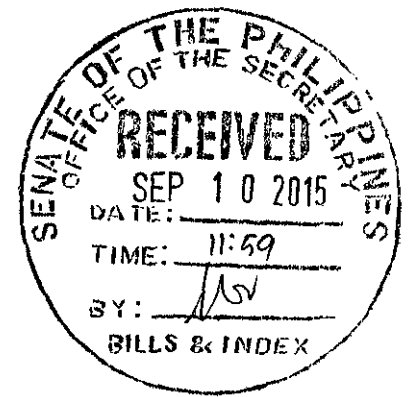


SIXTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )



SENATE  
SENATE BILL NO. 2947

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Prepared by the Committee on Urban Planning, Housing and Resettlement  
with Senators Ferdinand R. Marcos, Jr., Miriam Defensor Santiago, Ramon Bong Revilla,  
Jr., and Joseph Victor G. Ejercito, as authors thereof

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**AN ACT STRENGTHENING THE BALANCED HOUSING DEVELOPMENT  
PROGRAM, AMENDING FOR THAT PURPOSE REPUBLIC ACT NO. 7279, AS  
AMENDED BY REPUBLIC ACT NO. 9397, 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:*

1           **SECTION 1. Short Title** - This Act shall be known as the "**Balanced Housing**  
2           **Development Program Amendments.**"

3           **SECTION 2. Amendatory Provisions.** - The following provisions of Republic Act No.  
4           7279, entitled, "An Act to Provide for a Comprehensive and Continuing Urban Development  
5           and Housing Program, Establish the Mechanism for its Implementation, and for other  
6           Purposes," are hereby amended:

7           (A) Section 3 of Republic Act no. 7279 is hereby amended by redefining paragraph (r)  
8           to read as follows:

9           "(r) 'Socialized housing' refers to housing programs and projects covering houses and lots or  
10          homelots only, **OR RESIDENTIAL CONDOMINIUM UNITS** undertaken by the  
11          government or the private sector for the underprivileged and homeless citizens which shall  
12          include sites and services development, long-term financing, liberalized terms on interest  
13          payments, **SLUM UPGRADING AND THE RENEWAL OF AREAS**, and such other  
14          benefits accordance with the provisions of this Act."

1 (B) Section 18 of Republic Act no. 7279 is hereby amended to read as follows:

2 "Sec. 18 *Balanced Housing Development*. - The Program shall include a system to be  
3 specified in the Framework plan whereby **OWNERS AND/OR** developers of proposed  
4 subdivision **AND CONDOMINIUM** projects shall be required to develop an area for  
5 socialized housing equivalent to at least [twenty percent (20%)] **FIFTEEN PERCENT**  
6 **(15%)** of the total subdivision area or total subdivision project cost **AND AT LEAST FIVE**  
7 **PERCENT (5%) OF CONDOMINIUM AREA OR PROJECT COST**, at the option of  
8 the developer, [within the same city or municipality, whenever feasible, and in accordance  
9 with the standard set by the Housing and Land Use Regulatory Board and other existing  
10 laws] **ANYWHERE IN THE PHILIPPINES [.] PROVIDED, THAT OWNERS**  
11 **AND/OR DEVELOPERS OF PROPOSED SOCIALIZED SUBDIVISION PROJECTS**  
12 **AND OWNERS AND/OR DEVELOPERS OF PROPOSED SOCIALIZED**  
13 **CONDOMINIUM PROJECTS SHALL BE EXEMPT FROM THIS REQUIREMENT.**

14 "The balanced housing development as herein required may also be complied with by  
15 the developers concerned in any of the following manner:

16 "a) Development of **SOCIALIZED HOUSING IN A** new settlement;

17 "b) Slum upgrading or renewal of areas for priority development either through zonal  
18 improvement programs or slum improvement and resettlement programs;

19 "c) Joint-venture projects with either the local government units or any of the housing  
20 agencies[;] or **WITH ANOTHER PRIVATE DEVELOPER, OR WITH A NON-**  
21 **GOVERNMENTAL ORGANIZATION ENGAGED IN THE PROVISION OF**  
22 **SOCIALIZED HOUSING AND DULY ACCREDITED BY THE HOUSING AND**  
23 **LAND USE REGULATORY BOARD: PROVIDED, THAT THE OWNER AND/OR**  
24 **DEVELOPER OF THE MAIN SUBDIVISION OR CONDOMINIUM PROJECT**  
25 **SHALL BE SOLIDARILY LIABLE WITH THE OWNER AND/OR DEVELOPER OF**

1 THE SOCIALIZED HOUSING PROJECT FOR THE DEVELOPMENT OF THE  
2 LATTER, REGARDLESS OF THE PROVISIONS OF THEIR JOINT VENTURE  
3 AGREEMENT; OR

4 "d) Participation in the community mortgage program.

5 "E) DEVELOPMENT OF EDUCATION FACILITIES IN AN EXISTING  
6 SOCIALIZED HOUSING AREA.

7 "NO OTHER FORM OF COMPLIANCE TO THIS SECTION MAYBE  
8 PRESCRIBED EXCEPT THROUGH THE ENACTMENT OF A SUBSEQUENT  
9 LAW.

10 "FURTHERMORE, NO SUBDIVISION PLAN OR CONDOMINIUM PLAN  
11 SHALL BE APPROVED BY ANY LOCAL GOVERNMENT UNIT OR  
12 GOVERNMENT AGENCY UNLESS THE SAME IS ACCOMPANIED BY A  
13 WRITTEN UNDERTAKING, BY THE OWNER AND/OR DEVELOPER, SETTING  
14 FORTH IN DETAIL THE MANNER IN WHICH COMPLIANCE WITH THIS  
15 SECTION IS PROPOSED.

16 "THE HOUSING AND LAND USE REGULATORY BOARD IS HEREBY  
17 MANDATED TO SUBMIT TO CONGRESS AN ANNUAL REPORT ON THE  
18 COMPLIANCE HEREOF BY THE OWNERS AND/OR DEVELOPERS OF  
19 SUBDIVISION AND CONDOMINIUM PROJECTS.

20 "ANY PERSON VIOLATING ANY PROVISION OF THIS SECTION SHALL  
21 BE IMPOSED A FINE OF NOT LESS THAN FIVE HUNDRED THOUSAND PESOS  
22 (P500,000.00) BUT NOT MORE THAN TEN MILLION PESOS (10,000,000.00) FOR  
23 THE FIRST OFFENSE AND CANCELLATION OF LICENSE TO DO BUSINESS  
24 FOR THE SECOND OFFENSE."

25 (C) Section 21 of Republic Act No. 7279 is hereby amended to read as follows:

1 "SEC. 21. *Basic Services.* - Socialized housing and resettlement areas shall be  
2 provided by the local government unit or the National Housing Authority in cooperation with  
3 the private **OWNERS AND/OR** developers and concerned agencies with the following basic  
4 services and facilities:

5 "(a) Potable water;

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

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

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

9 "The provision of other basic services and facilities such as health, education,  
10 communications, security, recreation, relief and welfare shall be planned and shall be given  
11 priority for implementation by the local government unit and concerned agencies in  
12 cooperation with the private sector and the beneficiaries themselves [.] **PROVIDED, THAT**  
13 **THE PROVISION OF EDUCATION FACILITES BY AN OWNER AND/OR A**  
14 **DEVELOPER IN SOCIALIZED HOUSING AREAS PURSUANT TO SECTION 18**  
15 **(C) HEREOF SHALL BE ACCORDED A HIGH PRIORITY.**

16 "The local government unit, in coordination with the concerned national agencies,  
17 shall ensure that these basic services are provided at the most cost-efficient rates, and shall set  
18 a mechanism to coordinate operationally the thrusts, objectives and activities of other  
19 government agencies concerned with providing basic services to housing projects."

20 **SECTION 3. *Implementing Rules and Regulations.*** - Within sixty (60) days from the  
21 effectivity of this Act, the Housing and Land Use Regulatory Board shall promulgate a new  
22 set of implementing rules and regulations for the amended Sections 3, 18, and 21 of Republic  
23 Act No. 7279, consistent with the parameters and standards set forth in said sections.  
24 Nongovernment organizations and people's organizations involved in housing rights and

1 urban poor advocacy, as well as the private sector, shall be consulted in the process of  
2 drafting these implementing rules and regulations.

3         **SECTION 4. *Reporting to Congress.*** - The Chief Executive Officer of the Housing  
4 and Land Use Regulatory Board shall submit an evaluation report to Congress every two (2)  
5 years after the effectivity of this Act.

6         **SECTION 5. *Separability Clause.*** - If any provision or part hereof, is held invalid or  
7 unconstitutional, the remainder of the law of the provision not otherwise affected shall remain  
8 valid and subsisting.

9         **SECTION 6. *Repealing Clause.*** - Any law, presidential decree or issuance, executive  
10 order, letter of instruction, administrative order, rule or regulation contrary *to, or* inconsistent  
11 with, the provisions of this Act is hereby repealed, modified or amended accordingly.

12         **SECTION 7. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its  
13 publication in at least two (2) newspapers of general circulation.

14         Approved,