



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 4354



Introduced by 4Ps Partylist Representative
JONATHAN CLEMENT M. ABALOS II

EXPLANATORY NOTE

As the Philippines charts the path towards economic recovery, there must be a renewed momentum for increased investment in socialized housing. But to accomplish this, the government should encourage the participation of the local government units, the private developers, and the communities themselves in conceptualization, identification of sites, and implementation of socialized housing programs. One of the ways to further this is the amendment of Sections 9, 10, and 11 of Republic Act No. 7279. This would be in accordance with the policy of the law to uplift the conditions of the underprivileged and homeless citizens in urban areas and in resettlement areas and strengthening the equitable utilization of residential lands in urban and urbanizable areas with particular attention to the needs and requirements of the underprivileged and homeless citizens.

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

JONATHAN CLEMENT M. ABALOS II

Representative, 4Ps Partylist



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**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, executive orders, decrees, instructions, rules and regulations contrary to or inconsistent with any provision of this Act are hereby amended, 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.