

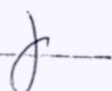
SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )



240115  
Office of the Secretary

SENATE  
P.S. Res. No. 900

'18 SEP 20 P2:01

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO 

**RESOLUTION**

**DIRECTING THE SENATE COMMITTEE ON URBAN PLANNING, HOUSING AND RESETTLEMENT TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED VIOLATION OF VARIOUS LAWS BY PHINMA PROPERTY HOLDINGS CORPORATION IN THE DEVELOPMENT OF THEIR REALTY PROJECTS**

**WHEREAS**, it is the policy of the State to afford its inhabitants the requirement of decent human settlement and to provide them with ample opportunities for improving their quality of life;

**WHEREAS**, under Article XIII, Section 9 of the 1987 Philippine Constitution states, to wit:

*Section 9. The State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost, decent housing and basic services to under-privileged and homeless citizens in urban centers and resettlement areas. It shall also promote adequate employment opportunities to such citizens. In the implementation of such program the State shall respect the rights of small property owners.*

**WHEREAS**, under Republic Act (RA) No. 6541 or the National Building Code of the Philippines, SECTION 1.01.02, further states that:

*(a) It is hereby declared to be the policy of the State to safeguard life, health, property, and public welfare, consistent with the principles of environmental management and control; and to this*

*end, make it the purpose of this Code to provide for all buildings and structured, a framework of minimum standards and requirements by guiding, regulating, and controlling their location, siting, design, quality of materials, construction, use, occupancy, and maintenance, including their environment, utilities, fixtures, equipment, and mechanical electrical, and other systems and installations.*

**WHEREAS,** the author received formal complaints from a group of condominium buyers and unit owners of Hacienda Balai Condo and Sunny Villas Condominium developed by Phinma Property Holdings Corporation (Phinma Properties) against the latter, for alleged violation of several laws;

**WHEREAS,** the Hacienda Balai Condo has eight (8) Buildings with five (5) Storey Residential Structure located at Brgy. Kaligayahan, Quezon City, on the other hand, Sunny Villas Condominium is a six-storey socialized midrise condominium located in Fairview, Quezon City;

**WHEREAS,** the unit owners of Hacienda Balai alleged that the condominium units are unsafe and structurally defective because of poor construction of the buildings within two years from its turn-over, there are visible cracks in the units and hallways, leaks inside the units, backflow in the comfort rooms and laundry areas, heavy moisture and molds in the walls, among others;

**WHEREAS,** on October 6, 2018, the Office of the City Building Official of Quezon City, declared that the Hacienda Balai is dangerous and ruinous pursuant to Section 214 in relation to Section 215 of Presidential Decree (PD) No. 1096 (National Building Code of the Philippines);

**WHEREAS,** in the same Order, Phinma Properties is ordered to rectify/repair/and demolish the subject structures immediately and for the tenants/occupants to vacate the said premises;

**WHEREAS,** the Housing and Land Use Regulatory Board (HLURB) on August 23, 2018, ordered Phinma Properties to Cease and Desist from further selling and advertising of Hacienda Balai. They are further ordered to pay fine and submit revised work program. However, on September 12, 2018, the request for the lifting of the CDO was granted by the HLURB;

**WHEREAS,** it was allegedly found out that one of the buildings of the Sunny Villas condominium, was built on top of a creek which now caused structural damage to the building;



**WHEREAS,** likewise, as early as February 5, 2013, the Bureau of Fire Protection-Quezon City issued an "Order of Stoppage of Operation/Closure Order" to PHINMA, because of continuous violation of the Fire Safety and Protection Requirements under Republic Act No. 9514, or the Fire Code of the Philippines;

**WHEREAS,** furthermore, the Laguna Lake Development Authority also declared that Phinma Properties violated Republic Act No. 4850, Section 4, paragraph (d) by failing to secure the necessary clearances/permits from the LLDA prior to the commencement of any development activity;

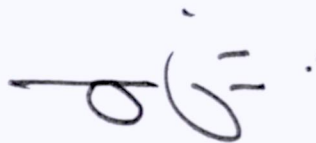
**WHEREAS,** it is the duty of the State to ensure a safe and decent housing provision for every Filipino built by the public and private sector;

**WHEREAS,** real property and condominium buyers who fears for their safety inside their own home, should not be left without prompt recourse against alleged offensive property developers;

**WHEREAS,** proper investigation should be conducted to determine if there are violations of existing laws by Phinma Properties and other real estate developers, and to ensure that the rights of real property and condominium buyers are safeguarded;

**NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED,** by the Philippine Senate, to direct the Senate Committee on Urban Planning, Housing and Resettlement to conduct an inquiry, in aid of legislation, on the alleged violation of various laws by Phinma Property Holdings Corporation in the development of their realty projects.

*Adopted,*



**JOSEPH VICTOR "JV" G. EJERCITO**