



**HOUSE OF REPRESENTATIVES**

**H. No. 6405**

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BY REPRESENTATIVES VILLAROSA, BAGATSING, ALMARIO, ALVAREZ (A.), DIAZ, KHO, GARCIA (A.), AGYAO, DOMINGUEZ, VARGAS, ARROYO (D.), GATLABAYAN, ALFELOR, SEARES-LUNA, ANTONINO, BARZAGA, BAUTISTA, CLARETE, DIASNES, BRAVO, SEACHON-LANETE,, SOLIS, CODILLA, GONZALES (N.) AND DE GUZMAN, PER COMMITTEE REPORT No. 2046

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**AN ACT TO INSTITUTE REFORMS IN THE GOVERNMENT'S DRIVE AGAINST PROFESSIONAL SQUATTERS AND SQUATTING RACKETEER/S OR SYNDICATES, STRENGTHENING THE MECHANISMS THEREFOR AND FOR OTHER PURPOSES**

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

1           SECTION 1. *Short Title.* – This Act shall be known and cited as the  
2   “Anti-Professional Squatters and Squatting Racketeer/s or Syndicates Drive  
3   Reforms Act of 2010”.

4           SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the  
5   State to curb the nefarious activities of professional squatters and the squatting  
6   racketeer/s or syndicates that prey on both the underprivileged and homeless  
7   citizens and private property owners.

1           SEC. 3. *Statement of Objectives.* – This Act is intended to reinforce the  
2 drive against professional squatters and squatting racketeer/s or syndicates and  
3 to strengthen the mechanisms to effectively curtail their wicked activities, the  
4 usual victims of which are the legitimate urban poor beneficiaries.

5           It also aims to provide relief to both the underprivileged and homeless  
6 citizens and the small private property owners whose respective lands are  
7 occupied by the former.

8           SEC. 4. *Definitions of Terms.* – For purposes of this Act and consistent  
9 with the provisions of Republic Act No. 7279, otherwise known as the “Urban  
10 Development and Housing Act of 1992”, the following terms are hereby  
11 defined as follows:

12           (a) *Professional squatters* refer to individuals or groups who occupy  
13 land without the express consent of the landowner and who have sufficient  
14 income for legitimate housing; the term shall also apply to persons who have  
15 previously been awarded homelots or housing units by the government but who  
16 sold, leased or transferred the same to settle illegally in the same place or in  
17 another urban area, and to non-*bona fide* occupants and intruders of lands  
18 reserved for socialized housing: *Provided*, That the term shall not apply to  
19 individuals or groups who simply rent land and housing from professional  
20 squatters or squatting syndicates.

21           (b) *Resettlement areas* refer to areas identified by the appropriate  
22 national agency or by the local government unit with respect to areas within its  
23 jurisdiction, which shall be used for the relocation of the underprivileged and  
24 homeless citizens.

25           (c) *Small property owners* refer to those whose only real property  
26 consists of residential lands not exceeding three hundred square meters  
27 (300 sq.m.) in highly urbanized cities and eight hundred square meters  
28 (800 sq.m.) in other urban areas.

1 (d) *Socialized housing* refers to housing programs and projects  
2 covering houses and lots or homelots only undertaken by the government or  
3 the private sector for the underprivileged and homeless citizens which shall  
4 include sites and services development, long-term financing, liberalized terms  
5 on interest payments, and such other benefits in accordance with the provisions  
6 of this Act.

7 (e) *Underprivileged and homeless citizens* refer to the beneficiaries of  
8 this Act and to individuals or families residing in urban and urbanizable areas  
9 whose income or combined household income falls within the poverty  
10 threshold as defined by the National Economic and Development Authority  
11 and who do not own housing facilities. This shall include those who live in  
12 makeshift dwelling units and do not enjoy security of tenure.

13 SEC. 5. *Illegal Business of Squatter Housing and Squatting*  
14 *Racketeer/s or Syndicates Defined.* – (a) Section 3 of Republic Act No. 7279  
15 is hereby amended by inserting a new paragraph after paragraph (e) to be  
16 designated as paragraph (f) and which shall read as follows:

17 “(F) “ILLEGAL BUSINESS OF SQUATTER HOUSING” REFERS  
18 TO THE CARRYING OUT OF AN ACTIVITY, INTENDING TO  
19 DECEIVE OR DEFRAUD OTHER PERSON/S, CLAIMING  
20 OWNERSHIP OF A PIECE OF LAND OR THE AUTHORITY TO  
21 DISPOSE SAID LAND AND/OR TO CONVEY PROPRIETARY RIGHTS  
22 OR OWNERSHIP OVER THE SAME OR EVEN PORTIONS THEREOF  
23 WHEN, IN TRUTH AND IN FACT, NO SUCH LEGAL RIGHT OR  
24 AUTHORITY EXISTS. IT SHALL BE CONSIDERED AS AN OFFENSE  
25 INVOLVING ECONOMIC SABOTAGE. THE PERSONS CRIMINALLY  
26 LIABLE FOR THE ABOVE OFFENSE ARE THE PRINCIPAL,  
27 ACCOMPLICES AND ACCESSORIES. IN THE CASE OF A  
28 JURIDICAL PERSON, THE OFFICERS HAVING CONTROL,

1           **MANAGEMENT OR DIRECTION OF THEIR BUSINESS SHALL BE**  
2           **LIABLE;”**

3           The succeeding paragraphs shall be redesignated accordingly.

4           (b) Redesignated paragraph (t), Section 3 of the same Act is hereby  
5 amended to read as follows:

6                   “[(s)](T) “Squatting **RACKETEER/S OR syndicates**” refers  
7 to **PERSON/S OR** groups of persons engaged in the **ILLEGAL**  
8 business of squatter housing for profit or gain **WHETHER**  
9 **FINANCIAL OR POLITICAL ADVANTAGE;”**

10           **SEC. 6. *Strengthening the Mechanisms in the Drive Against***  
11 ***Professional Squatters and Squatting Racketeer/s or Syndicates.*** – In order to  
12 effectively suppress the activities of professional squatters and squatting  
13 racketeer/s or syndicates, it is imperative to strengthen the present mechanisms  
14 being used against them and to increase the penalty for their nefarious acts. For  
15 this purpose, Section 27 of Republic Act No. 7279 is hereby amended to read  
16 as follows:

17                   “**SEC. 27. *Action Against Professional Squatters and***  
18 ***Squatting RACKETEER/S OR Syndicates.*** – The **CONCERNED**  
19 local government units **AND/OR THE HOUSING AND URBAN**  
20 **DEVELOPMENT COORDINATING COUNCIL**, in cooperation with  
21 the Philippine National Police, the Presidential Commission for  
22 the Urban Poor (PCUP), and the PCUP-accredited urban poor  
23 organization in the area, shall adopt measures to identify and  
24 effectively curtail the nefarious and illegal activities of  
25 professional squatters and squatting **RACKETEERS/ OR**  
26 **syndicates**, as herein defined.

27                   “**THE DEPARTMENT OF JUSTICE SHALL, IN**  
28 **CONJUNCTION WITH THE LOCAL GOVERNMENT UNITS AND THE**

1 HOUSING AND URBAN DEVELOPMENT COORDINATING  
2 COUNCIL, TAKE THE LEAD IN THE PROSECUTION OF  
3 IDENTIFIED PROFESSIONAL SQUATTERS AND SQUATTING  
4 RACKETEER/S OR SYNDICATES.

5 "THE HOUSING AND URBAN DEVELOPMENT  
6 COORDINATING COUNCIL, THE CONCERNED LOCAL  
7 GOVERNMENT UNIT AND THE DEPARTMENT OF JUSTICE  
8 SHALL HAVE AUTHORITY TO CALL ON THE FULL SUPPORT AND  
9 ASSISTANCE OF THE FOLLOWING RELEVANT AGENCIES:

10 "(A) THE PRESIDENTIAL COMMISSION FOR THE URBAN  
11 POOR;

12 "(B) THE DEPARTMENT OF THE INTERIOR AND LOCAL  
13 GOVERNMENT;

14 "(C) THE DEPARTMENT OF ENVIRONMENT AND NATURAL  
15 RESOURCES;

16 "(D) THE PHILIPPINE NATIONAL POLICE;

17 "(E) THE NATIONAL URBAN POOR SECTORAL COUNCIL  
18 OF THE NATIONAL ANTI-POVERTY COMMISSION;

19 "(F) THE NATIONAL BUREAU OF INVESTIGATION;

20 "(G) THE LAND REGISTRATION AUTHORITY; AND

21 "(H) THE OFFICE OF THE SOLICITOR GENERAL.

22 THE NATIONAL POLICE TASK FORCE TO APPREHEND  
23 SQUATTING SYNDICATES AND PROFESSIONAL SQUATTERS  
24 CREATED UNDER EXECUTIVE ORDER NO. 178, SERIES OF 1999,  
25 AS AMENDED BY EXECUTIVE ORDER NO. 153, SERIES OF 2002,  
26 AND HEREBY RENAMED THE NATIONAL POLICE TASK FORCE  
27 TO APPREHEND PROFESSIONAL SQUATTERS AND SQUATTING  
28 RACKETEER/S OR SYNDICATES SHALL SERVE AS THE  
29 OPERATIONAL ARM OF THE HOUSING AND URBAN

1           **DEVELOPMENT COORDINATING COUNCIL. THE PHILIPPINE**  
2           **NATIONAL POLICE SHALL DESIGNATE SUCH FULL-TIME STAFF**  
3           **OR PERSONNEL TO EFFECTIVELY PURSUE THE OBJECTIVES OF**  
4           **THE TASK FORCE.**

5           **“THE PCUP SHALL EXTEND SECRETARIAT SUPPORT TO**  
6           **THE HOUSING AND URBAN DEVELOPMENT COORDINATING**  
7           **COUNCIL, THE DEPARTMENT OF JUSTICE AND THE NATIONAL**  
8           **POLICE TASK FORCE.**

9           **“Any person or group identified as such shall be summarily**  
10          **evicted and their dwellings or structures demolished AFTER DUE**  
11          **NOTICE, and shall be disqualified to avail of the benefits of the**  
12          **Program. [A public official who tolerates or abets the**  
13          **commission of the abovementioned acts shall be dealt with in**  
14          **accordance with existing laws.]**

15          **“For purposes of this Act, professional squatters [or**  
16          **members of squatting syndicates] shall be imposed the penalty of**  
17          **[six (6) years] PRISION MAYOR OR imprisonment OF SIX (6)**  
18          **YEARS AND ONE (1) DAY TO TWELVE (12) YEARS or a fine of not**  
19          **less than [Sixty] TWO HUNDRED thousand pesos [(P60,000)]**  
20          **(P200,000.00) but not more than [One] FIVE hundred thousand**  
21          **pesos [(P100,000)] (P500,000.00), at the discretion of**  
22          **the court. SQUATTING RACKETEER/S OR MEMBERS OF**  
23          **SQUATTING SYNDICATES SHALL SUFFER THE PENALTY OF**  
24          **RECLUSION PERPETUA OR LIFE IMPRISONMENT.**

25          **“ANY PUBLIC OFFICIAL OR EMPLOYEE WHO TOLERATES**  
26          **OR ABETS THE COMMISSION OF THE ABOVEMENTIONED ACTS**  
27          **SHALL LIKEWISE BE IMPOSED THE PENALTY OF RECLUSION**

1           **PERPETUA OR LIFE IMPRISONMENT AND PERMANENT**  
2           **ABSOLUTE DISQUALIFICATION FROM HOLDING PUBLIC OFFICE,**  
3           **INCLUDING IN GOVERNMENT-OWNED AND/OR -CONTROLLED**  
4           **CORPORATIONS, WITHOUT PREJUDICE TO THE PROSECUTION**  
5           **OF THE SAID OFFICIAL OR EMPLOYEE UNDER THE PROVISION**  
6           **OF THE REVISED PENAL CODE OR OTHER EXISTING LAWS.”**

7           **SEC. 7. *Additional Mechanisms to Curtail the Illegal Activities of***  
8           ***Squatting Racketeer/s or Syndicates.*** – In furtherance of the drive to  
9           effectively curtail the nefarious and illegal activities of squatting racketeer/s or  
10          syndicates, Section 27 of the same Act is further amended by inserting six (6)  
11          new sections to be denominated as Section 27-A through Section 27-F, which  
12          shall read as follows:

13                   **“SEC. 27-A. *PRIMA FACIE EVIDENCE AGAINST SQUATTING***  
14                   ***RACKETEER/S OR SYNDICATES.*** – ANY OF THE FOLLOWING  
15                   CIRCUMSTANCES SHALL CONSTITUTE *PRIMA FACIE* EVIDENCE  
16                   AGAINST SQUATTING RACKETEER/S OR SYNDICATES:

17                   **“(A) THE USE OF FAKE AND/OR MANUFACTURED**  
18                   **TRANSFER CERTIFICATE OF TITLE OR COURT DECISION;**

19                   **“(B) THE USE OF A SPANISH TITLE OR ROYAL DECREE**  
20                   **THAT WAS DECLARED BY FINAL JUDGMENT WITHOUT FORCE**  
21                   **AND EFFECT OR OF A VOID CERTIFICATE OF TITLE;**

22                   **“(C) THE USE OF A DEED OF ASSIGNMENT OR**  
23                   **CERTIFICATE OF OCCUPANCY, OR A DONATION OR SALE BASED**  
24                   **ON A SPANISH TITLE OR ROYAL DECREE THAT WAS DECLARED**  
25                   **BY FINAL JUDGMENT WITHOUT FORCE AND EFFECT OR BASED**  
26                   **ON VOID CERTIFICATES OF TITLE OR FAKE AND/OR**  
27                   **MANUFACTURED CERTIFICATE OF TITLE OR COURT DECISION;**

28                   **“(D) THE ACT OF ORGANIZING ASSOCIATIONS OR**  
29                   **ORGANIZATIONS, INCLUDING COOPERATIVES, FOR THE**  
30                   **PURPOSE OF COLLECTING MEMBERSHIP FEES OR OTHER**

1 CHARGES OR OF DERIVING GAIN, PROFIT OR FINANCIAL  
2 ADVANTAGE BASED ON A SPANISH TITLE OR ROYAL DECREE  
3 THAT WAS DECLARED BY FINAL JUDGMENT WITHOUT FORCE  
4 AND EFFECT OR BASED ON A VOID CERTIFICATE OF TITLE OR  
5 FAKE AND/OR MANUFACTURED TRANSFER CERTIFICATE OF  
6 TITLE OR COURT DECISION.

7 "SEC. 27-B. *VENUE*. - A CRIMINAL ACTION ARISING  
8 FROM ILLEGAL BUSINESS OF SQUATTER HOUSING AS HEREIN  
9 DEFINED SHALL BE FILED WITH THE REGIONAL TRIAL COURT  
10 OF THE PROVINCE OR CITY WHERE THE OFFENSE WAS  
11 COMMITTED OR WHERE THE OFFENDED PARTY ACTUALLY  
12 RESIDES AT THE TIME OF THE COMMISSION OF THE OFFENSE:  
13 *PROVIDED*, THAT THE COURT WHERE THE CRIMINAL ACTION IS  
14 FIRST FILED SHALL ACQUIRE JURISDICTION TO THE  
15 EXCLUSION OF OTHER COURTS.

16 "SEC. 27-C. *MANDATORY PERIODS FOR RESOLUTION OF*  
17 *ILLEGAL BUSINESS OF SQUATTER HOUSING*. - THE  
18 PRELIMINARY INVESTIGATION OF CASES UNDER THIS ACT  
19 SHALL BE TERMINATED WITHIN A PERIOD OF THIRTY (30)  
20 CALENDAR DAYS FROM THE DATE OF THEIR FILING. WHERE  
21 THE PRELIMINARY INVESTIGATION IS CONDUCTED BY A  
22 PROSECUTOR AND A *PRIMA FACIE* CASE IS ESTABLISHED, THE  
23 CORRESPONDING INFORMATION SHALL BE FILED IN COURT  
24 WITHIN TWENTY-FOUR (24) HOURS FROM THE TERMINATION  
25 OF THE INVESTIGATION. IF THE PRELIMINARY INVESTIGATION  
26 IS CONDUCTED BY A PROSECUTOR AND A *PRIMA FACIE* CASE IS  
27 FOUND TO EXIST, THE CORRESPONDING INFORMATION SHALL  
28 BE FILED BY THE PROPER PROSECUTOR WITHIN FORTY-EIGHT  
29 (48) HOURS FROM THE DATE OF RECEIPT OF THE RECORDS OF  
30 THE CASE.



1           “SEC. 27-D. *PRESCRIPTIVE PERIOD.* – ILLEGAL BUSINESS  
2 OF SQUATTER HOUSING CASES UNDER THIS ACT SHALL  
3 PRESCRIBE IN TWENTY (20) YEARS.

4           “SEC. 27-E. *FREE LEGAL ASSISTANCE; PREFERENTIAL*  
5 *ENTITLEMENT UNDER THE WITNESS PROTECTION PROGRAM.* –  
6 A MECHANISM FOR FREE LEGAL ASSISTANCE FOR VICTIMS OF  
7 ILLEGAL BUSINESS OF SQUATTER HOUSING SHALL BE  
8 ESTABLISHED WITHIN THE HOUSING AND URBAN  
9 DEVELOPMENT COORDINATING COUNCIL. SUCH MECHANISM  
10 MUST INCLUDE COORDINATION AND COOPERATION WITH THE  
11 DEPARTMENT OF JUSTICE, THE INTEGRATED BAR OF THE  
12 PHILIPPINES AND OTHER NONGOVERNMENTAL  
13 ORGANIZATIONS AND VOLUNTEER GROUPS.

14           “THE PROVISIONS OF REPUBLIC ACT NO. 6981, ENTITLED:  
15 ‘AN ACT PROVIDING FOR A WITNESS PROTECTION, SECURITY  
16 AND BENEFIT PROGRAM AND FOR OTHER PURPOSES’, TO THE  
17 CONTRARY NOTWITHSTANDING, ANY PERSON WHO IS A VICTIM  
18 OF ILLEGAL BUSINESS OF SQUATTER HOUSING SHALL BE  
19 ENTITLED TO THE WITNESS PROTECTION PROGRAM PROVIDED  
20 THEREUNDER.

21           “SEC. 27-F. *LIABILITY UNDER THE REVISED PENAL CODE.*  
22 – PROSECUTION UNDER THIS ACT SHALL BE WITHOUT  
23 PREJUDICE TO ANY LIABILITY FOR VIOLATION OF ANY  
24 PROVISION OF THE REVISED PENAL CODE.”

25           SEC. 8. *Relief to Private Property Owners and the Underprivileged and*  
26 *Homeless Citizens Occupying Privately-owned Lands.* – In respect of the  
27 rights of private property owners, especially small property owners, and in  
28 order to alleviate the condition of the underprivileged and homeless citizens

1 occupying privately-owned lands. Sections 29 and 30 of Republic Act No.  
2 7279 are hereby amended:

3 (a) Section 29 of Republic Act No. 7279 is hereby amended to read as  
4 follows:

5 "SEC. 29. *Resettlement.* – Within two (2) years from the  
6 effectivity of this Act, the local government units, in  
7 coordination with the National Housing Authority, shall  
8 implement the relocation and resettlement of persons living in  
9 danger areas such as esteros, railroad tracks, garbage dumps,  
10 riverbanks, shorelines, waterways, and in other public places  
11 such as sidewalks, roads, parks, and playgrounds. The local  
12 government unit, in coordination with the National Housing  
13 Authority, shall provide relocation or resettlement sites with  
14 basic services and facilities and access to employment and  
15 livelihood opportunities sufficient to meet the basic needs of the  
16 affected families.

17 "THE LOCAL GOVERNMENT UNIT SHALL, IN  
18 COORDINATION WITH THE NATIONAL HOUSING AUTHORITY  
19 OR THE SOCIAL HOUSING FINANCE CORPORATION, LIKEWISE  
20 PROVIDE RESETTLEMENT SITES OR RELOCATION TO A  
21 COMMUNITY MORTGAGE PROGRAM HOUSING PROJECT,  
22 COMPLETE WITH BASIC SERVICES, TO UNDERPRIVILEGED AND  
23 HOMELESS CITIZENS OCCUPYING PRIVATE LANDS OWNED BY  
24 SMALL PROPERTY OWNERS UPON APPLICATION BY THE  
25 LATTER WITH THE LOCAL GOVERNMENT UNIT CONCERNED  
26 FOR THE RESETTLEMENT OR RELOCATION OF THE  
27 INDIVIDUALS OCCUPYING THEIR PROPERTY AND UPON PROPER  
28 QUALIFICATION OF THE TARGET BENEFICIARIES. THE PCUP  
29 SHALL ASSIST THE LOCAL GOVERNMENT UNITS IN THE  
30 REGISTRATION OF THE UNDERPRIVILEGED AND HOMELESS

1           CITIZENS OCCUPYING SMALL PRIVATELY-OWNED LANDS  
2           WITHIN THEIR RESPECTIVE JURISDICTION FOR QUALIFICATION  
3           PURPOSES. ONCE QUALIFIED THROUGH THE REGISTRATION  
4           PROCESS, SAID UNDERPRIVILEGED AND HOMELESS CITIZENS  
5           SHALL BE ENTITLED TO RESETTLEMENT OR RELOCATION  
6           ASSISTANCE.”

7           (b) Section 30 of Republic Act No. 7279 is hereby amended to read as  
8 follows:

9           “SEC. 30. *Prohibition Against New Illegal Structures.* – It  
10          shall be unlawful for any person to construct any structure in  
11          areas mentioned in the preceding section, INCLUDING  
12          PRIVATELY-OWNED LANDS.

13          “x x x.”

14          SEC. 9. *Annual Report.* – The Housing and Urban Development  
15          Coordinating Council, the local government units, through the Department of  
16          the Interior and Local Government, the Department of Justice, the PCUP and  
17          the Philippine National Police shall submit a detailed annual report with  
18          respect to the implementation of this Act to the President and to the House of  
19          Representatives and the Senate of the Congress of the Republic of the  
20          Philippines through the House Committee on Housing and Urban Development  
21          and the Senate Committee on Urban Planning, Housing and Resettlement.

22          SEC. 10. *Funding.* – The initial funding requirement for the  
23          implementation of this Act shall be charged against the current budget of the  
24          Housing and Urban Development Coordinating Council and thereafter to be  
25          included in the annual General Appropriations Act: *Provided,* That the  
26          National Housing Authority shall immediately set aside funds for the  
27          resettlement of the victims under this Act: *Provided, further,* That the National  
28          Home Mortgage Finance Corporation, through the Social Housing Finance  
29          Corporation, shall allocate any of its existing funds under the Community

1 Mortgage Program to immediately implement this Act and thereafter in the  
2 annual General Appropriations Act.

3 SEC. 11. *Implementing Rules and Regulations.* – The Housing and  
4 Urban Development Coordinating Council, the Department of Justice, the  
5 Department of the Interior and Local Government and the PCUP, in  
6 consultation with the Philippine National Police, shall promulgate the  
7 implementing rules and regulations necessary to implement the provisions of  
8 Sections 6 and 7 hereof and the Housing and Urban Development  
9 Coordinating Council, the Department of the Interior and Local Government,  
10 the PCUP, the National Housing Authority and the Social Housing Finance  
11 Corporation shall promulgate the implementing rules and regulations necessary  
12 to implement the provisions of Section 8 hereof within ninety (90) days from  
13 the approval of this Act.

14 SEC. 12. *Separability Clause.* – If any provision of this Act shall be  
15 held unconstitutional or invalid, the other provisions not otherwise affected  
16 shall remain in full force and effect.

17 SEC. 13. *Repealing Clause.* – Sections 3, 27, 29 and 30 of Republic  
18 Act No. 7279 are hereby amended. All other laws, decrees, executive orders,  
19 proclamations, rules and regulations and other issuances or parts thereof which  
20 are inconsistent with the provisions of this Act are hereby repealed, amended  
21 or modified accordingly.

22 SEC. 14. *Effectivity Clause.* – This Act shall take effect fifteen (15)  
23 days after the completion of its publication in the *Official Gazette* or in at least  
24 two (2) national newspapers of general circulation.

Approved,

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