



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4146



INTRODUCED BY REP. HARRIS CHRISTOPHER M. ONGCHUAN

EXPLANATORY NOTE

The country's housing problem is still yet to be addressed. 2015 data from the Philippine Statistics Authority Housing Tables showed 67,447 rent-free households occupied without consent from the owners. To address this issue, RA 7279, otherwise known as the "Urban Development and Housing Act of 1992" was passed. This law uplifts the conditions of the underprivileged and homeless citizens by offering decent housing at an affordable cost.

Section 9 of the Act states the priorities in the acquisition of land to be used for socializing in the following order:

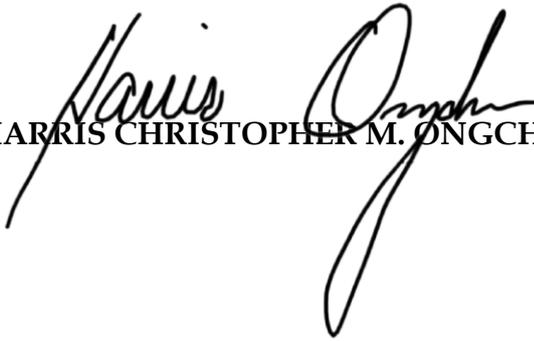
- (a) *Those owned by the government or any of its subdivisions, instrumentalities, or agencies, including government-owned or -controlled corporations and their subsidiaries;*
- (b) *Alienable lands of the public domain;*
- (c) *Unregistered or abandoned and idle lands;*
- (d) *Those within the declared Areas for Priority Development, Zonal Improvement Program sites, and Slum Improvement and Resettlement Program sites which have not yet been acquired;*
- (e) *Bagong Lipunan Improvement of Sites and Services or BLISS sites which have not yet been acquired; and*
- (f) *Privately-owned lands.*

Where on-site development is found more practicable and advantageous to the beneficiaries, the priorities mentioned in this section shall not apply. The local government units shall give budgetary priority to on-site development of government lands.

This bill proposes to amend RA 7279 in order to give local government units and proper agencies the power to identify and prioritize the particular area to be acquired for socialized housing and that the enumeration shall not be interpreted as setting an order of priority. This will make it easier for the State to acquire qualified areas to provide for the underprivileged.

This bill was filed in the 18th Congress by Representative Belmonte. It was approved by the House and was transmitted to the Senate.

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


HARRIS CHRISTOPHER M. ONGCHUAN



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HOUSE BILL NO. 4146

Introduced by Representative
HARRIS CHRISTOPHER M. ONGCHUAN

AN ACT
STRENGTHENING THE RIGHT OF GOVERNMENT TO EXPROPRIATE
LANDS FOR SOCIALIZED HOUSING, AMENDING FOR THE PURPOSE
SECTIONS 9, 10, AND 11 OF REPUBLIC ACT NO. 7279, OTHERWISE KNOWN
AS THE “URBAN DEVELOPMENT AND HOUSING ACT OF 1992”

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

SECTION 1. Sections 9, 10, and 11 of Republic Act No. 7279 are hereby amended to read as follows:

“SEC. 9. [*Priorities in the*] Acquisition of Land
FOR SOCIALIZED HOUSING. – [Lands for socialized housing shall be acquired in the following order] **THE FOLLOWING LANDS MAY BE ACQUIRED FOR SOCIALIZED HOUSING:**

“(a) Those owned by the Government or any of its subdivisions, instrumentalities, or agencies, including government-owned or -controlled corporations and their subsidiaries;

“(b) Alienable lands of the public domain;

“(c) Unregistered or abandoned and idle lands;

“(d) Those within the declared Areas for Priority Development, Zonal Improvement Program sites, and Slum Improvement and Resettlement Program sites which have not yet been acquired;

“(e) Bagong Lipunan Improvement of Sites and Services or BLISS sites which have not yet been acquired; and

“(f) Privately-owned lands.

“[Where on-site development is found more practicable and advantageous to the beneficiaries, the priorities mentioned in this section shall not apply. The local government units shall give budgetary priority to on-site development of government lands.]

“THE POWER TO IDENTIFY AND TO PRIORITIZE THE PARTICULAR AREA TO BE ACQUIRED SHALL BE WITH THE LOCAL GOVERNMENT UNIT OR THE PROPER AGENCY ACQUIRING LAND FOR SOCIALIZED HOUSING. FOR THIS PURPOSE, THE ENUMERATION IN THIS SECTION SHALL NOT, IN ANY WAY, BE INTERPRETED AS SETTING AN ORDER OF PRIORITY.”

“SEC. 10. Modes of Land Acquisition. – The modes of acquiring lands for purposes of this Act shall include, among others, community mortgage, land swapping, land assembly or consolidation, land banking, donation to the Government, joint-venture agreement, negotiated purchase, and expropriation: *Provided, [however,* That expropriation shall be resorted to only when other modes of acquisition have been exhausted: *Provided, further,*] That where expropriation is resorted to, parcels of land owned by small property owners shall be exempted for purposes of this Act: *Provided, [finally]* **FURTHER**, That abandoned property, as herein defined, shall be reverted and escheated to the State in a proceeding analogous to the procedure laid down in Rule 91 of the Rules of Court.

“For the purpose of socialized housing, government-owned and foreclosed properties shall be acquired by the local government units, or by the National Housing Authority primarily through negotiated purchase: *Provided,* That qualified beneficiaries who are actual occupants of the land shall be given the right of first refusal.”

“SEC. 11. Expropriation of Idle Lands. - All idle lands in urban and urbanizable areas, as defined and identified in accordance with this Act, shall be expropriated and shall form part of the public domain. These lands shall be disposed of or utilized by the Government for such purposes that conform with their land use plans. Expropriation proceedings shall be instituted if, after the lapse of one (1) year following receipt of notice of acquisition, the owner fails to introduce improvements as defined in Section 3(f) hereof, except in the case of *force majeure* and other fortuitous events. Exempted from this provision, however, are residential lands owned by small property owners [or those the ownership of which is subject of a pending litigation] .”

SECTION 2. Repealing Clause. — All laws, decrees, executive orders, proclamations, rules and regulations, or parts thereof which are inconsistent with this Act, are hereby repealed or modified accordingly.

SECTION 3. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved.