

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



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SENATE  
P. S. R. No. 587

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Introduced by Senator Miriam Defensor Santiago

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RESOLUTION

DIRECTING THE COMMITTEE ON LOCAL GOVERNMENT TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGATION THAT PHINMA PROPERTY HOLDINGS CORPORATION HAS DEVELOPED A CONDOMINIUM COMPLEX IN VIOLATION OF SEVERAL PHILIPPINE LAWS

WHEREAS, the Constitution, Article 2, Section 10 provides, "The State shall promote social justice in all phases of national development";

WHEREAS, Republic Act No. 6541 or the National Building Code of the Philippines, Section 1.01.02, states:

(a) It is hereby declared to be the policy of the State to safeguard life, health, property, and public welfare, consistent with the principles of environmental management and control; and to this end, make it the purpose of this Code to provide for all buildings and structures, a framework of minimum standards and requirements by guiding, regulating, and controlling their location, siting, design, quality of materials, construction, use, occupancy, and maintenance, including their environment, utilities, fixtures, equipment, and mechanical electrical, and other systems and installations.

WHEREAS, various complaints received by the office claimed that PHINMA Property Holdings Corporation (PHINMA) has developed a midrise condominium complex, the Sunny Villas Condominium, in Fairview, Quezon City, in violation of several Philippine laws;

WHEREAS, Sunny Villas is a six-storey socialized housing complex that was issued a zoning certificate by the Quezon City Council to meet the increasing demand for decent housing projects for residents in Quezon City;

WHEREAS, the Housing and Urban Development Coordinating Council (HLURB) conducted a verification survey on 5 November 2013 and found that one of the midrise buildings was built on top of a creek, in violation of the National Building Code;

WHEREAS, a verification survey report dated 18 November 2014 from the Department of Environment and Natural Resources also stated that a creek traversed the condominium complex;

WHEREAS, the creek has allegedly caused structural damage to the building which was built on top of it;

WHEREAS, in a letter issued by the Land Registration Authority (LRA) dated 26 April 2013 to one of the condominium unit owners, the LRA claimed that PHINMA's approved subdivision plan was never entered into the title of the land where the condominium complex was built;

WHEREAS, on 5 February 2013, the Bureau of Fire Protection (BFP) also issued an "Order of Stoppage of Operation/Closure Order" to PHINMA, stating that Sunny Villas Condominium Complex "[has] consistently failed to comply with the Fire Safety and Protection Requirements pursuant to the provisions of R.A. No. 9514, otherwise known as the Fire Code of the Philippines";

WHEREAS, according to the BFP, the order was issued "in order to avert any unwanted danger that your said establishment/structure may of might cause to the general public";

WHEREAS, the Laguna Lake Development Authority sent on 3 June 2013 a "Notice of Violation" to the manager of Sunny Villas stating that Sunny Villas has violated Republic Act No. 4850, Section 4, paragraph (d) by failing to secure the necessary clearances/permits from the Laguna Lake Development Authority prior to the commencement of any development activity;

WHEREAS, as result of the violation, the Sunny Villas Condominium Complex was penalized with a P5,000 per year fine until the clearances were secured;

WHEREAS, the condominium unit owners also alleged that since the property in Sunny Villas had already been paid by PAG-IBIG Fund; titles and tax declarations should have already been transferred in the name of the unit owners after two years subject to the full payment thereof from PAG-IBIG Fund;

WHEREAS, Sunny Villas' condominium unit owners alleged that those who complain about their situation to the government have experienced harassment, and threats from PHINMA's property administrators and from Sunny Villas' staff;

WHEREAS, in line with the policy of the State to provide affordable and decent housing to its constituents, the government should ensure that such housing establishments developed by private corporations are safe and habitable;

WHEREAS, residents should also not be left without a speedy recourse against private developers; the government should therefore increase the penalties against erring private developers;

WHEREFORE, BE IT HEREBY RESOLVED BY THE PHILIPPINE SENATE to direct the proper Senate committee to conduct an inquiry, in aid of legislation, on the allegation that PHINMA Property Holdings Corporation has developed a condominium complex in violation of several Philippine laws.

Adopted,

*Miriam Defensor Santiago*  
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