Republic of the Philippines

House of Representatives

Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. 9326

Introduced by Representative John Geesnell "Baba" Yap

EXPLANATORY NOTE

This bill seeks to strengthen condominium registration by requiring condominium project developers to include in the enabling or master deed as-built floor area plans duly signed and sealed by licensed geodetic engineers, amending for the purpose Republic Act (RA) No. 4726 or "*The Condominium Act.*"

Over the past decades, the Philippine real estate landscape has witnessed continuous demand on condominium stock, offering not only diversified residential options but also playing a pivotal role in addressing the country's housing needs. However, as demand for condominium intensifies, regulatory concerns must likewise be addressed.

Supreme Court cases revealed that the advertised floor areas of certain condominium units showed discrepancies. While the law provides for remedies, these issues could have been avoided had the measurements been properly conducted and duly certified by licensed geodetic engineers.

Geodetic engineers hold a critical position in ensuring that consumers, developers, and regulators are guided in the true dimensions and sizes of condominium units. They are the country's licensed professionals tasked with gathering physical data in the surface of the earth through the use of precision instruments.

At its core, this bill seeks to provide a secure, transparent, and accurate solution to these recurring issues in the marketing, selling, and purchasing of condominium units. By ensuring that all the advertised units are sold based on precise and certified measurements, the bill provides a powerful enforcement

mechanism that prevents developers from offloading units to buyers before the technical requirements are verified, and foster an effective, efficient, and more transparent Philippine condominium industry.

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

JOHN GEESNELL "Baba" YAP

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HOUSE BILL NO. 9326

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AN ACT
STRENGTHENING CONDOMINIUM REGISTRATION BY REQUIRING CONDOMINIUM PROJECT DEVELOPERS TO INCLUDE IN THE ENABLING OR MASTER DEED AS-BUILT FLOOR AREA PLANS DULY SIGNED AND SEALED BY LICENSED GEODETIC ENGINEERS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 4726 OR "THE CONDOMINIUM ACT"

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

SECTION 1. Section 4 of Republic Act (RA) No. 4726, as amended, is further amended to read as follows:

"SECTION. 4. The provisions of this Act shall apply to property divided or to be divided into condominiums only if there shall be recorded in the Register of Deeds of the province or city in which the property lies and duly annotated in the corresponding certificate of title of the land, if the latter had been patented or registered under either the

Land Registration or Cadastral Acts, an enabling or master deed which shall contain, among others, the following:

"(a) xxx;

"xxx;

"(g) The following plans shall be appended to the deed as integral parts thereof:

"(1) xxx;

"(2) xxx; **AND**

"(3) **AN AS-BUILT FLOOR AREA PLAN FOR EACH UNIT AND FOR COMMON AREAS, DULY SIGNED AND SEALED BY A LICENSED GEODETIC ENGINEER."**

"(h) xxx

"The enabling or master deed may be amended or revoked upon registration of an instrument executed by the registered owner or owners of the property and consented to by all registered holders of any lien or encumbrance on the land or building or portion thereof. The term "registered owner" shall include the registered owners of condominiums in the project. Until registration of a revocation, the provisions of this Act shall continue to apply to such property.

"NO CONDOMINIUM CERTIFICATE OF TITLE SHALL BE ISSUED BY THE REGISTRY OF DEEDS UNLESS THE ENABLING OR MASTER DEED AND ALL REQUIRED PLANS HAVE BEEN DULY RECORDED IN THE APPROPRIATE REGISTRY OF DEEDS AND ANNOTATED ON THE CORRESPONDING LAND CERTIFICATE OF TITLE IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH IN THIS SECTION, PRESIDENTIAL DECREE NO. 1529, OR THE "*PROPERTY REGISTRATION DECREE*," AS AMENDED, AND THE IMPLEMENTING RULES AND REGULATIONS."

SEC. 2. Within sixty (60) days from the effectivity of this Act, the Secretary of Human Settlements and Urban Development shall update the existing rules and regulations of RA 4726 for the effective implementation of this Act.

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

Approved,