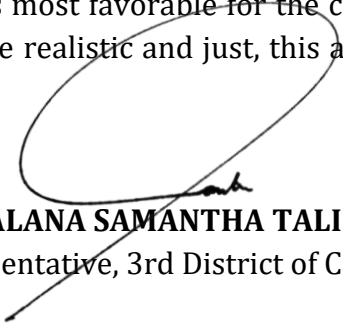
“The actual value of the family home shall not exceed, at the time of its constitution, the amount of the three hundred thousand pesos in urban areas, and two hundred thousand pesos in rural areas, or such amounts as may hereafter be fixed by law.

In any event, if the value of the currency changes after the adoption of this Code, the value most favorable for the constitution of a family home shall be the basis of evaluation.

For purposes of this Article, urban areas are deemed to include chartered cities and municipalities whose annual income at least equals that legally required for chartered cities. All others are deemed to be rural areas. (231a)”

It must be noted that the Family Code was promulgated back in the 1980s where peso-dollar exchange rate, inflation, and other forms of financial crises are hardly felt.

The provision already speaks of giving what is most favorable for the constitution of a family home. Hence, to make the law more realistic and just, this amendment should be taken into consideration.


HON. MA. ALANA SAMANTHA TALIÑO SANTOS
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¹ Art 223, Civil Code of the Philippines

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

NINETEENTH CONGRESS
Second Regular Session

House Bill No. **9795**

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AN ACT AMENDING EXECUTIVE ORDER NO. 209, ALSO KNOWN AS THE FAMILY CODE OF 1988, ARTICLE 157 ON THE VALUE OF THE FAMILY HOME

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

Section 1. Article 157 of Executive Order No. 209, also known as the Family Code of 1988 is hereby amended to read as follows:

Art. 157. The actual value of the family home shall not exceed, at the time of its constitution, the amount of **ONE MILLION PESOS** in urban areas, and **SEVEN HUNDRED FIFTY THOUSAND PESOS** in rural areas, or such amounts as may hereafter be fixed by law.

In any event, if the value of the currency changes after the adoption of this ACT, the value most favorable for the constitution of a family home shall be the basis of evaluation.

For purposes of this Article, urban areas are deemed to include chartered cities and municipalities whose annual income at least equals that legally required for chartered cities. All others are deemed to be rural areas. (231a)

Section 2. **Repealing Clause.** –Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent or contrary to the provision of this Act is hereby repealed or modified accordingly.

Section 3. **Effectivity Clause.** – This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or a newspaper of general circulation.

Approved