

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



FOURTEENTH CONGRESS
First Regular Session

HOUSE RESOLUTION NO. 448

Introduced by GABRIELA Women's Party Representatives
LIZA LARGOZA-MAZA and LUZVIMINDA C. ILAGAN

A RESOLUTION URGING THE HOUSE COMMITTEE ON HOUSING AND URBAN DEVELOPMENT TO CONDUCT A REVIEW OF REPUBLIC ACT 9207 AND ITS IMPLEMENTING RULES AND REGULATIONS (IRR) IN THE LIGHT OF ALLEGATIONS OF URBAN POOR WOMENS' ORGANIZATIONS AND HOMEOWNERS' ASSOCIATIONS WITHIN THE NATIONAL GOVERNMENT CENTER (NGC), THAT SUCH SPAWN ANTI-POOR AND ANOMALOUS ARRANGEMENTS, AND OF THEIR CLAMOR FOR THE SUSPENSION OF THE IRR OF RA 9207 PENDING THE COMPLETION OF THE REVIEW

WHEREAS, Section 9, Article 13 of the Philippine Constitution explicitly manifests the State's responsibility to provide adequate housing to its citizens which reads: "the State shall undertake...a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas;"

WHEREAS, the right to adequate shelter is guaranteed not only by the Philippine Constitution but also by international covenants such as the Istanbul Declaration on Human Settlements and Habitat Agenda of the United Nations Commission on Human Settlements endorsed by 171 members of the General Assembly including the Philippines which calls for "the full and progressive realization of the right to adequate housing;"

WHEREAS, Proclamation No. 1826 was issued in 1979 recognizing the National Government Center (NGC) which is currently composed of five barangays: Brgy. Holy Spirit, Brgy. Commonwealth, Brgy. Payatas A, Brgy. Payatas B, and Brgy. Batasan Hills;

WHEREAS, the implementing rules and regulations (IRR) of the National Government Center Housing and Land Utilization Act of 2003 or Republic Act No. 9207 requires the residents to enlist/apply as beneficiaries of the government's National Government Center Housing Project (NGCHP) lest they will be forcefully evicted from their homes;

WHEREAS, residents are made to apply as lessees and not as landowners while being obligated to sign the Contracts to Sell (CTS) first;

WHEREAS, Article 3 of the CTS being declared in the IRR of RA 9207 states that:

“Upon execution of this contract, and payment of the initial amount stated in Article 1.02 (2) hereof, the buyer shall take possession of the above-described property in the concept of lessees or tenants. The buyer may introduce improvements thereon in accordance with the plans and specifications as approved by the committee within 364 days from the receipt of the Notice of Award...;”

WHEREAS, scrutiny of the CTS will reveal that the land titles under the CTS will remain with the Seller or NGC, leaving an illusion that the Buyer will only be able to have the title transferred to his/her name when he/she has completed all the payments and other obligations stated in the contract, after the Seller supposedly agrees to the creation of the Final Deed of Sale (DOA) favorable to the buyer;

WHEREAS, an in-depth study of the CTS would expose the impossibility of a land or title transfer between the Seller and the Buyer since the contract states that titles can never be transferred even after the release of Notice of Award and without the permission of the National Government Center Housing Commission (NGCHC);

WHEREAS, the CTS is only effective for 15 years. However, these can easily be revoked on the following grounds:

1. If resident-applicants for a CTS are unable to pay their monthly financial obligations under the contract;
2. Violations of other provisions in the contract;
3. Failure to cooperate within the Housing authorities and refusal to allow their homes to be reblocked;
4. Expulsion from the government-accredited housing association because of violations of policy, rules and regulations of the NGCHC and the Charter of the housing association;

WHEREAS, these evidently stringent rules apparently work against the urban poor residents and diminish their chances of owning the lands that their homes are built on;

WHEREAS, in the light of implementing RA 9207, the Housing and Urban Development Coordinating Council (HUDCC), National Housing Authority (NHA), and the Philippine Commission on Urban Poor (PCUP) announced that the Gloria Macapagal-Arroyo administration was giving NGC Eastside and Westside residents sixty days to enlist to have a chance to own a house in NGC Payatas (Area 7, Quezon City);

WHEREAS, failure of the residents to apply as beneficiaries will automatically guarantee their eviction as stated in the IRR of RA 9207;

WHEREAS, Gabriela Women’s Party chapters and urban poor womens’ groups in the area, as well as the Kalipunan ng Damayang Mahihirap (KADAMAY) and home owners’ associations (HOAs) of urban poor residents claim that there had been no consultations with barangays and organizations affected by the project except for three HOA federations from the East Side and five HOA federations from the West Side;

WHEREAS, of the few formations consulted out of the one hundred twenty-five organizations and federations in NGC, only a number signed in favor of the project’s consultation;

WHEREAS, the lack of consultation disenfranchises more than eighty percent of the affected population. Once RA 9207 is implemented, around 200,000 families will be homeless;

WHEREAS, women and children comprise the majority of those who will be affected by the implementation of RA 9207 particularly its stringent and deceptive rules in acquiring land and the actual "reblocking" of homes or demolition;

THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED that the House Committee on Housing and Urban Development conduct a review of Republic Act 9207 and its implementing rules and regulations (IRR) in the light of allegations of urban poor womens' organizations and homeowners' associations within the National Government Center, that these spawn anti-poor and anomalous arrangements, and of their clamor for the suspension of the IRR of RA 9207 pending the completion of the review.

Adopted,


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