

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

5 MAY 11 P2:06

SENATE
S.B. No. 1999

RECEIVED BY: 

Introduced by SENATOR BIAZON

EXPLANATORY NOTE

Shelter is an indispensable component of every Filipinos' basic need, a disregard for it will expose our families and children to various health hazards and security risks. Our Constitution guarantees the right of the people to adequate and decent housing.

Adequate housing as a human right is recognized in the International Covenant on Economic, Social and Cultural Rights and likewise guaranteed in a wide range of International covenants, declarations and treaties. A total of 182 countries which include the Philippines have ratified one or more of these treaties indicating universal relevance and recognition of the human right to adequate shelter.

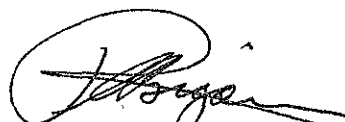
The demand for adequate and decent housing remains unmet despite government efforts to address the problem. The availability of the housing units is still insufficient and the costs of available housing are unaffordable particularly to low income families who have no access to credit markets for housing.

For 1999-2004, the government estimates the total housing needs at 3.3 million housing units composed mainly of 1.1 million housing backlog and 2.2 million units for new households.

The housing problem is aggravated by the situation that the occupants or tenants on the government owned property find it difficult to compete with big time private developers in the purchase of the land which they had occupied for so many years.

This proposed measure seeks to provide relief from the continuing housing burden by allowing direct negotiated purchase of government-owned property by the occupants for socialized housing purpose dispensing the requirement and need for a public bidding.

In view of the urgent need to provide shelter for the homeless, immediate consideration and approval of this bill is earnestly sought.


RODOLFO G. BIAZON
Senator

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S E N A T E

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Introduced by Senator Biazon

AN ACT
PROVIDING FOR THE "NO-BIDDING" SALE OF GOVERNMENT-OWNED
PROPERTIES TO ITS OCCUPANTS FOR SOCIALIZED HOUSING, AMENDING
FOR THE PURPOSE REPUBLIC ACT NO. 7279 OTHERWISE KNOWN AS THE
URBAN DEVELOPMENT AND HOUSING ACT OF 1992, AND FOR OTHER
PURPOSES

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

SECTION 1. Section 10 of Republic Act No. 7279 otherwise known as the
"Urban Development and Housing Act of 1992" is hereby amended to be read as follows:

Sec. 10. Modes of Land Acquisition. The modes of acquiring lands
for purposes of this Act shall include, among others, community mortgage, land
swapping, land assembly or consolidation, land banking, donation to the Government,
joint-venture agreement, negotiated purchase, and expropriation: *Provided, however,*
That expropriation shall be resorted to only when other modes of acquisition have been
exhausted: *Provided, further,* That where expropriation is resorted to, parcels of land
owned by small property owners shall be exempted for purposes of this Act: *Provided,*
finally, That abandoned property, as herein defined, shall be reverted and escheated to the
State in a proceeding analogous to the procedure laid down in Rule 91 of the Rules of
Court.

For the purpose of socialized housing, government-owned and foreclosed
properties shall be acquired by the local government units, or by the National Housing
Authority primarily through negotiated purchase: *Provided,* That qualified beneficiaries
who are actual occupants of the land shall be given the right of first refusal.

DIRECT NEGOTIATED PURCHASE OF GOVERNMENT-OWNED
PROPERTY FOR SOCIALIZED HOUSING PURPOSE MAY BE AVAILED BY THE

OCCUPANTS WITHOUT THE NEED FOR A PUBLIC BIDDING; PROVIDED, THE SUBJECT PROPERTY IS CERTIFIED TO BE FOR SOCIALIZED HOUSING PURPOSE BY THE HOUSING AND URBAN DEVELOPMENT COORIDNATING COUNCIL AND BY THE NATIONAL HOUSING AUTHORITY, AND HAS BEEN OCCUPIED FOR AT LEAST TEN (10) YEARS, PROVIDED FURTHER, THE LIST OF OCCUPANTS AS THE DIRECT BENEFICIARIES SHALL BE CERTIFIED BY THE NATIONAL HOUSING AUTHORITY AND THE LCOAL GOVERNMENT UNIT CONCERNED, PROVIDED FINALLY THAT THE LAND VALUATION SHALL BE MADE WITHIN REACH OF THE BENEFICIARIES INCOME, AND SET IN ACCORDANCE WITH SECTION 13 OF RA 7279.

Sec. 2. This Act shall take effect fifteen (15) days after its publication in two (2) national newspapers of general circulation. The publication shall not be later than seven (7) days after approval hereof.

Approved,