

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



SENATE
P. S. Res. No. 980

Introduced by Senator Aquilino "Koko" Pimentel III

**RESOLUTION CALLING FOR AN INVESTIGATION, IN AID
OF LEGISLATION, ON THE REPORTED NONFEASANCE
OF THE HOUSING AND LAND USE REGULATORY BOARD,
NOW THE HUMAN SETTLEMENTS ADJUDICATION
COMMISSION, IN CASES FILED BEFORE IT
PARTICULARLY CASES INVOLVING HOMEOWNERS
ASSOCIATIONS**

WHEREAS, previously, under Executive Order No. 648 Series of 1981 as amended, it was the Housing and Land Use Regulatory Board (HLURB) which exercised exclusive jurisdiction over intra-association disputes or controversies arising out of the corporate relations between and among members of homeowners associations (HOAs) and between any or all of them and the HOA of which they are members;

WHEREAS on 14 February 2019, the President of Philippines signed Republic Act No. 11201, otherwise known as "Department of Human Settlements and Urban Development Act". Said Republic Act created the Human Settlements Adjudication Commission (HSAC) which assumed the adjudication functions of the HLURB;

WHEREAS, it is now the HSAC which exercises jurisdiction over intra-association disputes or controversies arising out of the

relations between and among members of HOAs, between any or all of them, and the HOA of which they are members;

WHEREAS, these intra-association controversies tend to become heated and as they involve persons living in the same community and have sometimes erupted into violence within the community. In Las Piñas, the homeowners association president was killed allegedly because of a HOA dispute¹. In Quezon City, a secretary of the HOA was killed allegedly because of the changes he instituted in the subdivision.² Several officers of an HOA in Antipolo City were killed allegedly because of intra-association disputes³;

WHEREAS, there have been many complaints about the misfeasance, malfeasance and/or nonfeasance committed by arbiters of the HLURB in the past, which only serves to exacerbate the already explosive situation;

WHEREAS, the violence which sometimes accompany intra-association disputes have even spilled over to the HLURB. There has even been an instance when an arbiter of the HLURB was assassinated in front of the HLURB office allegedly because of an anomalous decision involving a dispute between residents in a subdivision in Novaliches, Quezon City;

WHEREAS, some of these complaints have been serious enough to spur the legislature to conduct investigations, in aid of legislation, into these complaints, such as House Resolution No. 310 filed by Quezon City Representative Vincent Crisologo on the HLURB's alleged questionable decision to take over the affairs and operations of the United BF Homeowners' Association Inc.;

WHEREAS, recently homeowners-members of the Sun Valley Residential Estates Homeowners Association, Inc. (SVREHAI), have complained about the refusal of the Department of Human Settlements and Urban Development (DHSUD) to properly implement a final and

¹ <https://www.alabangbulletin.com/las-pinas-homeowner-association-president-shot-dead/>

² <https://newsinfo.inquirer.net/656857/qc-widow-blames-hubbys-slay-on-subdivision-row>

³ <https://ph.news.yahoo.com/homeowners-group-killings-revealed-antipolo-220028187.html>

executory judgment in favor of the HOA in a case for specific performance against the developer, who was fined Ten Thousand Pesos and ordered to immediately complete his deliverables in Sun Valley Estates Subdivision and the apparent refusal of DHSUD IV-A to entertain complaints of the HOA about irregularities committed by the developer;

WHEREAS, Chapter IX, Section 32 of R.A. No. 11201 imposes upon the DHSUD the obligation to review the implementation of R.A. No. 11201 at the end of the third year from its effectivity and submit a report to Congress, thus:

Section 32. Mandatory Review of the Implementation of this Act. - The Department shall conduct a review of the implementation of this Act at the end of the third (3rd) year from the date of its effectivity and submit a report to Congress.

WHEREAS, there is an urgent and pressing need for the Senate to look into the veracity and truthfulness of complaints it receives or has received pertaining to the implementation of R.A. No. 11201, and to see whether the same has been effective;

NOW THEREFORE, be it **RESOLVED** by the Senate of the Philippines, as it is hereby **RESOLVED**, to direct the proper Senate committee to conduct an investigation, in aid of legislation, on the reported nonfeasance of the HLURB, now the HSAC, in cases filed before it, particularly those cases involving Homeowners Associations.

Adopted,


AQUILINO "KOKO" PIMENTEL III