

TWENTIETH CONGRESS )  
OF THE REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



**HOUSE OF REPRESENTATIVES**

**House Bill No. 5850**

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**Introduced by Representative FRANZ FERNANDEZ LEGAZPI**

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**EXPLANATORY NOTE**

The 1987 Philippine Constitution affirms that the State shall promote social justice in all phases of national development. It likewise mandates the protection and elevation of the dignity of every human person, especially those who are marginalized, impoverished, and vulnerable to the impacts of natural disasters and emergencies.

In times of calamity, the poor and working class suffer the most. When homes are damaged, livelihoods disrupted, and communities displaced, the burden of paying rent or facing eviction becomes an unbearable weight. Disasters do not only destroy structures but dismantle stability, undermine security, and often neglect basic human dignity.

This measure seeks to grant temporary moratorium on rental payments and evictions during periods of declared disasters or emergencies. This proposed policy recognizes that laws must not merely govern but must serve as responsive tools that cares, protects, and restores the dignity of victims of disasters with the most basic need, a safe shelter.

Social justice is enshrined in our Constitution and it is portrayed in the enduring principle that those who have less in life should have more in law. Providing temporary relief to tenants during calamities is not charity, it is justice in practice, acknowledging the imbalance of power between landlords and tenants and the deep inequality that disasters magnify.

Thus, we seek legislate this bill to alleviate the struggle of victims of natural disasters. By granting temporary relief from rent payments and protection against eviction during disasters, this bill reaffirms the State's moral and constitutional duty to stand with the poor, the displaced, and the vulnerable. It is a call to humanize the law and to make compassion a cornerstone of justice, and empathy a form of governance.

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

**FRANZ FERNANDEZ LEGAZPI**  
Representative, PINOY WORKERS PARTYLIST

HOUSE OF REPRESENTATIVES

House Bill No. 5850

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AN ACT  
PROVIDING FOR A MORATORIUM ON RENTAL PAYMENT AND EVICTION  
DURING DISASTERS AND OTHER EMERGENCIES

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

1           **Section 1. Short Title.** - This Act shall be known as "*Rental Payment and Eviction*  
2 *Moratorium during Disasters and Emergencies Act.*"

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4           **Sec. 2. Declaration of Policy.** - In the interest of promoting the common good and  
5 the general welfare, it is hereby declared the policy of the State to provide adequate relief and  
6 protection to those suffering from the ravages of calamities and other emergency situations.

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8           **Sec. 3. Definition of Terms.** - For purposes of this Act, these terms are defined as  
9 follows:

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11       a. "Disaster" refers to a serious disruption of the functioning of a community or a  
12 society involving widespread human, material, economic or environmental losses and  
13 impacts, which exceeds the ability of the affected community or society to cope using  
14 its own resources. Disasters are often described as a result of the combination of the  
15 exposure to a hazard, the conditions of vulnerability that are present, and insufficient  
16 capacity or measures to reduce or cope with the potential negative consequences.  
17 Disaster impacts may include loss of life, injury, disease and other negative effects on  
18 human, physical, mental and social well-being, together with damage to property,  
19 destruction of assets, loss of services, social and economic disruption and  
20 environmental degradation.

21  
22       b. "Emergency" refers to unforeseen or sudden occurrence, especially danger,  
23 demanding immediate action.

24  
25       c. "State of Calamity" refers to a condition involving mass casualty and/or major  
26 damages to property, disruption of means of livelihoods, roads, and normal way of  
27 life of people in the affected areas as a result of the occurrence of natural or human-  
28 induced hazard.

29  
30       d. "Rent" refers to the amount paid for the use or occupancy of a residential unit  
31 whether payment is made on a monthly or other basis.

32  
33       e. "Residential unit" refers to an apartment, house and/or land on which another's  
34 dwelling is located and used for residential purposes and shall include not only  
35 building houses, dormitories, rooms and bedspaces offered for rent by their owners,  
36 except motels, motel rooms, hotels, hotel rooms, but also those used for home

1 industries, retail stores or other business purposes if the owner thereof and their  
2 family actually live therein and use it principally for dwelling purposes.

- 3  
4 f. "Lessee" refers to a person renting a residential unit.  
5  
6 g. "Owner/Lessor" refers to the owner or administrator or agent of the owner of the  
7 residential unit.  
8  
9 h. "Sublessor" refers to the person who leases or rents out a residential unit leased to  
10 him by an owner.  
11  
12 i. "Sublessee" refers to the person who holds a lease which was given to another person  
13 for all or part of a property.  
14

15 **Sec. 4. Scope of Application.** - This Act shall cover disasters and other kinds of  
16 emergencies which may be (1) national in scope, as stated in the Declaration of a State of  
17 Calamity or State of National Emergency by the President of the Philippines, or (2) provincial,  
18 city or municipal in scope, as declared through a State of Calamity or Emergency by the  
19 appropriate local government unit.  
20

21 **Sec. 5. Moratorium on Rental Payments.** - There shall be a moratorium on the  
22 enforcement of payment of all fees, charges, and costs relating to the rental of residential units,  
23 whether in a lease or sublease arrangement and whether reduced in a written form or not, for the  
24 duration of the State of Calamity or Emergency mentioned in Section 4 of this Act and for thirty  
25 (30) days from the termination of said State of Calamity or Emergency: Provided, That if the  
26 covered period exceeds a total of sixty (60) days, the payment of the deferred fees, charges and  
27 costs shall be spread out for a six-month period of equal installments: Provided, further, That no  
28 penalties or interests shall be collected on the payments made by virtue of this Act.  
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30 The benefit of this moratorium on rental payment may be applied to commercial or  
31 office space rental of Micro, Small and Medium Enterprises (MSMEs), as defined in Republic  
32 Act (RA) No. 9501, otherwise known as the "Magna Carta for MSMEs", as amended, at the  
33 discretion of the Secretary of the Department of Trade and Industry (DTI), taking into  
34 consideration the fact of closure/shutting down of businesses, community quarantine orders, or  
35 any other circumstance that may hamper their operations.  
36

37 Nothing in this Act shall prevent the contractual parties from mutually agreeing on  
38 other forms of payment, relief, or assistance, or from voluntarily waiving the benefit of the  
39 moratorium on rental payments.  
40

41 **Sec. 6. Moratorium on Eviction.** - During the same period stated in Section 5 of this  
42 Act, the lessor, sublessor or owner of a residential unit may not make, or cause to be made, any  
43 eviction or similar legal proceeding to recover possession of the residential unit from the  
44 lessee/sublessee regardless of cause, except when a lessee/sublessee perpetrates a criminal act  
45 that threatens the life, limb and property of the lessor, sublessor or owner or their immediate  
46 family, or other tenants or staff of the property in which the residential unit is located.  
47

48 The benefit of this moratorium on eviction may be applied to commercial or office  
49 space rental of MSMEs, as defined in RA 9501, as amended, at the discretion of the DTI  
50 Secretary, taking into consideration the fact of closure/shutting down of businesses, community  
51 quarantine orders, or any other circumstance that may hamper their operations.  
52

53 **Sec. 7. Implementing Rules and Regulations.** - Within sixty (60) days from the  
54 effectivity of this Act, the DTI and the Department of Human Settlements and Urban  
55 Development (DHSUD), in consultation with other relevant government agencies and  
56 stakeholders, shall issue the necessary rules and regulations to implement the provisions of this  
57 Act.

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2           **Sec. 8. Separability Clause.** - If any provision of this Act is declared  
3 unconstitutional or invalid, the remaining provisions not affected shall continue to be in full  
4 force and effect.

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6           **Sec. 9. Repealing Clause.** - All laws, decrees, orders, rules and regulations or parts  
7 thereof inconsistent with this Act are hereby repealed or amended accordingly.

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

*Approved,*