



MEMORANDUM

FOR : **The Directors**
 Legal Affairs Service
 Policy and Planning Service
 Climate Change Service

The Regional Executive Directors
 Region IV - A
 NCR

The Bureau Directors
 Environmental Management Bureau
 Land Management Bureau
 Forest Management Bureau
 Biodiversity Management Bureau

The Officer-in-Charge Director
 Mines and Geosciences Bureau

FROM : **The Director**
 Legislative Liaison Office

SUBJECT : **INVITATION AND REQUEST FOR COMMENTS FROM THE
SENATE COMMITTEE ON URBAN PLANNING, HOUSING
AND RESETTLEMENT ON THE RESOLUTION TO
CONDUCT AN INQUIRY, IN AID OF LEGISLATION INTO
THE UNREASONABLE DELAY ON THE ISSUANCE OF A
PRESIDENTIAL PROCLAMATION TO RESERVE THE
LUPANG ARENDA FOR SOCIALIZED HOUSING PURPOSES**

DATE : 15 May 2024

In reference to the email received by our Office, the Senate Committee on Urban Planning, Housing and Resettlement is inviting the Department to the **Public Hearing on 20 May 2024, 10:00 AM at Senator Arturo Tolentino Room, Senate of the Philippines, Pasay City**, to discuss the following legislative measures:

1. **Senate Resolution No. 900, "RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE UNREASONABLE DELAY ON THE ISSUANCE OF A PRESIDENTIAL PROCLAMATION TO RESERVE THE LUPANG ARENDA FOR SOCIALIZED HOUSING SITE PURPOSES"** (Introduced by Sen. Marcos);

2. **Senate Bill No. 2409**, "ANACTINSTITUTIONALIZINGTHEPAMBANSANG PABAHAY PARA SA PILIPINO (4PH) PROGRAM (Introduced by Sen. Ejercito); and
3. **Senate Bill No. 2108**, "ANACTINSTITUTIONALIZINGTHEPAMBANSANG PABAHAY PARA SA PILIPINO PROGRAM (Introduced by Sen. Go).

In this regard, may we respectfully request your comments/recommendations on the abovementioned bills, if as requested by the Committee. Kindly submit your comments via email at denrlo@denr.gov.ph. Further, kindly inform us of the name/s and emails of the representative/s from your office who will participate in the meeting so we may include him/her/them as resource person/s.

Attached herewith are the Letter Invitation and a copy of the bills, for your reference.


ROMIROSE B. PADIN

cc: Undersecretary for Special Concerns and Legislative Affairs



Republic of the Philippines
Senate

**COMMITTEE ON URBAN PLANNING, HOUSING
AND RESETTLEMENT**

May 14, 2024

HON. MARIA ANTONIA YULO-LOYZAGA

Secretary

Department of Environment and Natural Resources

Dear **Secretary Lozaga**:

The Committee on Urban Planning, Housing and Resettlement will conduct a public hearing on **May 20, 2024, 10:00 A.M.** at the **Sen. Arturo Tolentino Room**. In view of this, we would like to invite you or your representatives to be among our resource persons to share your comments and inputs as we discuss the different measures which seek to institutionalize the Pambansang Pabahay Para sa Pilipino (4PH) Program and the Senate Resolution which seeks to inquire on the delays in the issuance of Presidential Proclamation to reserve the "Lupang Arenda" for socialized housing purposes.

Specifically, we would like to request for a status report on the subject land area currently occupied by at least 20,000 households or more popularly known as "Lupang Arenda", could be reserved as a social housing site. Please include your recommendations and other issues or concerns which have caused the delay in the issuance of the Presidential Proclamation.

The following legislative measures will be discussed during said hearing:

1. Senate Resolution No. 900, "RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE UNREASONABLE DELAY ON THE ISSUANCE OF A PRESIDENTIAL PROCLAMATION TO RESERVE THE LUPANG ARENDA FOR SOCIALIZED HOUSING SITE PURPOSES" (Introduced by Sen. Marcos);
2. Senate Bill No. 2409, "AN ACT INSTITUTIONALIZING THE PAMBANSANG PABAHAY PARA SA PILIPINO (4PH) PROGRAM (Introduced by Sen. Ejercito); and
3. Senate Bill No. 2108, "AN ACT INSTITUTIONALIZING THE PAMBANSANG PABAHAY PARA SA PILIPINO PROGRAM (Introduced by Sen. Go).

Attached are the copies of the bills for your reference.

Your inputs and recommendations are invaluable in the deliberation of the proposed measures to better promote the interests of the underprivileged and homeless Filipinos.

We will appreciate receiving a copy of your official position paper on the abovementioned bills and resolution on or before May 20, 2024.

Your participation in this meeting will be highly appreciated.

Thank you.

For the Chairperson:

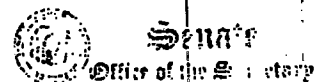
SEN. JOSEPH VICTOR G. EJERCITO

A handwritten signature in cursive script, appearing to read "Cleah D. Nava".

CLEAH D. NAVA

Committee Secretary

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



24 JAN 10 AM 10:40

SENATE
P.S. Resolution No. 900

RECEIVED BY

Introduced by **SENATOR IMEE R. MARCOS**

RESOLUTION
DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION, INTO THE UNREASONABLE DELAY ON
THE ISSUANCE OF A PRESIDENTIAL PROCLAMATION TO RESERVE THE
LUPANG ARENDA FOR SOCIALIZED HOUSING SITE PURPOSES

WHEREAS, Section 9, Article XIII of the 1987 Philippine Constitution provides that *"The State shall, by law, and for the common good, undertake, in cooperation with the public sector, 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, Barangay Sta. Ana, Taytay, Rizal, commonly known as "Lupang Arenda", is approximately a 171-hectare tract of land, 95 hectares of which are currently occupied by at least 20,000 households;

WHEREAS, pursuant to Proclamation No. 704 (s. 1995), at least 80 hectares of public land located at Sitio Tapayan, Brgy. Sta. Ana, Taytay, Rizal have been set aside for socialized housing development open for disposition in favor of Pasig River squatters and less privileged families of Taytay, Rizal;

WHEREAS, President Gloria Macapagal Arroyo issued Proclamation No. 1160 (s. 2006) reserving 20 parcels of land at the Manggahan Flood Complex for the construction of medium rise socialized and low-cost housing project and its allied structures for the benefit of some 6,700 urban poor families and the deserving landless-homeless employees of the Provincial Government of Rizal;

WHEREAS, in 2009, President Arroyo issued Executive Order (EO) No. 854 revoking Proclamation No. 704 (s. 1995) and Proclamation No. 1160 (s.2006) for the obstruction of the Napindan River flow post-Tropical Storm Ondoy;

WHEREAS, the existing residents of Lupang Arenda, who are living therein since 1995 or earlier and who are qualified beneficiaries under Proclamation No. 704 (s. 1995) and Republic Act No. 7279, otherwise known as the "Urban Development and Housing Act of 1992", have long been fighting for their rights to be granted ownership to their respective lands;

WHEREAS, pursuant to Memorandum Circular No. 157 (s.2008) which prescribes the guidelines, procedures and timeframes in the conduct of evaluation, complete staff work (CSW) and approval of proposed Proclamations for housing purposes, the Alliance of People's Organizations in Lupang Arenda (APOLA), on behalf of the Lupang Arenda's residents, filed a request for a Proclamation for housing purposes in 2017;

WHEREAS, acting on APOLA's request, the Housing and Urban Development Coordinating Council, in coordination with the Department of Environment and National Resources (DENR), National Housing Authority and other relevant national and local government agencies, constituted a Pre-Proclamation Committee and conducted CSW, as required under the said Memorandum Circular, in 2017 to 2018;

WHEREAS, pursuant to EO No. 93 (s. 2019), President Rodrigo Roa Duterte disestablished the Pasig River Rehabilitation Commission and directed the Department of Human Settlements and Urban Development to expedite the relocation of informal settlers and other unauthorized or unlawful occupants along the banks of Pasig River and effectively enforce Proclamation No. 704 (s. 1995), in collaboration with DENR and Presidential Commission for the Urban Poor;

WHEREAS, in March 2022, the DENR has successfully distributed 41 original certificates of land ownership to the member-beneficiaries of Samahang Masigasig ng Sitio Tapayan Homeowners Association who are currently occupying a 2.01-hectares land in Lupang Arenda in Taytay, Rizal. The said lot is part of the 5.03 hectares of land being appealed for ownership by the long-time informal settlers in Lupang Arenda who have been complying with the necessary requirements and clearances for titling of the lands;

WHEREAS, in an online article dated 09 March 2022, then Acting Environment Secretary Jim O. Sampulna committed to provide the rest of the land parcels, comprised of the remaining 3.02 hectares (319 patents) which are underwater and cannot be titled, through the provision of a certificate of land allocation;

WHEREAS, in an online article dated 18 September 2023, members of the APOLA rallied in front of the DENR office to call on government agencies responsible for neglecting their request to provide the Laguna Lake Development Authority the

required clearance to move forward with the proclamation of Lupang Arenda as a public housing area;

WHEREAS, in an online news article dated 28 December 2023, Lupang Arenda residents and environmental organizations, Ilog Pasiglahin, and Move As One Coalition, slammed the local municipal council's abrupt passage of a proposed resolution of "no objection" to the construction of the Taytay portion of the Pasig River Expressway (PAREX). The controversial 19.37-kilometer-long PAREX project runs from the Pasig River, reaching the Napindan River near Lupang Arenda, and links to the proposed Southeast Metro Manila Expressway or C-6 project;

WHEREAS, Ilog Pasiglahin and Move As One Coalition warned of "considerable harm" from PAREX in Lupang Arenda, such as increased flooding, earthquake risks, reduced river flow, and environmental degradation, which will affect the residents' livelihoods of duck raising along the Napindan River;

WHEREAS, APOLA President Vicente Barlos raised his concerns by stating, "*Mawawalan na kami ng lupa para sa pabahay, babahain at babahain pa kami para doon sa isang proyekto na hindi naman serbisyo kung hindi negosyo*";

WHEREAS, Lupang Arenda residents further claimed that the proposed expressway projects will not only intensify the flood risks in the area but will also prolong their decades of struggle for land ownership through executive proclamation;

WHEREAS, as of January 2024, no Presidential Proclamation for housing purposes has been issued in favor of the Lupang Arenda residents despite the favorable endorsement for such Proclamation as concluded by the CSW conducted in 2018;

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, directing the appropriate Senate committee to conduct an inquiry, in aid of legislation, into the unreasonable delay on the issuance of a Presidential Proclamation to reserve the Lupang Arenda for socialized housing site purposes.

Adopted,


IMEE R. MARCOS



Senate
Office of the Secretary

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

23 MAY -3 AM 3:34

SENATE
S. No. 2108

RECEIVED BY: 

Introduced by Senator Christopher Lawrence "Bong" T. Go

AN ACT
INSTITUTIONALIZING THE PAMBANSANG PABAHAY PARA SA
PILIPINO PROGRAM

EXPLANATORY NOTE

Article XIII, Section 9 of the 1987 Constitution states that "the State shall, by law, and for the common good, undertake, in cooperation with the public sector, 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 resettlements areas." Pursuant to the mandate, the Department of Human Settlements and Urban Development (DHSUD) outlines the strategies to attain the objective of uplifting the living conditions of poor, marginalized, underprivileged, and homeless people in urban and resettlement areas including providing decent housing at a reasonable price.

According to the National Housing Authority (NHA) and the National Economic Development Authority (NEDA), in 2017, more than 1.5 million families were regarded as informal settlers.¹ About half a million informal settler families in the National Capital Region (NCR) are living in poor conditions, including in high-risk areas, which is made worse by the parallel effects of the COVID-19

¹ <https://www.cnnphilippines.com/news/2017/03/27/NHA-calls-off-KADAMAY-housing-eviction.html>

² <https://www.philstar.com/nation/2022/09/04/2207223/500k-families-ncr-living-poor-conditions>

pandemic and other disasters.² Furthermore, the DHSUD warned that the housing backlog of 6.5 million units, from 2017 to 2022, may eventually grow to 22 million units by 2040 if unaddressed.³ These predicaments could hamper the goal of sustainable housing development and the elimination of housing poverty.

The administration of President Ferdinand Marcos Jr. initiated the Pambansang Pabahay para sa Pilipino Program (4PH) through the DHSUD which establishes housing programs in partnership with local government units and the private sector, and implements an interest subsidy on mortgage payment of housing beneficiaries. This proposed measure institutionalizes the program to further elevate it as a national priority with sustainable funding and clear set of guidelines and standards for its proper and successful implementation. This will create a holistic initiative that can provide adequate and affordable housing to several families who lack decent housing.

In view of the foregoing, the approval of this measure is earnestly sought



SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

² <https://www.philstar.com/nation/2022/09/04/2207223/500k-families-ncr-living-poor-conditions>
³ <https://businessmirror.com.ph/2020/06/12/citing-22-million-backlog-forecast-government-steps-up-housing-projects/>



23 MAY -3 A11 34

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

RECEIVED BY:

SENATE
S. No. 2108

Introduced by Senator Christopher Lawrence "Bong" T. Go

AN ACT
INSTITUTIONALIZING THE PAMBANSANG PABAHAY PARA SA PILIPINO PROGRAM

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

1 **SECTION 1. Title.** - This Act shall be known as the " Pambansang Pabahay para sa
2 Pilipino Program Act of 2023.

3 **SEC. 2. Declaration of Policy.** - It is hereby declared a policy of the state to pursue
4 a continuing program of housing and urban development which shall make available at
5 affordable cost, decent housing and basic services especially the underprivileged and
6 homeless citizens by establishing a housing interest subsidy program with particular
7 focus on assisting informal settler families (ISFs) acquire their own decent housing.

8 **SEC. 3. The Pambansang Pabahay para sa Pilipino Program** – The Department of
9 Human Settlements and Urban Development (DHSUD) shall implement the Pambansang
10 Pabahay para sa Pilipino Program, hereinafter referred as the "Program", which shall
11 have the following objectives:

- 12 (a) Develop one million housing units every year;
- 13 (b) Prioritize the lowest 30% income decile of the population and low wage earners
- 14 as primary beneficiaries of the Program;

1 (c) Pursue innovative strategies to make housing finance accessible and housing
2 units affordable to the target beneficiaries, through but not limited to the
3 following:

4 (1) Allocate government funds for the payment of housing interest support to
5 lower the monthly interest rate payment of qualified program
6 beneficiaries;

7 (2) Utilize vacant, idle, blighted and/or under-utilized government and private-
8 owned lands for housing and mixed-use development;

9 (3) Tap government financing institutions (GFIs) and private banks to provide
10 development loans & end-user financing; and

11 (4) Promote varied forms of modalities in implementing housing and mixed-
12 use development.

13 (d) Capacitate and support the local government units (LGUs) as one of the main
14 project proponents in implementing housing projects; and

15 (e) Encourage and incentivize the private sector to participate in the program
16 implementation.

17 **SEC. 4. Program components. –**

18 (a) Site identification. - As the main project proponents, the LGUs shall, in
19 coordination with the DHSUD, be responsible for project site identification and
20 the development of their respective residential project/s. LGUs may engage
21 and/or enter into a joint venture with government entities or private developers
22 or builders, to undertake and construct housing projects using DHSUD-guided
23 housing parameters.

24 The following lands may be used for the housing projects:

25 (1) LGU-owned property. The property identified for the project should have a
26 "clean" or a "near-clean" title. For this purpose, a "clean title" shall be
27 defined as one that is registered in the name of the LGU and is entirely free
28 of any lien or encumbrance. On the other hand, a "near-clean title" shall be
29 defined as one that is affected by a lien or encumbrance including any
30 adverse claim or interest or any issue, complication or obstacle that can be

- 1 resolved within the timeframe needed for its utilization and the completion of
2 the project.
- 3 (2) NGA-owned property. LGUs who intend to use the properties of National
4 Government Agencies (NGAs) for their housing projects shall be mainly
5 responsible for securing the issuance of authority to use such land and/or the
6 disposal/transfer thereof to them from the NGAs concerned.
- 7 (3) Privately-owned property. Private landowners of blighted areas or land
8 occupied by ISFs are encouraged to participate in the 4PH Program by (a)
9 donating their land, or (b) selling their properties at a reduced/discounted
10 price. Subject to the cap on the proposed selling price of the planned
11 housing units, the LGUs may consider purchasing such land or entering into
12 a joint venture agreement with the owner, subject to compliance with
13 appropriate government laws and regulations.
- 14 (b) Housing design. - LGUs shall be responsible for preparing the parameters of their
15 proposed housing projects, in accordance with existing government-prescribed
16 laws and standards, and the following DHSUD design and proposed price ceiling
17 parameters for projects to be accredited under the Program.
- 18 (c) Housing construction. - LGUs shall procure or select qualified developers and/or
19 contractors to construct the proposed housing project/s in accordance with
20 applicable government rules and regulations. Notwithstanding the entry of new
21 developers and contractors, the LGUs are encouraged to invite housing
22 developers who are known to have good standing and have already undertaken
23 projects within their areas of jurisdiction and need to develop corresponding
24 socialized housing projects in compliance with the balanced housing development
25 program requirement.
- 26 (d) Financing for the housing project. - The Pag-IBIG Fund (HDMF), as well as other
27 GFIs and private banks, shall make their funds available for the LGUs' housing
28 projects through their respective developmental loan programs. They shall also
29 participate by providing end-user financing to homebuyers;

1 (e) Beneficiaries. - LGUs shall set the eligibility criteria for, and identify, the project
2 beneficiaries. In formulating such criteria, they shall coordinate with GFIs and
3 private banks that will provide end-user financing to ensure alignment of all their
4 selection criteria particularly as regards the credit- worthiness and amortization
5 capacity of potential buyer-beneficiaries.

6 Beneficiaries must be capable of and committed to paying the monthly housing
7 loan amortization over the 30-year loan term, to the GFIs or private banks. The
8 above notwithstanding, LGUs and their development partners are not prohibited
9 from developing housing projects that incorporate or provide cross subsidies
10 between different income classes so as to benefit more ISFs and lower- bracket
11 wage earners.

12 (f) Subsidy on amortization and interest. – The DHSUD shall, directly or through its
13 attached corporations, provide amortization support payable to the end-user
14 finance providers for the account of the buyer-beneficiaries' units, using funds
15 that will be made available through the General Appropriations Act (GAA), and/or
16 other identified funding sources. LGUs are also encouraged to provide monthly
17 amortization support to buyer- beneficiaries of the units, if needed to enable
18 them to meet their monthly amortization obligations.

19 **SEC. 5. Roles and Responsibilities.** The implementing agencies shall, at the
20 minimum, undertake the following roles, functions, and responsibilities:

21 (a) Department of Human Settlements and Urban Development (DHSUD)

22 (1) Act as the overall initiator, coordinator, and facilitator, of the Program;

23 (2) Facilitate the provision of funds through the GAA, Key Shelter Agencies (KSAs),
24 GFIs and private banks, for use as: (a) development loans, (b) interest support
25 for the program's project beneficiaries, (c) end-user financing, (d) guarantee
26 financing, and (e) purchase of loan accounts;

27 (3) Oversee and monitor the implementation of the Program, including the project
28 implementation and performance of all participants;

29 (4) Provide parameters/specifications, extend support and technical assistance to
30 LGUs, developers, and other program partners including facilitating the issuance

- 1 of Development Permits and Licenses to Sell within its areas of responsibilities;
2 and
- 3 (5) Perform such other roles, functions and acts which it may deem proper and
4 necessary for the effective and full implementation of the Program;
- 5 (b) Local Government Units (LGUs)
- 6 (1) Act as the main proponent and major player in the planning, implementation
7 and management of their respective housing projects;
- 8 (2) Have the primary responsibility of identifying lands for potential project
9 locations as well as making it available for their proposed housing projects;
- 10 (3) Determine and prepare the project concept to be used for their housing
11 projects;
- 12 (4) Determine the implementation modalities for each of their envisioned housing
13 projects, including which project to undertake on its own, through joint venture,
14 or using other options;
- 15 (5) Identify the project proponent that would undertake the development of each
16 project, whether solely or in joint venture with third parties;
- 17 (6) Identify, select and enter into agreements with qualified developers and/or
18 contractors to implement their proposed housing projects, in accordance with
19 applicable government laws, rules and regulations;
- 20 (7) Provide support to their priority housing projects and beneficiaries, either
21 through monthly amortization support and/or other commitments or
22 forms/modes of assistance, such as land donation and site development, to
23 make the units affordable to target buyer-beneficiaries;
- 24 (8) Issue the appropriate resolutions and/or ordinances needed for the proposed
25 projects, including the allocation of land, funds and other necessary support for
26 the successful implementation of the projects;
- 27 (9) Establish an office and provide qualified personnel to implement their housing
28 program;
- 29 (10) Conduct social preparation activities for target beneficiaries in coordination
30 with the DHSUD and its pertinent KSAs;

1 (11) Facilitate the expeditious issuance of local permits and clearances for their
2 projects;

3 (12) Take charge, to the extent possible and applicable, of all documentation
4 necessary for the full implementation of their housing program;

5 (13) Undertake estate/property management responsibilities for their projects
6 and ensure the availability of funds for the purpose;

7 (c) National Housing Authority and Social Housing Finance Corporation

8 (1) As landowners, enter into appropriate partnership agreements with the
9 concerned partner LGUs;

10 (2) As a developer and/or project manager, implement the project/s in coordination
11 with LGUs and other entities in accordance with the roles and responsibilities as
12 may be agreed upon by the parties involved;

13 (3) Provide support to LGUs in social preparation, project development, and such
14 other assistance needed for the successful implementation of the LGUs' housing
15 program and projects under the Program;

16 (d) Home Development Mutual Fund (HDMF), participating Government Financial
17 Institutions (GFIs) and Private Banks

18 (1) Establish special lending programs with simplified, streamlined and expedited
19 guidelines, requirements, and processes, and allocate exclusive funds for the
20 Program, such as those needed for developmental loans to developers, and
21 end-user financing to project buyer-beneficiaries to allow the latter to purchase
22 their housing units;

23 (e) National Home Mortgage Finance Corporation (NHMFC)

24 (1) Provide liquidity to GFIs and private banks to ensure the sustainability of the
25 Program by purchasing eligible Real Estate Mortgage (REM) accounts from them,
26 securitizing such loan portfolios, and issuing asset-backed securities to attract
27 more funds for housing.

28 **SEC. 6. Annual Report of the Program.** - The DHSUD shall annually publish a full
29 report of the Program covering the implementation of the previous fiscal year. The said
30 report shall include financial disclosures, number of clients or beneficiaries served, and

1 recommendations to the President and to both chambers of Congress on how to further
2 enhance the program.

3 **SEC. 7. Program Transparency.** - The DSHUD shall regularly and timely post and
4 update on its website a report of financial disclosures and information about
5 beneficiaries based on geographical area, social, economic, and cultural circumstances.

6 **SEC. 8. Joint Congressional Oversight Committee.** - Upon effectivity of this Act, a
7 Congressional Oversight Committee, hereafter referred to as the Pambansang Pabahay
8 Oversight Committee is hereby constituted. This Committee shall set the overall
9 framework to review the implementation of this Act. It shall likewise determine inherent
10 gaps in the law and recommend necessary remedial legislation or executive measures.

11 **SEC. 9. Appropriation.** - The amount necessary to implement this Act shall be
12 included in the annual General Appropriations Act.

13 **SEC 10. Separability Clause.** - Any portion or provision of this Act that is
14 declared unconstitutional shall not have the effect of nullifying other portions or
15 provisions hereof as long as such remaining portions can still subsist and be given effect
16 in their entirety.

17 **SEC 11. Repealing Clause.** - All laws, ordinances, rules, regulations, other
18 issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or
19 modified accordingly.

20 **SEC 12. Effectivity.** - This Act shall take effect fifteen (15) days after its
21 publication in the Official Gazette or in a newspaper of general circulation.

Approved

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



23 AUG 16 P3 03

SENATE
S. No. 2409

RECEIVED BY

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

**AN ACT
INSTITUTIONALIZING THE PAMBANSANG PABAHAY PARA SA PILIPINO
(4PH) PROGRAM**

EXPLANATORY NOTE

The housing situation has only become worse in the past few years with a backlog totaling to 6.5 million. To gradually decrease the housing backlog, the DHSUD aims to build 1 million houses per year or 6 million houses by the end of President BongBong Marcos's term.

Pursuant to the goal of building more houses annually, the Department of Housing and Urban Development (DHSUD) has formulated the Pambansang Pabahay Para sa Pilipino (4PH) Program.¹ The 4PH Program shall be at the center of this noble undertaking that will improve the quality of life of Filipinos struggling to have a home.

Last July 17, 2023, the President adopted the 4PH Program and issued Executive Order No. 34 which declares the Pambansang Pabahay Para sa Pilipino Program as the flagship program of the government. All national government agencies and instrumentalities including government-owned or controlled corporations are also directed to submit a detailed inventory of all available and suitable lands for the implementation of the said program.²

Such declaration and directive of the President is a welcomed development in the government's efforts to end homelessness in the country. EO No. 34 acknowledges the need for a single and lasting program that will serve as a blueprint in building and providing homes even beyond the term of President Marcos, Jr.

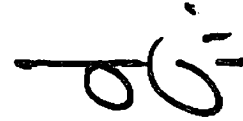
This proposed measure seeks to institutionalize the 4PH Program under EO No. 34. Through this legislation, the DHSUD's plans and programs shall be established in

¹ <https://www.philstar.com/headlines/2023/07/04/2278469/lgus-tapped-expand-national-housing-program#:~:text=We%20would%20also%20achieve%20a,of%20around%206.5%20million%20units.>

² <https://www.officialgazette.gov.ph/2023/07/17/executive-order-no-34-s-2023/>

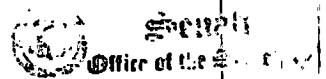
formal framework. This will ensure consistent and sustainable funding for the affordable and decent housing to benefit the underprivileged and homeless citizens.

In view of the foregoing, the immediate enactment of this measure is sought.



JOSEPH VICTOR G. EJERCITO

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



23 AUG 16 P3:08

SENATE
S. No. 2409

RECEIVED
SV

INTRODUCED BY SENATOR JOSEPH VICTOR "JV" G. EJERCITO

AN ACT
INSTITUTIONALIZING THE PAMBANSANG PABAHAY PARA SA PILIPINO (4PH) PROGRAM,

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

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Section 1. *Title.* - This Act shall be known as the "4PH Act of 2023."

Sec. 2. *Declaration of Policy.* - It is hereby declared a policy of the state to ensure that the underprivileged and homeless citizens have access to an adequate, safe, secure, habitable, sustainable and affordable home. Further, the State recognizes the potential impact of a robust housing sector on the growing economy.

Towards this end, the State shall undertake a continuing program for housing and urban development which shall make available at affordable cost to the underprivileged and homeless citizens in urban centers and resettlement areas.

Sec. 3. *The Pambansang Pabahay Para Sa Pilipino (4PH) Program.* - The Pambansang Pabahay Para Sa Pilipino (4PH) Program shall:

- a. Implement the development of 1,000,000 housing units every year after the end of program six-year timeline of the 4PH Program or in January 2028 as indicated in Department Circular No. 2022-004 Series of 2022;
- b. Prioritize the lowest 30% income decile of the population and low wage earners as primary beneficiaries of the 4PH Program;
- c. Pursue innovative strategies to make housing finance accessible and housing units affordable to the target beneficiaries, through but not limited to the following:
 - i. Allocate government funds for the payment of housing interest support to lower the monthly interest rate payment of qualified program beneficiaries;
 - ii. Utilize vacant, idle, blighted and/or under-utilized government and private-owned lands for housing and mixed-use development;

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- iii. Tap government financing institutions (GFIs) and private banks to provide development loans & end-user financing; and
- iv. Promote varied forms of modalities in implementing housing and mixed-use development.
- d. Capacitate and support the LGUs as one of the main project proponents in implementing housing projects; and
- e. Encourage and incentivize the private sector to participate in the 4PH program/project implementation.

Sec. 4. *Roles and Responsibilities.* – The roles and responsibilities of the implementing agencies pursuant to their respective charters and governing laws are, but not limited to, the following:

1. DSHUD

- a. Act as the lead agency and shall serve as the Implementor, initiator, coordinator, and facilitator of the 4PH;
- b. Assign 4PH Program housing production targets to its KSAs which shall form part of their Performance Commitments;
- c. Provide housing design specifications, parameters, and price ceilings for projects enrolled under the 4PH Program;
- d. Facilitate the allocation of funds for interest subsidy payment in the General Appropriations Act (GAA) and other potential fund source to make the monthly amortizations affordable to the qualified beneficiaries;
- e. Coordinate KSAs, LGUs, GFIs, private banks, and stakeholders to ensure the implementation of the 4PH Program;
- f. Develop policies and programs together with it KSAs, LGUs, and NGAs and GFIs to provide incentives and promote private sector participation in the 4PH Program;
- g. Extend support and technical assistance to the LGUs, developers, and other program partners such as but not limited to the simplification of documentation and establishment of express lanes for the issuance of national and local permits and clearances for t projects under the 4PH Program; and
- h. Oversee and monitor the implementation of projects under the 4PH Program

2. HOME DEVELOPMENT MUTUAL FUND (HDMF), PARTICIPATING GOVERNMENT FINANCIAL INSTITUTIONS (GFIS) AND PRIVATE BANKS

- a. Allocate funds for the 4PH Program, such as for development loans and /or end-user financing; and
- b. Simplify guidelines and requirements to facilitate the access to financing by the LGUs, developers/contractors and homebuyers.

1 3. NATIONAL HOUSING AUTHORITY (NHA) AND SOCIAL HOUSING FINANCE
2 CORPORATION (SHFC)

- 3 a. As landowners, enter into appropriate partnership agreements with the
4 concerned partner LGUs and other partner institutions/entities;
5 b. As a developer and/or project manager, implement projects in coordination
6 with the LGUs and other groups according to the roles and responsibilities
7 as may be agreed by the parties involved;
8 c. Provide support to the LGUs in the social preparation, project development,
9 and other assistance needed by the LGUs; and
10 d. Develop supporting policies and programs as may be applicable and
11 allowed under their mandate to achieve target housing production and
12 other deliverables for the 4PH Program.

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14 4. NATIONAL HOME MORTGAGE FINANCE CORPORATION (NHMFC)

- 15 a. Support the financial sustainability of the 4PH by (1) providing liquidity to
16 GFIs and private banks through purchase of eligible Contract-to-Sell (CTS)
17 and Real Estate Mortgage (REMs) among others, and securities such loan
18 portfolio, and (2) issue asset-backed securities to attract more funds for
19 housing.
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21 5. PARTICIPATING LOCAL GOVERNMENT UNITS (LGUs)

- 22 a. Act as the lead/main proponent in the implementation of the housing
23 projects under the 4PH Program;
24 b. Identify suitable sites for the housing and mixed-use development;
25 c. Apply for developmental loans for the housing project subject to applicable
26 laws, government rules, and requirements;
27 d. Identify, select, and facilitate the application of target housing beneficiaries
28 under the program;
29 e. Develop the project concept, following DSHUD's design specification and
30 price ceiling parameters; and
31 f. Formulate local policies and programs to support and facilitate project
32 financing, construction, and property management including necessary
33 financial and social services assistance for the target beneficiaries.
34

35 6. OTHER CONCERNED GOVERNMENT AGENCIES AND STAKEHOLDERS

- 36 a. Participation and engagement hereto of the other concerned government
37 agencies and stakeholders, as the case may be, shall be subject to their
38 respective mandate, nature, and powers.
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40 *Sec. 5. Price Ceiling.* – The Price Ceilings for the 4PH Program, specifically for
41 units within multi-rise buildings, shall be based on the Joint Determination set by the
42 DSHUD and NEDA pursuant to Republic Act No. 11201, otherwise known as the
43 "Department of Human Settlements and Urban Development Act".
44

45 *Sec. 6. Trust Account.* – The DSHUD may create specialized account, as it may
46 deem fit, in trust of its beneficiaries to defray the cost and expenses of initial property
47 management and maintenance of the 4PH Programs.
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1 **Sec. 7. *Independent Monitoring Committee and Advisory Council.*** – An
2 Independent Monitoring Committee and National Advisory Council shall be created at
3 the regional, and national levels, composed of representatives from the private sector,
4 civil society organizations (CSOs) to complement the oversight function and activities
5 of DHSUD and provide feedback for appropriate action. It shall submit a report on the
6 results of its monitoring activities relative to the implementation of the program. A
7 monitoring and evaluation report shall be submitted to the DSWD and to the Joint
8 Congressional Oversight Committee at regular intervals, as determined in the
9 Implementing Rules and Regulations (IRR).

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11 **Sec. 8. *Annual Report of the Program.*** – The DHSUD shall annually publish a
12 full report of the 4PH Program covering the implementation of the previous fiscal year.
13 The said report shall include financial disclosures, number of clients/beneficiaries
14 served, and recommendations to the President and to both chambers of Congress on
15 how to further enhance the program.

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17 **Sec. 9. *Program Transparency.*** – The DSHUD shall regularly and timely post
18 and update on its website a report of financial disclosures and information about
19 beneficiaries based on geographical area, social, economic, and cultural
20 circumstances.

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22 **Sec. 10. *Joint Congressional Oversight Committee.*** – Upon effectivity of this
23 Act, a Congressional Oversight Committee, hereafter referred to as the 4PH Oversight
24 Committee is hereby constituted. This Committee shall set the overall framework to
25 review the implementation of this Act. It shall likewise recommend necessary remedial
26 legislations or executive measures to effectively implement this Act.

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28 The 4PH Oversight Committee shall be composed of six (6) members with the
29 Chairpersons of the Committee on Housing and Urban Development, Poverty
30 Alleviation, Social Justice and Public Works and Highways and two (2) members from
31 each House, to be designated by the Speaker of the House of Representatives and
32 Senate President, respectively.

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34 For the purpose of remedial legislation, the 4PH Oversight Committee shall,
35 within six (6) years after the effectivity of this Act, conduct a mandatory review which
36 shall include a systematic evaluation of the impact of this Act, accomplishments of the
37 program, and the performance of its implementing agency.

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39 **Sec. 11. *Implementing Rules and Regulations.*** – Within sixty (60) days, the
40 DHSUD, in coordination with key shelter agencies and other stakeholders, shall
41 formulate the rules and regulations to effectively implement the provisions of this Act.

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43 **Sec. 12. *Appropriation.*** – The amount needed for the initial implementation of
44 this Act shall be taken from the current year's appropriations of the concerned
45 agencies. Thereafter, such sums may be necessary for its continued implementation
46 shall be included in the annual General Appropriations Act.

1 **Sec. 13. *Separability Clause.*** – If any portion or provision of this Act is declared
2 unconstitutional, the remainder of this Act or any provisions not affected thereby shall
3 remain in force and effect.

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5 **Sec. 14. *Repealing Clause.*** – All laws, decrees, orders and rules and regulations
6 contrary to or inconsistent with the provisions of this Act are hereby repealed or
7 amended accordingly.

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9 **Sec. 15. *Effectivity.*** – This Act shall take effect fifteen (15) days following its
10 complete publication in the Official Gazette or a newspaper of general circulation.

Approved,