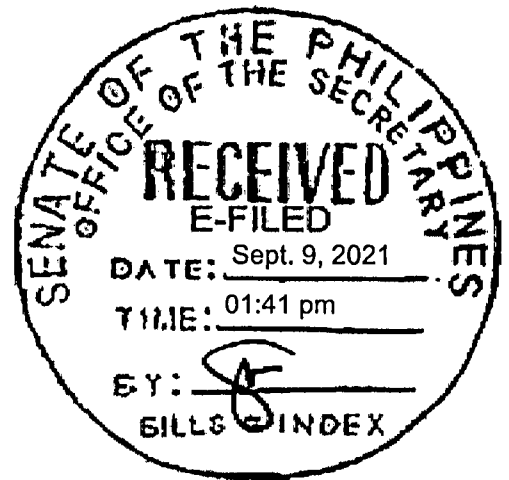


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE

S. B. No. 2393

(In substitution of Senate Bill Nos. 1227, 1767 and 1843, taking into consideration
House Bill No. 8736)

*Prepared by the Committees on Urban Planning, Housing and Resettlement; and
Finance with Senators Go, Revilla, De Lima, Tolentino, and Angara as authors thereof*

**AN ACT
ESTABLISHING A RENTAL SUBSIDY PROGRAM FOR INFORMAL SETTLER
FAMILIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER
PURPOSES**

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

- 1 SECTION 1. *Short Title.* - This Act shall be known as the "Rental Housing Subsidy
2 Act of 2021".
- 3 SEC. 2. *Declaration of Policy.* -It is hereby declared the policy of the State to:
- 4 a) Promote a just, equitable, and inclusive urban development through
5 programs providing adequate social services, broader housing options,
6 livelihood and employment, and an improved quality of life for the Filipino
7 people, especially the underprivileged;
- 8 b) Provide an innovative housing program that makes available affordable,
9 livable, and decent housing, as well as access to basic social services,
10 especially for the underprivileged;

- 1 c) Protect the urban poor from the impact of immediate dislocation due to
2 eviction and demolition arising from government projects and disasters; and
3 d) Provide interim housing for dislocated families due to natural and man-made
4 disasters and calamities.

5 **SEC. 3. *Definition of Terms.*** - As used in this Act:

6 a) "*Dislocation*" refers to the state of being displaced from one place to another
7 due to causes such as eviction and demolition.

8 b) "*Informal Settler Beneficiaries* or ISB" refer to individuals or households
9 living in their own house or renting a dwelling unit:

10 i. Without consent of the lot owner;

11 ii. In danger areas as defined under Republic Act No. 7279, otherwise
12 known as the "Urban Development and Housing Act of 1992";

13 iii. In government-owned land to be used for government infrastructure
14 projects;

15 iv. In protected forest areas except for indigenous peoples;

16 v. In areas of priority development as declared under Proclamation No.
17 1967, Series of 1980, if applicable; or

18 vi. In other government public lands or facilities not intended for human
19 habitation.

20 c) "*Lessee*" shall refer to the person renting a residential unit.

21 d) "*Owner/Lessor*" shall include the owner, administrator, or agent of the
22 owner of the residential unit.

23 e) "*Rent*" shall mean the amount paid for the use or occupancy of a residential
24 unit whether payment is made on a monthly or other basis.

1 f) "*Rental Housing Subsidy*" refers to partial financial assistance provided by
2 the government to eligible program beneficiaries to rent accommodation in
3 the private rental market. The amount shall not exceed the rates as
4 regulated under Republic Act No. 9653, otherwise known as the "Rent
5 Control Act of 2009".

6 SEC. 4. *Rental Housing Subsidy Program*. – There is hereby established the
7 Rental Housing Subsidy Program, hereinafter referred to as the "Program," to provide
8 social protection and support to ISBs in accessing the formal housing market. It shall
9 be made an option to address the temporary relocation of displaced families due to
10 natural and man-made disasters.

11 Eligible ISBs shall receive a flat rental subsidy rate of Three thousand five
12 hundred pesos (PhP3,500.00) for those living in Metro Manila, and a rental subsidy
13 rate to be jointly determined by the Department of Human Settlements and Urban
14 Development (DHSUD) and the National Economic and Development Authority (NEDA)
15 for those living in all other regions, taking into consideration the prevailing minimum
16 wage and rental rates per region, but not to exceed Three thousand five hundred
17 pesos (PhP3,500.00): *Provided*, That the rental subsidy shall not exceed the actual
18 rent: *Provided, further*, That at any time, but not more than once every two (2) years,
19 such subsidy may be reviewed or revised jointly by the DHSUD and NEDA to conform
20 with prevailing economic conditions.

21 Rental subsidy shall be granted to eligible beneficiaries until the date of
22 completion of the permanent housing project intended for them or upon their actual
23 transfer to the permanent housing project, whichever comes first: *Provided*, That, in
24 case of delay in the completion of the permanent housing project, the rental subsidy

1 shall be extended: *Provided, further,* That the agency implementing the permanent
2 housing project shall bear the cost of the extended rental subsidy.

3 SEC. 5. *Eligibility.* – To be an eligible beneficiary under this Act, an individual or
4 household must:

5 a) Live under any of the conditions under Sec. 3, paragraph b, of this Act;

6 b) Have a source of livelihood or have at least one (1) member of the household
7 gainfully employed: *Provided,* That the daily cumulative income of said family will
8 amount to the prevailing minimum wage in the region; and

9 c) Vacate the informal settlement area in which they are presently living and
10 transfer or relocate to a safer, decent, and formal settlement and sign a maximum
11 Five (5) - year contract with the government.

12 SEC. 6. *Conditions for Continued Entitlement or Eligibility.* - All eligible
13 beneficiaries shall comply with the following conditions to continuously avail of the
14 benefits under this Act:

15 a) The beneficiaries shall not move or relocate back to the area in which they
16 were originally living unless such move or relocation has been permitted by the proper
17 government authorities, taking into consideration the purpose of the Program; and

18 b) The beneficiaries shall pay to the lessor that portion of the rental fee not
19 covered by the subsidy.

20 Beneficiaries who maintain good payment standing shall be prioritized as
21 beneficiaries in government housing programs.

22 SEC. 7. *Form of Payment.* - The rental subsidy shall be distributed by the DHSUD
23 in such form it may determine to be most beneficial and appropriate for the
24 beneficiaries.

1 SEC. 8. *Roles of Government Agencies.* - The various national government
2 agencies and instrumentalities involved in the Program shall perform specific
3 responsibilities.

4 a) The DHSUD shall:

- 5 i. Coordinate with housing agencies to formulate Program targets and
6 integrate these to the national housing policy;
- 7 ii. Promulgate appropriate housing policies among the attached
8 corporations of DHSUD and other concerned implementing agencies
9 as necessary in line with the implementation of this Program;
- 10 iii. Maintain a national database of validated ISBs, their socio-economic
11 profile, and their respective lessors as well as the link to publicly
12 accessible registry of lessors, and the location and basic description
13 of the rental housing unit;
- 14 iv. Enlist beneficiaries and their lessors for the Program;
- 15 v. Disburse the rental subsidy to the lessors of the ISBs through a
16 dedicated bank account in a government bank;
- 17 vi. Formulate guidelines on the minimum design of a safe, decent, and
18 adequate rental housing unit that considers public health goals;
- 19 vii. Set up a monitoring and evaluation system, tools, grievance and
20 redress system, exit strategy, and methodologies on compliance with
21 conditions, implementation, output, and impact assessments
22 together with its attached agencies, the Department of Social
23 Welfare and Development (DSWD), the Presidential Commission for
24 the Urban Poor (PCUP), the Technical Education and Skills

1 Development Authority (TESDA), and the Local Government Units
2 (LGUs); and

3 viii. Recommend to Congress measures for the proper and responsive
4 implementation of this Act.

5 b) The National Housing Authority (NHA) shall:

- 6 i. Coordinate with infrastructure program implementing agencies,
7 including the Department of Public Works and Highways (DPWH),
8 and the Department of Transportation (DOTr), regarding the
9 identification of areas suitable for housing projects and the
10 persons who need immediate resettlement;
- 11 ii. Conduct census and tagging of affected ISBs for immediate
12 resettlement;
- 13 iii. Certify and submit to DHSUD the list of eligible ISBs living in
14 government-owned land to be used for government infrastructure
15 project and in areas for priority development as declared under
16 Proclamation No. 1967, s. 1980, if applicable, in coordination with
17 DOTr, DPWH, and LGUs; and
- 18 iv. Provide a national database of resettlement housing units ready
19 for occupancy by intended ISBs of the program.

20 c) The LGUs shall:

- 21 i. Assist the NHA in conducting census and tagging of ISBs in need
22 of immediate resettlement;
- 23 ii. Assist the DSWD and PCUP in conducting social preparation
24 activities;

- 1 iii. Contain the vacated areas of ISBs to help achieve the objectives
2 of this Program;
- 3 iv. Assist the DSWD in conducting field validation of beneficiaries and
4 their respective lessors for the rental housing units.
- 5 v. Conduct an inventory of rental housing units that are compliant
6 with the minimum design and standard facilities set by the
7 DHSUD in consultation with other concerned agencies;
- 8 vi. Assist in monitoring and evaluation of the program, especially the
9 continued occupancy of rental housing units by ISBs;
- 10 vii. Maintain a database of ISBs as defined in this Act and registered
11 lessors in their area of jurisdiction that can be linked to DHSUD's
12 national database and shared with other concerned government
13 implementing agencies of the Program; and
- 14 viii. Maintain a publicly accessible registry of rental housing units with
15 basic description, which are compliant with minimum design and
16 standard facilities in their respective area of jurisdiction.

17 d) The DSWD shall:

- 18 i. Validate the list of eligible ISBs provided by DHSUD against the
19 "Listahan" or the National Household Targeting System for Poverty
20 Reduction (NHTS-PR);
- 21 ii. With the assistance of LGUs, conduct field validation of ISBs and their
22 respective lessors for the rental housing units;
- 23 iii. Submit the list of validated ISBs to DHSUD for funding;

1 iv. Jointly undertake with the PCUP and the Department of the Interior
2 and Local Government (DILG) the design of the social preparation;

3 and

4 v. Jointly undertake with the PCUP and LGUs the conduct of the social
5 preparation.

6 e) The PCUP shall:

7 i. Jointly undertake with the DSWD and the DILG the design of the
8 social preparation; and

9 ii. Jointly undertake with the DSWD and LGUS the conduct of social
10 preparation.

11 f) The TESDA shall provide skills training to at least one (1) household member
12 of the beneficiaries. It shall ensure that skills trainings provided to beneficiaries are in
13 line with the environment of the relocation site.

14 g) The Home Development Mutual Fund (HDMF) shall enroll in its system at
15 least one (1) household member of the applicant-beneficiaries of the Program to
16 facilitate their entry into the formal housing market.

17 *Provided,* That a national program steering committee, and regional, provincial,
18 city, and municipal technical working groups (TWGs) composed of the DHSUD, NHA,
19 LGUs, DSWD, TESDA, PCUP, and HDMF shall be constituted to define the line of
20 coordination and to ensure seamless program coordination.

21 *Provided, further,* That DHSUD shall closely collaborate with the NHA, DSWD,
22 DILG and Department of Budget and Management (DBM) in the development of a
23 program design and funding mechanism.

1 SEC. 9. *Additional Positions and Personnel for the DHSUD.* - For purposes of this
2 Act, the DHSUD shall, in accordance with pertinent civil service rules, create positions
3 and enlist additional personnel to ensure the proper and appropriate implementation
4 of the Program under this Act, subject to the evaluation and approval by the DBM.

5 SEC. 10. *Appropriations.* - The amount necessary for the effective
6 implementation of this Act shall be charged against the current appropriations for
7 DHSUD. Hereafter, such amount as may be necessary for its continued
8 implementation shall be included in the annual General Appropriations Act: *Provided,*
9 That funding support for agencies implementing the Program shall be included in the
10 necessary appropriations for this Act.

11 SEC. 11. *Implementing Rules and Regulations.* - The DHSUD, in coordination
12 with relevant government agencies, shall issue rules, regulations, and guidelines
13 necessary to carry out the intent and purposes of this Act within six (6) months from
14 date of effectivity.

15 SEC. 12. *Mandatory Review on the Implementation of this Act.* - The DHSUD
16 shall submit to the Congress a report on the implementation of this Program at the
17 end of the second year from the date of effectivity of this Act and every two (2) years
18 thereafter.

19 SEC. 13. *Separability Clause.* - If any portion or provision of this Act is held
20 unconstitutional or invalid, the remaining provisions not affected thereby shall
21 continue to be in full force and effect.

22 SEC. 14. *Repealing Clause.* - All laws, executive orders, proclamations, rules,
23 regulations, and other issuances or parts thereof which are inconsistent with the
24 provisions of this Act are hereby repealed, amended, or modified accordingly.

1 SEC. 15. *Effectivity.* - This Act shall take effect fifteen (15) days after its
2 publication in the Official Gazette or in a newspaper of general circulation.

Approved,