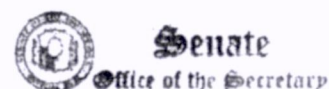



EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



'19 SEP 16 P5:27

**SENATE**  
**S. No. 1053**

RECEIVED BY: 

---

Introduced by Senator Francis "Tol" N. Tolentino

---

**AN ACT**  
**MANDATING THE APPOINTMENT OF A HUMAN SETTLEMENTS AND HOUSING OFFICER IN PROVINCES, CITIES AND MUNICIPALITIES, PROVIDING FOR ITS POWERS AND FUNCTIONS, AMENDING SECTIONS 17, 443, 454, 463, AND TITLE FIVE OF BOOK II OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991", AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

Section 9, Article XIII of the 1987 Constitution provides that the State shall 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.

To strengthen the State's housing programs, Republic Act No. 11201, creating the Department of Human Settlements and Urban Development (DHSUD) was recently passed into law. However, there is no law mandating local government units to create an office equivalent to the DHSUD specifically to implement the programs for housing and urban development in the local level.

While some local government units voluntarily created local housing boards, local housing offices and their equivalents in their jurisdictions, not all local government units have an office directly spearheading housing related programs. As a result, there are local

government units which failed to comply with the requirements of Republic Act No. 7279, otherwise known as the Urban Development and Housing Act of 1992, especially in the inventory of lands, preparation of Comprehensive Land Use Plan and Land Shelter Plan, inventory of housing stocks, and list of beneficiaries of socialized housing.

Moreover, the new DSHUD is mandated by its charter to develop and maintain data on inventory of idle lands, CLUPs and LSPs, inventory of housing stocks, and list of beneficiaries. However, such data is hard to generate and maintain since no information of such kind was collected and maintained by all local government units.

This measure proposes to create a Housing and Human Settlements Office, and mandates the appointment of a Human Settlements and Housing Officer in all provinces, cities and municipalities, by amending the Local Government Code, in order to have an implementing arm for housing and urban development programs in all local government units.

In the light of the foregoing, the passage of this bill is earnestly sought.



**FRANCIS "TOL" N. TOLENTINO**

**Senator**

EIGHTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
First Regular Session

)  
)  
)



Senate  
Office of the Secretary

19 SEP 16 P5:27

SENATE

S. No. 1053

RECEIVED BY: \_\_\_\_\_

---

Introduced by Senator Francis "Tol" N. Tolentino

---

**AN ACT**

**MANDATING THE APPOINTMENT OF A HUMAN SETTLEMENTS AND HOUSING OFFICER IN PROVINCES, CITIES AND MUNICIPALITIES, PROVIDING FOR ITS POWERS AND FUNCTIONS, AMENDING SECTIONS 17, 443, 454, 463, AND TITLE FIVE OF BOOK II OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991", 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 the "Local Human  
2 Settlements and Housing Officer Act of 2019."

3       Sec. 2. Declaration of Policy. – It is hereby the declared policy of the State to:

- 4       a) Promote social justice in all phases of national and local development that  
5       will ensure the adequacy of social services, a rising standard of living, and an  
6       improved quality of life for all through a continuing housing program that will  
7       secure an affordable and decent housing and basic services to the  
8       underprivileged and homeless citizens in urban, rural and resettlement  
9       areas;
- 10       b) Ensure and promote the autonomy of local governments to accelerate the  
11       economic and social growth and development of the political subdivisions of  
12       the State through a system of decentralization by giving powers and

functions regarding the implementation of housing programs to Human Settlements and Housing Officers in all local government units;

- c) Act in accordance with law and in a just and humane manner in the eviction and resettlement of informal settler families and ensure adequate consultation with the local communities and stakeholders where the informal settler families are to be resettled and relocated;
- d) Promote the participation of the private sector in the achievement of an effective and sustainable urban and rural development; and
- e) Recognize and promote the rights of indigenous cultural communities/indigenous peoples within the framework of the urban and rural development plans of the State.

Sec. 3. Section 17 (b) (2) of Republic Act No. 7160 is hereby amended to read as follows:

"SECTION 17. Basic Services and Facilities.

XXX

"(b) Such basic services and facilities include, but are not limited to, the following:

XXX

"(2) For a municipality:

XXX

**"(XIII) PROGRAMS AND PROJECTS FOR LOW-COST HOUSING AND OTHER MASS DWELLINGS, EXCEPT THOSE FUNDED BY THE SOCIAL SECURITY SYSTEM (SSS), GOVERNMENT SERVICE INSURANCE SYSTEM (GSIS), AND THE HOME DEVELOPMENT MUTUAL FUND (HDMF): PROVIDED, THAT NATIONAL FUNDS FOR THESE PROGRAMS AND PROJECTS SHALL BE EQUITABLY ALLOCATED AMONG THE REGIONS IN PROPORTION TO THE RATIO OF THE HOMELESS TO THE POPULATION."**

Sec. 4. Section 443 (a) of Republic Act No. 7160 is hereby amended to read as follows:

**"SECTION. 443. Officials of the Municipal Government.** - (a) There shall be in each municipality a municipal mayor, a municipal vice-mayor,

1 Sangguniang Bayan members, a secretary to the Sangguniang Bayan, a  
2 municipal treasurer, a municipal assessor, a municipal accountant, a  
3 municipal budget officer, a municipal planning and development coordinator,  
4 a municipal engineer/building official, a municipal health officer, [and] a  
5 municipal civil registrar, **AND A MUNICIPAL HUMAN SETTLEMENTS AND**  
6 **HOUSING OFFICER.**

7 **XXX"**

8 Sec. 5. Section 454 (a) of Republic Act No. 7160 is hereby amended to read  
9 as follows:

10 "SECTION. 454. Officials of the City Government. - (a) There shall be in each  
11 city a mayor, a vice-mayor, Sangguniang Panlungsod members, a secretary to  
12 the Sangguniang Panlungsod, a city treasurer, a city assessor, a city  
13 accountant, a city budget officer, a city planning and development  
14 coordinator, a city engineer, a city health officer, a city civil registrar, a city  
15 administrator, a city legal officer, a city veterinarian, a city social welfare and  
16 development officer, [and] a city general services officer, **AND A CITY**  
17 **HUMAN SETTLEMENTS AND HOUSING OFFICER.**

18 **XXX"**

19 Sec. 6. Section 463 (a) of Republic Act No. 7160 is hereby amended to read  
20 as follows:

21 "SECTION. 463. Officials of the Provincial Government. - (a) There shall be in  
22 each province a governor, a vice-governor, members of the Sangguniang  
23 Panlalawigan, a Secretary to the Sangguniang Panlalawigan, a provincial  
24 treasurer, a provincial assessor, a provincial accountant, a provincial engineer,  
25 a provincial budget officer, a provincial planning and development  
26 coordinator, a provincial legal officer, a provincial administrator, a provincial  
27 health officer, a provincial social welfare and development officer, a provincial  
28 general services officer, a provincial agriculturist, [and] a provincial  
29 veterinarian, **AND A PROVINCIAL HUMAN SETTLEMENTS AND**  
30 **HOUSING OFFICER.**

31 **XXX"**

1       Sec. 7. Title Five, Book II of Republic Act No. 7160 is hereby amended to  
2 include the following provisions after Section 490:

3       **"ARTICLE TWENTY-ONE. - HUMAN SETTLEMENTS AND HOUSING**  
4                                   **OFFICER**

5       **"SECTION. 490-A. QUALIFICATIONS, POWERS AND DUTIES. - (A)**  
6       **THE HUMAN SETTLEMENTS AND HOUSING OFFICER SHALL BE**  
7       **APPOINTED BY THE GOVERNOR OR MAYOR, AS THE CASE MAY BE,**  
8       **SUBJECT TO CIVIL SERVICE LAW, RULES AND REGULATIONS;**

9       **"(B) NO PERSON SHALL BE APPOINTED HUMAN SETTLEMENTS AND**  
10       **HOUSING OFFICER UNLESS HE IS A CITIZEN OF THE PHILIPPINES,**  
11       **A RESIDENT OF THE LOCAL GOVERNMENT UNIT CONCERNED, OF**  
12       **GOOD MORAL CHARACTER, A HOLDER OF A COLLEGE DEGREE**  
13       **RELATED TO HOUSING, REAL ESTATE AND URBAN PLANNING FROM**  
14       **A RECOGNIZED COLLEGE OR UNIVERSITY, AND A FIRST GRADE**  
15       **CIVIL SERVICE ELIGIBLE OR ITS EQUIVALENT. HE MUST HAVE**  
16       **ACQUIRED EXPERIENCE IN HOUSING, REAL ESTATE, URBAN**  
17       **PLANNING AND URBAN DEVELOPMENT, OF AT LEAST FIVE (5)**  
18       **YEARS IN THE CASE OF THE PROVINCIAL OR CITY HUMAN**  
19       **SETTLEMENTS AND HOUSING OFFICER, AND AT LEAST THREE (3)**  
20       **YEARS IN THE CASE OF THE MUNICIPAL HUMAN SETTLEMENTS AND**  
21       **HOUSING OFFICER.**

22       **"THE APPOINTMENT OF A HUMAN SETTLEMENTS AND HOUSING**  
23       **OFFICER IS MANDATORY FOR THE PROVINCIAL, CITY AND**  
24       **MUNICIPAL GOVERNMENTS.**

25       **"(C) THE HUMAN SETTLEMENTS AND HOUSING OFFICER SHALL**  
26       **TAKE CHARGE OF THE HUMAN SETTLEMENTS AND HOUSING OFFICE**  
27       **AND SHALL:**

28               **"(1) ADVISE THE GOVERNOR OR MAYOR, AS THE CASE MAY**  
29               **BE, THE SANGGUNIAN, AND OTHER LOCAL GOVERNMENT**  
30               **OFFICIALS CONCERNED REGARDING HOUSING,**  
31               **RESETTLEMENT, URBAN PLANNING AND URBAN**

1 DEVELOPMENT, AND ON SUCH OTHER MATTERS RELATIVE TO  
2 HOUSING AND RESETTLEMENT;

3 "(2) FORMULATE PROGRAMS AND MEASURES FOR THE  
4 CONSIDERATION OF THE SANGGUNIAN AND PROVIDE  
5 TECHNICAL ASSISTANCE AND SUPPORT TO THE GOVERNOR  
6 OR MAYOR, AS THE CASE MAY BE, IN CARRYING OUT  
7 MEASURES TO ENSURE THE DELIVERY OF BASIC SERVICES  
8 PURSUANT TO SECTION 17 OF THIS CODE AND WHICH  
9 REQUIRE HOUSING, RESETTLEMENT, REAL ESTATE AND  
10 URBAN PLANNING EXPERTISE AND TECHNICAL SUPPORT  
11 SERVICES;

12 "(3) IN ADDITION TO THE FOREGOING DUTIES AND  
13 FUNCTIONS, THE HUMAN SETTLEMENTS AND HOUSING  
14 OFFICER SHALL:

15 "(I) CONDUCT AN INVENTORY OF LANDS, AND UPDATE  
16 THE INVENTORY EVERY THREE (3) YEARS THEREAFTER,  
17 WITHIN THEIR JURISDICTION;

18 "(II) PREPARE, FORMULATE OR UPDATE THE  
19 COMPREHENSIVE LAND USE PLAN AND LOCAL SHELTER  
20 PLAN, IN COORDINATION WITH THE LOCAL PLANNING  
21 AND DEVELOPMENT OFFICER, AND UPDATE THE SAME  
22 AT LEAST ONCE EVERY THREE (3) YEARS;

23 "(III) IDENTIFY SITES COMPATIBLE FOR SOCIALIZED  
24 HOUSING PROJECTS AND RESETTLEMENT AREAS FOR  
25 THE IMMEDIATE AND FUTURE NEEDS OF THE  
26 UNDERPRIVILEGED, HOMELESS AND INFORMAL  
27 SETTLER FAMILIES;

28 "(IV) IDENTIFY AND REGISTER SOCIALIZED HOUSING  
29 BENEFICIARIES;

30 "(V) MONITOR AND ENSURE THE COMPLIANCE BY  
31 DEVELOPERS OF THE BALANCED HOUSING

1 DEVELOPMENT REQUIREMENT UNDER REPUBLIC ACT  
2 NO. 10884;

3 "(VI) ASSIST IN THE RELOCATION OF INFORMAL  
4 SETTLER FAMILIES AND ENSURE THAT THE  
5 RELOCATION SITE IS PROVIDED WITH ADEQUATE  
6 BASIC SERVICES, FACILITIES, AND ACCESS TO  
7 EMPLOYMENT AND LIVELIHOOD OPPORTUNITIES;

8 "(VII) OPEN ROADS OF SUBDIVISIONS TO THE PUBLIC  
9 WHEN THE GENERAL WELFARE REQUIRES IT UPON  
10 CONSULTATION WITH STAKEHOLDERS;

11 (VIII) COORDINATE WITH AND PROVIDE TECHNICAL  
12 AND OTHER FORMS OF ASSISTANCE TO THE PRIVATE  
13 SECTOR, INTERNATIONAL AND DOMESTIC NON-  
14 GOVERNMENT ORGANIZATIONS, AND PEOPLES  
15 ORGANIZATIONS INVOLVED IN SOCIALIZED HOUSING;  
16 AND

17 "(IX) EXERCISE SUCH OTHER POWERS AND PERFORM  
18 SUCH OTHER DUTIES AND FUNCTIONS AS MAY BE  
19 PRESCRIBED BY LAW OR ORDINANCE.

20 "(4) THE HUMAN SETTLEMENTS AND HOUSING OFFICER  
21 SHALL CONSULT WITH THE INDIGENOUS CULTURAL  
22 COMMUNITIES/ INDIGENOUS PEOPLES IN THE DESIGN OF  
23 SOCIALIZED HOUSING DEDICATED FOR THEM TO ENSURE  
24 THAT CULTURAL AND TRADITIONAL RIGHTS ARE RESPECTED,  
25 AND SHALL PROMOTE THE USE OF INDIGENOUS,  
26 ALTERNATIVE, AND LOW-COST CONSTRUCTION MATERIALS  
27 AND TECHNOLOGIES FOR SOCIALIZED HOUSING; AND

28 "(5) THE HUMAN SETTLEMENTS AND HOUSING OFFICER  
29 SHALL COORDINATE WITH NATIONAL GOVERNMENT  
30 AGENCIES AND INSTRUMENTALITIES PERFORMING  
31 FUNCTIONS WHICH MAY AFFECT HOUSING, RESETTLEMENT,  
32 URBAN PLANNING AND URBAN DEVELOPMENT."

1       Sec. 8. Transitory Provisions. - Local chief executives shall constitute their  
2       respective Human Settlements and Housing Office within ninety (90) days from the  
3       promulgation of the implementing rules and regulations of this Act.

4       The Urban Poor Affairs Offices or its equivalent shall be converted into the  
5       Human Settlements and Housing Office. All existing Local Housing Boards or its  
6       equivalent are hereby abolished.

7       Sec. 9. Implementing Rules and Regulations. - Within sixty (60) days after the  
8       effectivity of this Act, the Department of the Interior and Local Government, in  
9       coordination with the Department of Human Settlements and Urban Development,  
10      shall formulate the appropriate rules and regulations necessary for the  
11      implementation of this Act.

12      Sec. 10. Repealing Clause. - All laws, decrees, executive orders,  
13      proclamations and other executive issuances which are inconsistent with or contrary  
14      to the provisions of this Act are hereby amended accordingly.

15      Sec. 11. Separability Clause. - If any provision of this Act shall be declared  
16      unconstitutional or invalid, the other provisions not otherwise affected shall remain  
17      in full force and effect.

18      Sec. 12. Effectivity Clause. - This Act shall take effect fifteen (15) days  
19      following its complete publication in the Official Gazette or in two (2) national  
20      newspapers of general circulation.

Approved,