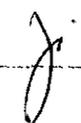


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

 Senate
Office of the Secretary

15 FEB -2 P5:39

SENATE
S.B. No. 2617

RECEIVED BY. 

Introduced by Senator Ramon Bong Revilla, Jr.

AN ACT STRENGTHENING THE BALANCED HOUSING DEVELOPMENT PROGRAM, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7279, ENTITLED: "AN ACT TO PROVIDE FOR A COMPREHENSIVE AND CONTINUING URBAN DEVELOPMENT AND HOUSING PROGRAM, ESTABLISH THE MECHANISM FOR ITS IMPLEMENTATION AND FOR OTHER PURPOSES"

EXPLANATORY NOTE

The Urban Development and Housing Act (UDHA) was enacted in 1992 basically to address the shortage of housing for our people. However, decades after the enactment of this noble measure, homelessness remains a major problem in our country. Informal settlements and slums, houses built on riverbanks, railroad tracks and other high-risk areas are usual view especially in urban centers.

This proposed measure aims to strengthen the UDHA by reinforcing the Balanced Housing Development Program. The "balanced housing" aspect, as required in Sec 18 of RA 7279 intends to secure that all housing projects approved must give a portions of their projects for the poor through socialized housing. By this requirement, all developers will effectively contribute in addressing the problem of homelessness by ensuring that a portion of their projects is intended for the poor.

Decent housing is a basic need of every human. This proposal seeks to achieve the fulfilment of this bill that's why passage of this bill is earnestly sought.


RAMON BONG REVILLA, JR.

SENATE
S.B. No. 2617



Introduced by Senator Ramon Bong Revilla, Jr.

**AN ACT
STRENGTHENING THE BALANCED HOUSING DEVELOPMENT PROGRAM,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7279, ENTITLED: "AN ACT
TO PROVIDE FOR A COMPREHENSIVE AND CONTINUING URBAN
DEVELOPMENT AND HOUSING PROGRAM, ESTABLISH THE MECHANISM FOR
ITS IMPLEMENTATION AND FOR OTHER PURPOSES"**

*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 the “Balanced Housing
2 Development Program Amendment of 2015”.

3
4 **SEC. 2. Amendatory Provisions.** – For purposes of this Act, the following provisions of
5 Republic Act No. 7279, entitled: “An Act to Provide for a Comprehensive and Continuing
6 Urban Development and Housing Program, Establish the Mechanism for its
7 Implementation, and for Other Purposes”, are hereby amended:

8
9 (a) Section 18 of Republic Act No. 7279 is hereby amended to read as follows:

10
11 “SEC. 18. *Balanced Housing Development.* – The Program
12 shall include a system to be specified in the Framework plan
13 whereby **OWNERS AND/OR** developers of proposed subdivision
14 **AND CONDOMINIUM** projects shall be required to develop an
15 area for socialized housing equivalent to at least twenty percent
16 (20%) of the total subdivision **OR CONDOMINIUM** area or total
17 subdivision **OR CONDOMINIUM** project cost, at the option of the
18 developer, within the same city or municipality, whenever feasible,
19 and in accordance with the standards set by the Housing and
20 Land Use Regulatory Board and other existing laws[.]:
21 **PROVIDED, THAT OWNERS AND/OR DEVELOPERS OF**
22 **PROPOSED SOCIALIZED HOUSING SUBDIVISION**
23 **PROJECTS AND OWNERS AND/OR DEVELOPERS OF**

1 **PROPOSED CONDOMINIUM PROJECTS TO BE SOLD AT**
2 **SOCIALIZED HOUSING PRICES SHALL BE EXEMPT**
3 **THEREFROM.** The balanced housing development as herein
4 required may also be complied with by the **OWNERS AND/OR**
5 developers concerned in any of the following manner:

6 “(a) Development of new settlement;

7 “(b) Slum upgrading or renewal of areas for priority
8 development either through zonal improvement programs or slum
9 improvement and resettlement programs;

10 “(c) Joint-venture projects **FOR SOCIALIZED HOUSING**
11 with either the local government units or any of the housing
12 agencies[;] or **WITH ANOTHER PRIVATE DEVELOPER:**
13 **PROVIDED, THAT, THE OWNER AND/OR DEVELOPER OF**
14 **THE MAIN SUBDIVISION OR CONDOMINIUM PROJECT**
15 **SHALL BE SOLIDARILY LIABLE WITH THE OWNER AND/OR**
16 **DEVELOPER OF THE SOCIALIZED HOUSING PROJECT FOR**
17 **THE DEVELOPMENT OF THE LATTER, IRRESPECTIVE OF**
18 **THE PROVISIONS OF THEIR JOINT VENTURE AGREEMENT;**

19 “(d) Participation in the community mortgage program[.],
20 **EITHER AS FINANCIER OR DEVELOPER;**

21 “(E) **INVESTMENT IN LONG-TERM RESETTLEMENT**
22 **HOUSING BONDS; OR**

23 “(F) **DEVELOPMENT OF EDUCATION FACILITIES**
24 **WITHIN THE PROJECT, WHENEVER FEASIBLE, OR WITHIN**
25 **THE CITY OR MUNICIPALITY, WHEREVER FEASIBLE, IN**
26 **ACCORDANCE WITH SECTION 21 HEREOF.**

27
28 **“NO OTHER FORM OF COMPLIANCE TO THIS**
29 **SECTION MAY BE PRESCRIBED EXCEPT THROUGH THE**
30 **ENACTMENT OF A SUBSEQUENT LAW.**

31
32 **“FURTHERMORE, NO SUBDIVISION PLAN SHALL BE**
33 **APPROVED BY ANY LOCAL GOVERNMENT UNIT OR**
34 **GOVERNMENT AGENCY UNLESS THE SAME IS**
35 **ACCOMPANIED BY A WRITTEN UNDERTAKING, MADE**
36 **UNDER OATH, BY THE OWNER AND/OR DEVELOPER,**
37 **SETTING FORTH IN DETAIL THE MANNER IN WHICH**
38 **COMPLIANCE WITH THIS SECTION IS PROPOSED.”**

1
2 (b) Section 21 of Republic Act No. 7279 is hereby amended to read as
3 follows:

4
5 "SEC. 21. Basic Services. – Socialized housing or
6 resettlement areas shall be provided by the local government unit
7 or the National Housing Authority in cooperation with the private
8 OWNERS AND/OR developers and concerned agencies with the
9 following basic services and facilities:

10 "(a) Potable water;

11 "(b) Power and electricity and an adequate power
12 distribution system;

13 "(c) Sewerage facilities and an efficient and adequate solid
14 waste disposal system; and

15 "(d) Access to primary roads and transportation facilities.

16 "The provision of other basic services and facilities such as
17 health, education, communications, security, recreation, relief and
18 welfare shall be planned and shall be given priority for
19 implementation by the local government unit and concerned
20 agencies in cooperation with the private sector and the
21 beneficiaries themselves[.]: **PROVIDED, THAT THE PROVISION**
22 **OF EDUCATION FACILITIES BY AN OWNER AND/OR A**
23 **DEVELOPER IN SOCIALIZED HOUSING AREAS PURSUANT**
24 **TO SECTION 18(F) HEREOF SHALL BE ACCORDED A HIGH**
25 **PRIORITY.**

26
27 "The local government unit, in coordination with the
28 concerned national agencies, shall ensure that these basic
29 services are provided at the most cost-efficient rates, and shall
30 set a mechanism to coordinate operationally the thrusts,
31 objectives and activities of other government agencies concerned
32 with providing basic services to housing projects."

33
34 (c) Section 45 of Republic Act No. 7279 is hereby amended to read as
35 follows:

36
37 "SEC. 45. Penalty Clause. – Any person who violates any
38 provision of this Act shall be imposed the penalty of not more than

1 six (6) years of imprisonment or a fine of not less than Five
2 thousand pesos (P5,000) but not more than One hundred
3 thousand pesos (P100,000), or both, at the discretion of the court:
4 **PROVIDED, THAT, ANY PERSON WHO VIOLATES THE**
5 **PROVISION OF SECTION 18 HEREOF SHALL BE IMPOSED A**
6 **PENALTY OF NOT MORE THAN SIX (6) YEARS OF**
7 **IMPRISONMENT OR A FINE OF NOT LESS THAN FIVE**
8 **HUNDRED THOUSAND PESOS (P500,000) BUT NOT MORE**
9 **THAN TEN MILLION PESOS (P10,000,000), OR BOTH, AT THE**
10 **DISCRETION OF THE COURT FOR THE FIRST OFFENSE AND**
11 **CANCELLATION OF LICENSE TO DO BUSINESS FOR THE**
12 **SECOND OFFENSE:** Provided, **FURTHER,** That, if the offender is
13 a corporation, partnership, association or other juridical entity, the
14 penalty shall be imposed on the officer or officers of said
15 corporation, partnership, association or juridical entity who caused
16 the violation.”
17

18 **SEC. 3. Implementing Rules and Regulations.** – Within sixty (60) days from the
19 effectivity of this Act, the Housing and Land Use Regulatory Board shall promulgate a
20 new set of implementing rules and regulations for the amended Sections 18, 21 and 45
21 of Republic Act No. 7279, consistent with the parameters and standards set forth in said
22 sections. Nongovernment organizations and people's organizations involved in housing
23 rights and urban poor advocacy, as well as the private sector, shall be consulted in the
24 process of drafting these implementing rules and regulations.
25

26 **SEC. 4. Separability Clause.** – If, for any reason, any provision of this Act is declared
27 invalid or unconstitutional, the remaining provisions not affected thereby shall continue
28 to be in force and effect.
29

30 **SEC. 5. Repealing Clause.** – All laws, decrees, executive orders, proclamations, rules
31 and regulations, and other issuances, or part or parts thereof which are inconsistent
32 with the provisions of this Act are hereby repealed or modified accordingly.
33

34 **SEC. 6. Effectivity Clause.** – This Act shall take effect fifteen (15) days after the
35 completion of its publication in the Official Gazette or in at least two (2) newspapers of
36 general circulation.
37

38 *Approved,*