



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

ORDINANCE NO. 03-084

AN ORDINANCE CONVERTING THE SOCIALIZED HOUSING PROGRAM COMMITTEE (SHOPCOM) INTO A LOCAL HOUSING BOARD OF THE CITY OF MUNTINLUPA, PROVIDING ITS COMPOSITION, DEFINING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES.

Sponsored by:

Hon. Mamerto T. Sevilla, Jr.
Hon. Rufino B. Joaquin
Hon. Francis Ian T. Bagatsing
Hon. Artemio A. Simundac
Hon. Atty. Patricio L. Boncayao, Jr.
Hon. Melchor R. Teves
Hon. Aldrin L. San Pedro
Hon. Dr. Nicanor L. Echavez
Hon. Allan Rey A. Camilon
Hon. Atty. Raul R. Corro
Hon. Atty. Icasiano M. Dela Rea
Hon. Elmer S. Espeleta
Hon. Lucio B. Constantino
Hon. Mario E. Bulay, Jr.

WHEREAS, Section 9, Article XIII of the 1987 Constitution provides that "the State shall, by law and for the common good, undertake, in cooperation with the private 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, Para. 2, Section 1, Article XIII of the Constitution also states that "the State shall regulate the acquisition, ownership, use, and disposition of property and its increments";

WHEREAS, Section 10, Article XIII of the same statute further provides that "urban or rural poor dwellers shall not be evicted nor their dwellings demolished except in accordance with law and in a just and humane manner";

WHEREAS, pursuant to Section 17 (a) (3) (viii) of Republic Act 7160, otherwise known as the Local Government Code of 1991, it is the duty of local government unit concern to provide basic services and facilities including programs for low-cost housing and other mass dwellings for its inhabitants;

WHEREAS, Section 39 of Republic Act 7279, otherwise known as the Urban Development and Housing Act of 1992 declares that the local government units shall be charged with the implementation of this Act in their respective localities;



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WHEREAS, under Section 5 of Memorandum Order No. 74, issued by Her Excellency, President Gloria Macapagal Arroyo last September 13, 2002, it specifically mentioned that *"The LGUs without local housing boards shall create their respective housing boards, or their equivalent, within thirty (30) days from the effectivity of this Order"*;

WHEREAS, one of the Eight-Point Agenda of the City Government is the implementation of Socialized Housing Program for its underprivileged and homeless constituents;

WHEREAS, the Socialized Housing Program Committee (SHOPCOM) was constituted through Executive Order No. 15, Series of 1998 to serve as the management team for conceptualization, policy formulation, development and program implementation of socialized housing concerns of the City, and this was amended by EO Nos. 15-A and 05, Series of 2000 respectively, purposely to enlarge its partnership and membership by accommodating non-governmental organizations and urban poor organizations actively involved in socialized housing programs;

WHEREAS, there is a need to institutionalize the said partnership, in collaboration with non-governmental organizations and people's organizations by converting SHOPCOM, through the enactment of an ordinance into a Local Housing Board of the City of Muntinlupa;

NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Panglungsod of Muntinlupa the following:

Section 1. CONVERSION AND CREATION. The present Socialized Housing Program Committee is hereby converted and created into a *"Local Housing Board of the City of Muntinlupa"*, hereinafter referred to in this Ordinance as the SHOPCOM.

Section 2. OBJECTIVES OF THE SHOPCOM. To formulate and adopt workable policies for the City of Muntinlupa urban development and housing program and projects that will ensure strict compliance with Republic Act No. 7279 (UDHA) and its implementing rules and guidelines.

Section 3. DEFINITION OF TERMS - For purposes of this Ordinance, the terms and words used herein shall, unless the context indicates otherwise, mean or be understood as follows:

- a. **AFFORDABLE COST**- refers to the most reasonable price of land and shelter based on the needs and financial capability of Program beneficiaries and appropriate financing schemes;



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- b. **COMMUNITY MORTGAGE PROGRAM**- refers to an innovative concept of low-income home financing program of the National Home Mortgage Finance Corporation (NHMFC) whereby an undivided tract of land may be acquired by several beneficiaries through community ownership;
- c. **COMPREHENSIVE LAND USE PLAN**- refers to a document accompanied by maps and similar illustrations which represent the city-desired pattern of population distribution and a proposal for the future allocation of land to the various land-using activities;
- d. **NON-GOVERNMENTAL ORGANIZATIONS (NGOs)**- refers to private non-profit organizations engaged in social development work related to the urban poor issues and concerns;
- e. **URBAN POOR ORGANIZATION**- refers to community based organizations and/or aggrupations whose members are the homeless and the underprivileged as defined in Section 3 (i) of this Ordinance;
- f. **SHOPCOM**- refers to Socialized Housing Program Committee or the Local Housing Board of the City of Muntinlupa;
- g. **SOCIALIZED HOUSING**- refers to housing programs and projects in the amount not more than PHP225,000.00 covering houses undertaken by national or local government or private sector for the underprivileged and homeless citizens which shall include sites and services development, long term financing, liberalized terms on interest payments, and such other benefits in accordance with existing laws, rules and regulations;
- h. **UDHA BENEFICIARIES**- refers to the master list of registered eligible beneficiary families for socialized housing program pursuant to the census conducted by the City of Muntinlupa in cooperation with the different barangays during the month of September and October 1994 in compliance with Section 17 of RA 7279, UDHA and Presidential Proclamation No. 397;
- i. **UNDERPRIVILEGED AND HOMELESS CITIZENS**- refers to individuals or families residing in urban areas whose income or combined household income fall within the poverty threshold as defined by the National Economic Development Authority (NEDA) and who do not own housing facilities, and shall include those who live in makeshift dwelling units and do not enjoy security of land tenure;



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- j. **ORIGINATOR**- refers to a registered government and non-governmental organizations as defined in Section 3 (d) of this Ordinance, who help the UPO to get organized with appropriate government agency, document the loan and mortgage, assist the UPO in the negotiations with the landowner for the purchase of the property and act as the creditor-mortgagee, then assign the rights to the loan and mortgage to NHMFC;

Section 4. COMPOSITION. The SHOPCOM shall be composed of the following:

1. The City Mayor, or his permanent representative, as Chairman;
2. The City Vice Mayor or his permanent representative, as Vice-Chairman;
3. The Sangguniang Panlungsod Chairman of the Committee on Urban Poor or his permanent representative, as member;
4. The City Building Official or his permanent representative, as member;
5. The City Engineer or his permanent representative, as member;
6. The City Planning and Development Officer or his permanent representative, as member;
7. The City Zoning Officer or his permanent representative, as member;
8. A representative from the National Housing Authority (NHA), as member;
9. A representative from the Presidential Commission for the Urban Poor (PCUP), as member;
10. A representative from the Housing and Urban Development Coordinating Council (HUDCC), as member;
11. Three (3) Representatives from non-governmental organizations, as members, to be appointed by the City Mayor;
12. Three (3) Representatives from Urban Poor Organizations and/or Federation duly accredited by the Sangguniang Panlungsod, as members, to be appointed by the City Mayor;
13. The Head of the Urban Poor Affairs Office, as Executive Director and member.



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Section 5. POWERS AND FUNCTIONS. The SHOPCOM shall have the following powers and functions:

- a. Act as the policymaking body on housing programs of the City;
- b. Recommend and assist the City to formulate its City Shelter Plan, policies and guidelines of the housing plans, programs and projects of the City as provided for in Section 2 of this Ordinance;
- c. Monitor compliance of the 20% balance housing requirement as mandated by Section 18 of Republic Act 7279 or the project developer on approved land development plans and specifications by the Sangguniang Panlungsod, as well as housing construction in case of house and lot packages and recommend appropriate actions to the Mayor and Sangguniang Panlungsod in case of violations and non-compliance thereof;
- d. Coordinate with National Government Financing Institution for financing of the socialized housing project;
- e. Assist the City in the formulation and amendments of its Comprehensive Land Use Plan;
- f. Identify lands suitable for socialized housing, using site selection criteria and technical and documentation requirements;
- g. Monitor compliance and implementation of all local and national laws, ordinances, rules and regulations relative to socialized housing issues/concerns;
- h. Advise the Sangguniang Panlungsod on matters of local taxation and allocation which may affect the local government socialized housing programs, which includes, but not limited to the formulation of a socialized housing tax, the allocation of proceeds from idle land tax collections for socialized housing projects;
- i. Recommend for approval of the Sangguniang Panlungsod, applications for accreditation of any community association undertaking housing projects under the Community Mortgage Program (CMP) of the National Home Mortgage Finance Corporation (NHMFC), as well as its Originator;
- j. Initiate and develop a barangay-based Squatting Prevention Program and recommend appropriate measures to the Sangguniang Panlungsod; and
- k. Perform such other duties and functions as may be provided by law;

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Section 6. THE SECRETARIAT. The Urban Poor Affairs Office (UPAO) shall serve as Secretariat for the SHOPCOM and will provide the machinery to coordinate policy functions, implementation of programs and projects, as may be required by the SHOPCOM in the exercise of its functions.

The Head of the UPAO will act as the Executive Director and *ex-officio* member of the SHOPCOM.

Section 7. MEETING AND QUORUM. The SHOPCOM shall meet every month or as often as may be at the call of the Chairman. Majority of SHOPCOM shall constitute a quorum.

Section 8. SUPPORT SERVICES. The following offices are required to support the plans, programs and activities of the SHOPCOM as the need arises, based on their function for speedy implementation of the socialized housing programs:

- a. City Attorney's Office;
- b. Social Services Department;
- c. Management and Information System;
- d. Public Information Office;
- e. City Architect;
- f. City Health Office;
- g. Public Order and Safety Office;
- h. Muntinlupa City Police Department;
- i. Community Affairs Office;
- j. President, Association of Barangay Captains;
- k. Environmental Sanitation Center;
- l. Socio-Civic Sector;
- m. Youth Sector;
- n. Women Sector; and
- o. Other offices, when needed.

Section 9. DEMOLITION CLEARINGHOUSE. The SHOPCOM is hereby tasked to oversee the implementation of Section 28 of RA 7279 and its implementing rules and regulations, and in this regard shall perform the following functions:

- a. Monitor and coordinate government activities relative to consultation, relocation, and resettlement of underprivileged and homeless citizens in cases of UDHA beneficiaries where eviction and demolitions affecting them are necessary and allowed by existing laws; and
- b. Recommend policy measures and/ or undertake appropriate action to ensure full compliance with the constitutional mandate and statutory requirements prior to the evictions and/ or demolitions affecting underprivileged and homeless citizens.



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To further ensure the smooth and effective implementation of said Section 28 of RA 7279, SHOPCOM shall require any government agency authorized to demolish to submit a Compliance Report, under oath that:

- Adequate relocation as defined and outlined under pertinent laws, rules and regulations have already undertaken and sufficiently with the affected residents;
- The pre-relocation and post-relocation phase outlined under pertinent laws, rules and regulations have been carefully observed.

Section 10. APPROPRIATIONS. Funds as may be necessary to finance the operation, programs and projects of the SHOPCOM as provided for in Section 2 and Section 5, in carrying out the purposes and objectives of this Ordinance are hereby authorized to be included in UPAO's Budget.

Members of the SHOPCOM shall receive no compensation, but shall be entitled to traveling, representation and other allowance/honorarium.

Section 11. TRANSITORY PROVISION. The implementing agency shall formulate the implementing rules and regulations within fifteen (15) days after approval of this Ordinance.

Section 12. SEPARABILITY CLAUSE. If for any reason, any part/s or provision/s of this Ordinance shall be declared unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 13. REPEALING CLAUSE. All ordinances, resolutions, executive orders, rules and regulations or part/s thereof, which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 14. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately upon its approval.

APPROVED by the *Sangguniang Panlungsod of Muntinlupa* this 6th day of February 2003, on its 62nd Regular Session.

CONCURRED:

ALDRIN L. SAN PEDRO
City Councilor

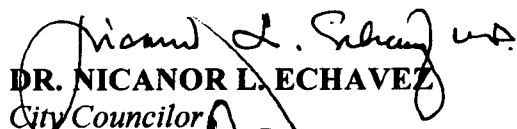
ELMER S. ESPELETA
City Councilor

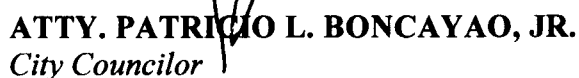


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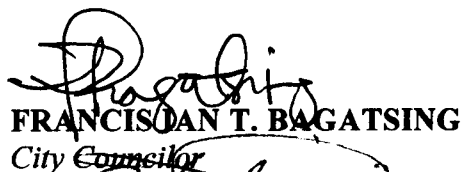

DR. NICANOR L. ECHAVEZ
City Councilor


ATTY. PATRICIO L. BONCAYAO, JR.
City Councilor


ALLAN REY A. CAMILON
City Councilor


ATTY. RAUL R. CORRO
City Councilor

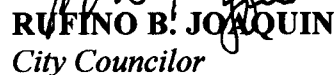

MELCHOR R. TEVES
City Councilor

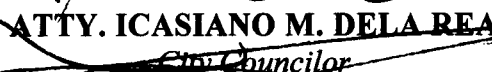

FRANCIS DAN T. BAGATSING
City Councilor

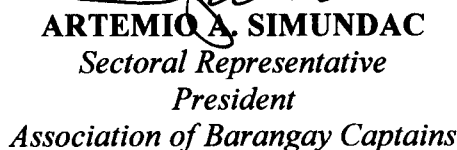

LUCIO B. CONSTANTINO
City Councilor


MARIO E. BULAY, JR.
City Councilor


MAMERTO T. SEVILLA, JR.
City Councilor



RUFINO B. JOAQUIN
City Councilor

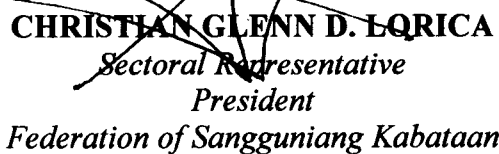

ATTY. ICASIANO M. DELA REA
City Councilor


ARTEMIO A. SIMUNDAC
Sectoral Representative
President
Association of Barangay Captains

ABSENT:


BAL NIEFES
City Councilor


RENE CARL S. CAYETANO
City Councilor


CHRISTIAN GLENN D. LORICA
Sectoral Representative
President
Federation of Sangguniang Kabataan



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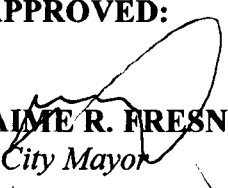
I HEREBY CERTIFIED, as to the correctness of the foregoing Ordinance.


ATTY. ISIDORO L. SORIANO, JR.
Secretary
SANGGUNIANG PANLUNGSOD

ATTESTED:


ATTY. JO JASON T. ALCARAZ
City Vice Mayor/Presiding Officer

APPROVED:


ATTY. JAIME R. FRESNEDI
City Mayor
Date: _____

LITO B. SALAMAT, JR. 06/04/02