

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL No. 11089



Introduced by Representative CAMILLE A. VILLAR

EXPLANATORY NOTE

Housing is a right, not a commodity. Increasingly viewed as a commodity, housing is most importantly a human right. Under international law, to be adequately housed means having secure tenure—not having to worry about being evicted or having your home or lands taken away. It means living somewhere that is in keeping with your culture, and having access to appropriate services, schools, and employment.¹

Housing is the basis of stability and security for an individual or family. The centre of our social, emotional and sometimes economic lives, a home should be a sanctuary—a place to live in peace, security and dignity.²

Equally, the State shall, by law, and for the common good, undertake, in cooperation 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 resettlements areas. It shall also promote adequate employment opportunities to such citizens. In the implementation of such program the State shall respect the rights of small property owners.³

It is still a fact at present that hundreds if not millions of homeowners have become delinquent in their payment for housing amortizations and dues. This condition has been brought about by various reasons like economic slowdown, disasters, and reasons beyond the control of the homeowners, among others.

In order to alleviate this condition, this proposed measure will authorize the National Housing Authority to grant amnesty to its socialized housing beneficiaries

¹ <https://www.ohchr.org/en/special-procedures/sr-housing/human-right-adequate-housing>

² Ibid

³ Section 9, Article XIII, 1987 Constitution

who have reneged on their payment which shall cover all unpaid amortization, association dues and/or miscellaneous fees, except beneficiaries who are disqualified for reasons specified in this proposed bill such as unlawful transfer, abandonment and illegal occupation of the unit.

Therefore, together with my colleagues in Congress, this Representation calls for the immediate passage of this bill.

Camille A. Villar
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AN ACT PRESCRIBING THE AUTHORITY OF THE NATIONAL HOUSING AUTHORITY (NHA) TO GRANT AMNESTY TO ITS SOCIALIZED HOUSING BENEFICIARIES WITH DELINQUENT ACCOUNTS, CONDONING THEREBY ANY UNPAID AMORTIZATION, ASSOCIATION DUES OR ANY MISCELLANEOUS FEES, AND TO INSTITUTE A PAYMENT RESTRUCTURING PROGRAM, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Section 1. Short Title. – This Act shall be known as the “*NHA Amnesty Act of 2024*”.

Section 2. Declaration of Policy. – It is the policy of the State to ensure a continuing and sustainable program for urban land reform and housing which shall make available affordable, and decent housing with basic services to underprivileged and homeless citizens, in order to guarantee freedom from poverty, higher standard of living, and improved quality of life for all.

The State and its stakeholders shall:

- a. Expand people’s access to affordable, adequate, safe and secure shelter in well-planned communities;
- b. Enable informal settler families to live in resilient, vibrant, and connected urban communities;
- c. Promote inclusive and integrated housing that are culturally sensitive, responsive to local context and/or special needs, and in accordance with appropriate standards and designs;
- d. Encourage and sustain investments in the housing and urban development sector by, among others, promoting partnerships,

- improving market linkages, simplifying government procedures and facilitating access to finance;
- e. Improve affordability of housing programs and projects;
- f. Promote climate change management, resilient housing and basic infrastructure; and
- g. Make land available and accessible for housing.

Section 3. Statement of Objectives. – The State shall integrate all laws relating to the National Housing Authority (NHA) to effectively achieve the following objectives:

- a. Develop integrated, sustainable, safe, affordable and resilient communities, particularly for the underprivileged and homeless, as well as low-income households;
- b. Implement innovative and alternative solutions in addressing the housing needs of informal-settler's families, the lower-income classes, and the vulnerable sector;
- c. As a government-owned and – controlled corporation, to generate income through the efficient utilization of existing and future assets to support the programs of the authority;
- d. Adopt viable land acquisition and management approaches;
- e. Strengthen housing as a platform to reduce poverty, promote climate resilience, improve social outcome; and
- f. Intensify and widen its authority and functions to effectively fulfill its mandate.

Section 4. Coverage of Amnesty and Restructuring Program for Delinquent Socialized and Low-Cost Housing Beneficiaries – The NHA is hereby authorized to grant amnesty to NHA's socialized housing beneficiaries who have reneged on their payment which shall cover all unpaid amortizations, association dues and/or miscellaneous fees, except beneficiaries who:

- a. Unlawful transfer - unlawfully sold, transferred, mortgaged, or otherwise disposed of his/her lot, lot with housing unit, condominium unit or any right thereon;
- b. Abandoned - units not inhabited by the awardees/beneficiaries nor its successors or heirs continuously for at least one (1) year through Occupancy Verification Report (OVR) by the NHA project coordinator and LGU concerned; and
- c. Illegally occupied – by non-beneficiaries or their family.

Toward this end, a rational loan restructuring and condonation program shall be instituted that takes into consideration the credit worthiness and

credit discipline of the borrowers, and the financial viability of the lending institutions.

Section 5. Procedure. – NHA general guidelines to govern the NHA Amnesty Act:

1. Inventory and Verification

NHA through the aid of the concerned Local Government Units (LGUs) shall conduct an inventory and status of all covered NHA housing/units enumerated in Section 4.

2. Amnesty

- a. This Act shall cover the *total condonation* of all unpaid amortizations/lease payments and association dues of the awardees/beneficiaries in the Socialized Housing Program of the NHA, including any surcharges and penalties emanating thereto. Upon effectivity of this Act, the individual delinquent payments of the awardees shall be condoned and written off by the Government thereby relieving them from the burden of payment thereof.
- b. All penalties and surcharges shall be condoned upon approval of the restructuring application under this Act. Provided, that a reasonable portion of the accrued interest on the housing loan shall also be condoned, the amount or percentage of which shall be determined by the Board of the NHA.
- c. Provided, further, that all remaining accrued interests shall be treated as non-interest-bearing principal to be equally repaid during the term of the restructured loan.
- d. Provided finally that the NHA shall have a detailed list of the actual unpaid amortization payment for each awardee plus penalties, interests, and surcharges in order to determine the amount of total debts. Such copy shall be furnished to the House of Representatives as part of Congressional Records.

3. Issuance of Certificate of Condonation

NHA shall issue a Certificate of Condonation in favor of the awardee which shall be annotated in their Certificate of Entitlement to Lot/Unit Allocation (CELA). Provided finally that the Condition and Restriction of use and possession of awarded housing project explicitly provided under RA 7279 shall still apply.

Section 6. Appropriation. - The funds necessary to carry out the initial implementation of this Act shall be charged against available appropriations of the NHA subject to existing budgeting, accounting and auditing laws, rules, and regulations. The appropriations necessary for the continued implementation of this Act in succeeding years shall be prepared in accordance with regular government budget procedures and shall be included in the budget under the annual General Appropriations Act (GAA).

Section 7. Separability Clause. - If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

Section 8. Implementing Rules and Regulations. - The NHA and the Department of Human Settlements and Urban Development are tasked to promulgate the implementing rules and regulations within sixty (60) days from the effectivity of this Act.

Section 9. Repealing Clause. - All other laws, acts, presidential decrees, executive orders, issuances, presidential proclamations, rules, and regulations or parts thereof, which are contrary to and inconsistent with any provision of this Act, are hereby repealed, amended or modified accordingly.

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

Approved,