



HOUSE OF REPRESENTATIVES

H. No. 9048

BY REPRESENTATIVES TULFO (R.W.), TULFO (J.), CO-PILAR, CHUA-TAI, GATCHALIAN, DY (F.), MARCOS, DE LIMA, SAN FERNANDO, SANTOS (M.A.), AQUINO-MAGSAYSAY, GUINTU, ESPARES, UMALI, BOLILIA, OAMINAL (H.), ROMULO, LEGAZPI, YU (J.K.), PUMAREN AND ARENAS

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**

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

SECTION 1. Section 9 of Republic Act No. 7279, otherwise known as the "Urban
Development and Housing Act of 1992", is hereby amended to read as follows:

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

- (a) Those owned by the Government or any of its subdivisions,
instrumentalities, or agencies, including government-owned or
-controlled corporations and their subsidiaries;
- (b) Alienable lands of the public domain;
- (c) Unregistered or abandoned and idle lands;
- (d) Those within the declared Areas for Priority Development, Zonal
Improvement Program sites, and Slum Improvement and
Resettlement Program sites which have not yet been acquired;

- 1 (e) Bagong Lipunan Improvement of Sites and Services or BLISS sites
2 which have not yet been acquired; and
3 (f) Privately-owned lands.
4

5 Where on-site development is found more practicable and advantageous
6 to the beneficiaries, the priorities mentioned in this section shall not apply.
7 The local government units **AND CONCERNED SHELTER AGENCIES**
8 shall give budgetary priority to on-site development of government lands.
9

10 **THE POWER TO IDENTIFY AND TO PRIORITIZE THE PARTICULAR**
11 **AREA TO BE ACQUIRED SHALL BE WITH THE LOCAL**
12 **GOVERNMENT UNIT OR THE PROPER AGENCY ACQUIRING LAND**
13 **FOR SOCIALIZED HOUSING IN COORDINATION WITH THE**
14 **DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN**
15 **DEVELOPMENT, UNDER SECTION 24 OF REPUBLIC ACT NO. 11201,**
16 **OTHERWISE KNOWN AS THE "DEPARTMENT OF HUMAN**
17 **SETTLEMENTS AND URBAN DEVELOPMENT ACT". FOR THIS**
18 **PURPOSE, THE ENUMERATION IN THIS SECTION SHALL NOT, IN**
19 **ANY WAY, BE INTERPRETED AS SETTING AN ORDER OF PRIORITY."**
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21 **SEC. 2.** Section 10 of Republic Act No. 7279 is hereby amended to read as follows:
22

23 **"SEC. 10. Modes of Land Acquisition.** - The modes of acquiring lands for purposes
24 of this Act shall include, among others, community mortgage, land swapping, land
25 assembly or consolidation, land banking, donation to the Government, joint-
26 venture agreement, negotiated purchase, and expropriation: *Provided*, [however,
27 That expropriation shall be resorted to only when other modes of acquisition have
28 been exhausted: *Provided, further*,] That where expropriation is resorted to,
29 parcels of land owned by small property owners shall be exempted for purposes
30 of this Act: *Provided, [finally]* **FURTHER**, That abandoned property, as herein
31 defined, shall be reverted and escheated to the State in a proceeding analogous
32 to the procedure laid down in Rule 91 of the Rules of Court: **PROVIDED, FINALLY,**
33 **THAT EXPROPRIATION PROCEEDINGS SHALL FOLLOW THE PROCEDURE**
34 **LAI DOWN UNDER RULE 67 OF THE RULES OF COURT AND SECTION 19**
35 **OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL**
36 **GOVERNMENT CODE OF 1991, AS AMENDED.**
37

38 For the purpose of socialized housing, government-owned and foreclosed
39 properties shall be acquired by the local government units, or by **SHELTER**
40 **AGENCIES SUCH AS** the National Housing Authority **AND SOCIAL HOUSING**
41 **FINANCE CORPORATION PRIMARILY** [primary] through negotiated purchase
42 **OR ADVANCE LAND ACQUISITION IN FAVOR OF BENEFICIARIES:** *Provided*,
43 That qualified beneficiaries who are actual occupants of the land shall be given
44 the right of first refusal."

1 **SEC. 3.** Section 11 of Republic Act No. 7279 is hereby amended to read as follows:
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4 **"SEC. 11. Expropriation of Idle Lands.** - All idle lands in urban and urbanizable
5 areas, as defined and identified in accordance with this Act, shall be expropriated
6 and shall form part of the public domain. These lands shall be disposed of or
7 utilized by the Government for such purposes that conform with their land use
8 plans. Expropriation proceedings shall be instituted if, after the lapse of one (1)
9 year following receipt of notice of acquisition, the owner fails to introduce
10 improvements as defined in Section 3(f) hereof, except in the case of *force majeure*
11 and other fortuitous events. Exempted from this provision, however, are residential
12 lands owned by small property owners or those the ownership of which is subject
13 of a pending litigation: **PROVIDED, THAT THE CASE HAS BEEN INITIATED**
14 **PRIOR TO THE FILING OF A VERIFIED COMPLAINT UNDER RULE 67 OF THE**
15 **RULES OF COURT."**
16

17 **SEC. 4.** If any portion or provision of this Act is declared unconstitutional, the remainder
18 of this Act or any provisions not affected thereby shall remain in force and effect.
19

20 **SEC. 5.** All laws, decrees, orders, issuances, or rules, and regulations or parts thereof
21 inconsistent with the provisions of this Act are hereby repealed, amended, or modified
22 accordingly.
23

24 **SEC. 6.** This Act shall take effect fifteen (15) days after its publication in the *Official*
25 *Gazette* or in a newspaper of general circulation.

 Approved,