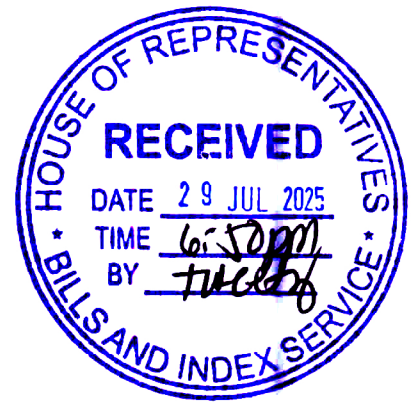


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. 2567



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

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

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 (RA 7279), otherwise 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, we seek 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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Be It enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

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

3
4 "SEC. 9. [*Priorities in the*] *Acquisition of Land* **FOR SOCIALIZED**
5 **HOUSING.** — [Lands for socialized housing shall be acquired in the
6 following order] **THE FOLLOWING LANDS MAY BE ACQUIRED**
7 **FOR SOCIALIZED HOUSING:**

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

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

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

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

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

18 "(f) Privately-owned lands.

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

23 "THE POWER TO IDENTIFY AND TO PRIORITIZE
24 THE PARTICULAR AREA TO BE ACQUIRED SHALL BE WITH
25 THE LOCAL GOVERNMENT UNIT OR THE PROPER AGENCY
26 ACQUIRING LAND FOR SOCIALIZED HOUSING. FOR THIS
27 PURPOSE, THE ENUMERATION IN THIS SECTION SHALL NOT,

1 IN ANY WAY, BE INTERPRETED AS SETTING AN ORDER OF
2 PRIORITY."

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

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

19 "SEC. 11. *Expropriation of Idle Lands.* – All idle lands in urban
20 and urbanizable areas, as defined and identified in accordance with this
21 Act, shall be expropriated and shall form part of the public domain. These
22 lands shall be disposed of or utilized by the Government for such purposes
23 that conform with their land use plans. Expropriation proceedings shall be
24 instituted if, after the lapse of one (1) year following receipt of notice of
25 acquisition, the owner fails to introduce improvements as defined in
26 Section 3(f) hereof, except in the case of *force majeure* and other
27 fortuitous events. Exempted from this provision, however, are residential
28 lands owned by small property owners [or those the ownership of which
29 is subject of a pending litigation]."
30

31 **SEC. 2. *Repealing Clause.*** – All laws, decrees, executive orders, proclamations, rules
32 and regulations, or any part thereof which are inconsistent with this Act, are hereby
33 repealed or modified accordingly.
34

35 **SEC. 3. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication
36 in the *Official Gazette* or in a newspaper of national circulation.
37

38 *Approved,*