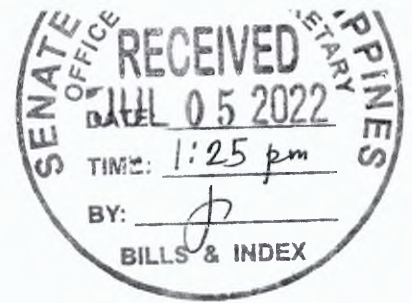


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE

S. No. 25

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
PROVIDING FOR A FREE PUBLIC HOUSING PROGRAM, AMENDING FOR
THAT PURPOSE REPUBLIC ACT NO. 11201, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The right to a home has got to be one of the most neglected rights of Filipinos. The pitiful image of children dangerously playing *patintero* along the bustling streets of the metro is a sight we often see. From one shanty to the next, makeshift houses line the boulevards, with parents raising their children not with a roof above their heads, but with the streets as the place they call home.

Many innocent children born to poor families have no idea of what a safe and habitable home is like. Not only because they cannot afford to buy or build themselves one, but ultimately because the State has been remiss for far too long in its duty of providing homes to them. And so they have contented themselves with the hard pavement to serve as their beds, and the long healthy branches of trees as their shade.

Under the scorching heat of the summer sun, the tire melting streets are still what they call home. Even with the heavy downpour of rains, they do not mind the lack of roof above their heads – because they have no other choice but to make the streets their dwelling.

This is why many of them are so desperate to have a place they could call their home, brave the long lines of television game shows in the hopes of winning the keys to a decent house that is theirs.

This measure, filed by Sen. Emmanuel D. Pacquiao in the 18th Congress, seeks to assuage that.

For those who cannot afford to buy a decent and safe home because they earn only enough to have food to eat, or because of the tedious processes of securing home loans, the State must step up and come to their aid.

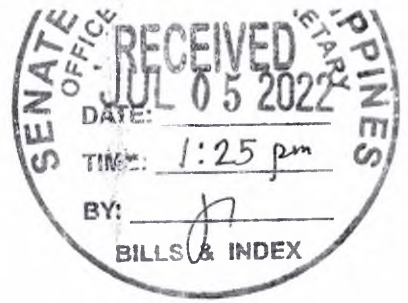
The proposed measure seeks to amend Republic Act 11201 or the Department of Human Settlements and Urban Development Act, in order for the poor and the marginalized are given equal and non-discriminatory access to free public housing. This would pave the way in institutionalizing reforms in the current set-up, that would ensure that the most vulnerable sectors are given adequate aid in their quest to fulfill their right to a decent, safe and habitable home which would give them not only a roof above their heads, but dignity in living.

In view of the foregoing, urgent passage of this measure is most earnestly sought.



RAMON BONG REVILLA, JR.

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S. No. 25

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**AN ACT
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THAT PURPOSE REPUBLIC ACT NO. 11201, 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 "*Karapatan Ang Pabahay*
2 *Act.*"

3 Sec. 2. Section 2 of Republic Act No. 11201, otherwise known as the
4 *Department of Human Settlements and Urban Development Act*, is hereby amended
5 to read as follows:

6 Section 2. *Declaration of Policy.* - The State
7 shall, pursuant to Section 9, Article XIII of the
8 Constitution, ensure that underprivileged and
9 homeless citizens, **AND ESPECIALLY THOSE**
10 **FROM THE MOST VULNERABLE AND**
11 **MARGINALIZED GROUPS, HAVE EQUAL AND**
12 **NON-DISCRIMINATORY ACCESS TO FREE**
13 **PUBLIC HOUSING WITH A SECURITY OF**
14 **TENURE THAT IS PROGRAMMED IN**
15 **PARTNERSHIP WITH THE GOVERNMENT,**
16 **THEREBY ENSURING LEGAL PROTECTION**
17 **AGAINST FORCED EVICTIONS, HARASSMENT**

1 **AND OTHER THREATS, AND FACILITATING**
2 **THE AVAILABILITY OF SERVICES AND**
3 **FACILITIES FOR BETTER HABITATION. AS**
4 **SUCH, THE HOMELESS SHALL BE ASSISTED**
5 **WITH** an adequate, safe, secure, habitable,
6 sustainable, resilient and affordable home. The
7 State shall, by law and for the common good,
8 undertake, in cooperation with the private sector, a
9 continuing program of housing and urban
10 development which shall make available [~~at~~
11 ~~affordable cost,~~] decent housing and basic services
12 to underprivileged and homeless citizens in urban
13 centers and resettlement areas. [~~It shall also~~
14 ~~promote adequate employment opportunities to~~
15 ~~such citizens.~~] In the implementation of the
16 program, the State shall respect the rights of small
17 property owners.

18 **THE STATE SHALL PROMOTE FURTHER**
19 **UPLIFTMENT BY STRENGTHENING**
20 **AWARDEES IN THE RESETTLEMENT SITES**
21 **WITH ELEMENTS OF SELF-DEVELOPMENT.**
22 **INCLUDING ACCESSIBILITY TO**
23 **EMPLOYMENT OPPORTUNITIES, HEALTH**
24 **CARE SERVICES, SCHOOLS, AND OTHER**
25 **NECESSARY SOCIAL FACILITIES, THAT MAY**
26 **ENHANCE THEIR CAPABILITY TO PROGRESS**
27 **AND MAKE AN UPWARD SOCIAL MOVEMENT**
28 **PURSUING SUFFICIENT HUMAN**
29 **SETTLEMENT CONDITIONS OF THEIR**
30 **CHOICE.**

1 The State shall pursue the realization of a modern,
2 humane, economically-viable, and environmentally-
3 sustainable society where the urbanization process
4 is manifest in towns and cities being centers of
5 productive economic activity and is led by market
6 forces; where urban areas have affordable housing,
7 sustainable physical and social infrastructure and
8 services facilitated under a democratic and
9 decentralized system of governance; and where
10 urban areas provide the opportunities for an
11 improved quality of life and the eradication of
12 poverty.

13 **NONETHELESS, THE STATE SHALL CONSIDER**
14 **A COUPLED SOLUTION TO OBTAIN THE**
15 **OBJECTIVE OF A DISPERSED URBAN NET**
16 **AND A MORE BALANCED URBAN-RURAL**
17 **INTERDEPENDENCE.**

18 The State shall ensure that poor dwellers in urban
19 and rural areas shall not be evicted, nor their
20 dwelling demolished, except in accordance with
21 law.

22 In addition, the State shall encourage on-site
23 development in the implementation of housing
24 programs and shall promote the creation of new
25 settlements and development of sustainable urban
26 renewal programs while guaranteeing the
27 preservation of agricultural lands necessary for
28 food security.

29 Section 3. Section 3, Subparagraph (c), of Republic Act No. 11201, is hereby amended
30 to read as follows:

1 Section 3. *Definition of Terms.* - As used in this
2 Act, the following terms are defined as follows;

3 "xxx xxx xxx"

4 (c) Housing refers to a multi-dimensional
5 concept relating to the process of residing and the
6 objects of dwelling whose main attributes are
7 location relative to access to livelihood, tenure
8 arrangements, cost and physical structure, as well
9 as their environment, **INCLUDING SAFE**
10 **DRINKING WATER, ADEQUATE**
11 **SANITATION, AND ENERGY FOR COOKING,**
12 **LIGHTING, AND FOOD STORAGE.** Housing is
13 likewise a physical structure as well as a social
14 structure, functioning at different spatial scales
15 from homes, neighborhoods, communities,
16 municipalities, cities, provinces, and regions. It is
17 also a sector of the economy, an important
18 category of land. Use in both urban and rural
19 areas, especially in cities, and is an important
20 factor in the overall dynamics of the urban
21 system;

22 Section 4. Section 5, Part I, Subparagraph (a), of Republic Act No; 11201, is
23 hereby amended 4 to read as follows;

24 Section 5. *Powers and Functions.* - The
25 Department shall exercise the following powers
26 and functions;

27 **I. Policy Development, Coordination,**
28 **Monitoring and Evaluation**

29 (a) Formulate national housing and urban
30 development policies, strategies and standards

1 that are consistent with the Philippine
2 Development Plan to promote social and
3 economic welfare, in coordination and in
4 consultation with national and local
5 stakeholders, local government units (LGUs),
6 and other government agencies, **INCLUDING A
7 REVIEW OF PRESENT HOUSING PROGRAM
8 MECHANISMS IN RELATION TO
9 REALISTIC PROJECTIONS MOVING
10 FORWARD TO ENSURE A MORE
11 SUSTAINABLE IMPLEMENTATION OF THE
12 NATIONAL HOUSING PROGRAM THAT
13 WILL INCLUDE FREE PUBLIC HOUSING
14 FOR THE HOMELESS, AND ESPECIALLY
15 THOSE FROM THE MOST VULNERABLE AND
16 MARGINALIZED GROUPS, WITH A
17 SECURITY OF TENURE THAT IS
18 PROGRAMMED IN PARTNERSHIP WITH
19 THE GOVERNMENT;**

20 Section. 5. *Implementing Rules and Regulations.* Pursuant to Section 7,
21 Subparagraph (c) of Republic Act No. 11201, the Secretary of the Department of
22 Human Settlements and Urban Development shall promulgate the rules and
23 regulations and make other issuances necessary to carry out the policies and objectives
24 of this Act within one (1) year from its effectivity.

25 Section. 6. *Repealing Clause.* Republic Act No. 11201 is accordingly amended.
26 All other laws, presidential decrees and issuances, executive orders, rules and
27 regulations or parts thereof inconsistent with the provisions of this Act are hereby
28 repealed or modified accordingly.

29 Section 7. *Separability Clause.* If, for any reason or reasons, any part or
30 provision of this Act shall be held to be unconstitutional or invalid, other parts or

1 provisions hereof which are not affected thereby shall continue to be in full force and
2 effect.

3 Section 8. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its
4 publication in two (2) national newspapers of general circulation. The publication shall
5 not be later than seven (7) days after the approval hereof

Approved,