


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



'22 JUL 18 P5:39

**SENATE
S. No. 749**

RECEIVED BY: 

Introduced by SENATOR FRANCIS "TOL" N. TOLENTINO

**AN ACT
MANDATING THE APPOINTMENT OF A HUMAN SETTLEMENTS AND
HOUSING OFFICER IN PROVINCES, CITIES, AND MUNICIPALITIES,
PROVIDING FOR ITS POWERS AND FUNCTIONS, AMENDING SECTIONS 17,
443, 454, 463, AND TITLE FIVE OF BOOK II OF REPUBLIC ACT NO. 7160,
OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991", AND
FOR OTHER PUPOSES**

EXPLANATORY NOTE

Section 9, Article XIII of the 1987 Constitution provides that the State shall 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 under-privileged and homeless citizens in urban centers and resettlement areas.

To strengthen the State's housing programs, Republic Act No. 11201, creating the Department of Human Settlements and Urban Development (DHSUD), was passed into law. However, there is no law mandating local government units to create an office equivalent to the DHSUD specifically to implement the programs for housing and urban development in the local level.

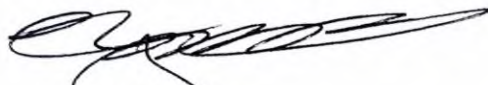
While some local government units voluntarily created local housing boards, local housing offices and their equivalents in their jurisdictions, not all local government units have an office directly spearheading housing related programs. As

a result, there are local government units which failed to comply with the requirements of Republic Act No. 7279, otherwise known as the "Urban Development and Housing Act of 1992," especially in the inventory of lands, preparation of Comprehensive Land Use Plan (CLUP) and Land Shelter Plan (LSP), inventory of housing stocks, and list of beneficiaries of socialized housing.

Moreover, the DSHUD is mandated by its charter to develop and maintain data on inventory of idle lands, CLUPs and LSPs, inventory of housing stocks, and list of beneficiaries. However, such data is hard to generate and maintain since no information of such kind was collected and maintained by all local government units.

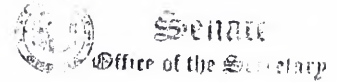
This measure proposes to create a Housing and Human Settlements Office, and mandates the appointment of a Human Settlements and Housing Officer in all provinces, cities and municipalities, by amending the Local Government Code, in order to have an implementing arm for housing and urban development programs in all local government units.

In the light of the foregoing, the passage of this bill is earnestly sought.



FRANCIS "TOL" N. TOLENTINO

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PROVIDING FOR ITS POWERS AND FUNCTIONS, AMENDING SECTIONS
17, 443, 454, 463, AND TITLE FIVE OF BOOK II OF REPUBLIC ACT NO.
7160, OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991",
AND FOR OTHER PURPOSES

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

1 **Section 1. Short Title.** – This Act shall be known as the "Local Human
2 Settlements and Housing Officer Act of 2022."

3 **Sec. 2. Declaration of Policy.** – It is hereby declared policy of the State to:

4 a) Promote social justice in all phases of national and local development that
5 will ensure the adequacy of social services, a rising standard of living, and
6 an improved quality of life for all through a continuing housing program that
7 will secure an affordable and decent housing and basic services to the
8 underprivileged and homeless citizens in urban, rural and resettlement
9 areas;

10 b) Ensure and promote the autonomy of local governments to accelerate the
11 economic and social growth and development of the political subdivisions
12 of the State through a system of decentralization by giving powers and

1 functions regarding the implementation of housing programs to Human
2 Settlements and Housing Officers in all local government units;

3 c) Act in accordance with law in a just and humane manner in the eviction and
4 resettlement of informal settler families and ensure adequate consultation
5 with the local communities and stakeholders where the informal settler
6 families are to be resettled and relocated;

7 d) Promote the participation of the private sector in the achievement of an
8 effective and sustainable urban and rural development; and

9 e) Recognize and promote the rights of indigenous cultural
10 communities/indigenous peoples within the framework of the urban and
11 rural development plans of the State.

12 **Sec. 3.** Sec. 17 (b) (2) of Republic Act No. 7160, otherwise known as the "Local
13 Government Code of 1991," is hereby amended to read as follows:

14 "SECTION 17. Basic Services and Facilities.

15 (a) x x x

16 (b) Such basic services and facilities include, but are not limited to, the
17 following:

18 x x x

19 (2) For a municipality:

20 x x x

21 **(XIII) PROGRAMS AND PROJECTS FOR LOW-COST**
22 **HOUSING AND OTHER MASS DWELLINGS, EXCEPT**
23 **THOSE FUNDED BY THE SOCIAL SECURITY SYSTEM**
24 **(SSS), GOVERNMENT SERVICE INSURANCE**
25 **SYSTEM (GSIS), AND THE HOME DEVELOPMENT**
26 **MUTUAL FUND (HDMF): PROVIDED, THAT**

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**NATIONAL FUNDS FOR THESE PROGRAMS AND
PROJECTS SHALL BE EQUITABLY ALLOCATED
AMONG THE REGIONS IN PROPORTION TO THE
RATIO OF THE HOMELESS TO THE POPULATION.”**

Sec. 4. Section 443 (a) of Republic Act No. 7160 is hereby amended to read as follows:

“SECTION. 443. Officials of the Municipal Government. – (a) There shall be in each municipality a municipal mayor, a municipal vice-mayor, Sangguniang Bayan members, a secretary to the Sangguniang Bayan, a municipal treasurer, a municipal assessor, a municipal accountant, a municipal budget officer, a municipal planning and development coordinator, a municipal engineer/building official, a municipal health officer, [~~and~~] a municipal civil registrar, **AND A MUNICIPAL HUMAN SETTLEMENTS AND HOUSING OFFICER.**

x x x”

Sec. 5. Section 454 (a) of Republic Act No. 7160 is hereby amended to read as follows:

“SECTION. 454. Officials of the City Government. – (a) There shall be in each city a mayor, a vice-mayor, Sangguniang Panlungsod members, a secretary to the Sangguniang Panlungsod, a city treasurer, a city assessor, a city accountant, a city budget officer, a city planning and development coordinator, a city engineer, a city health officer, a city civil registrar, a city administrator, a city legal officer, a city veterinarian, a city social welfare and development officer, [~~and~~] a city general services officer, **AND A CITY HUMAN SETTLEMENTS AND HOUSING OFFICER.**

x x x”

Sec. 6. Section 463 (a) of Republic Act No. 7160 is hereby amended to read as follows:

1 "SECTION. 463. Officials of the Provincial Government. – (a) There shall
2 be in each province a governor, a vice-governor, member of the Sangguniang
3 Panlalawigan, a Secretary of the Sangguniang Panlalawigan, a provincial
4 treasurer, a provincial assessor, a provincial accountant, a provincial engineer,
5 a provincial budget officer, a provincial planning and development coordinator,
6 a provincial legal officer, a provincial administrator, and provincial health
7 officer, a provincial social welfare and development officer, a provincial general
8 services officer, a provincial agriculturist, [and] a provincial veterinarian, **AND**
9 **A PROVINCIAL HUMAN SETTLEMENTS AND HOUSING OFFICER.**

10 x x x"

11 **Sec. 7.** Title Five, Book II of Republic Act No. 7160 is hereby amended to
12 include a new **SECTION 490-A** after Section 490, to read as follows:

13 **"ARTICLE XXI**

14 **THE HUMAN SETTLEMENTS AND HOUSING OFFICER**

15 **SECTION. 490-A. QUALIFICATION, POWERS AND DUTIES.**

16 **(A) THE HUMAN SETTLEMENTS AND HOUSING OFFICER SHALL**
17 **BE APPOINTED BY THE GOVERNOR OR MAYOR, AS THE CASE MAY BE,**
18 **SUBJECT TO CIVIL SERVICE LAW, RULES AND REGULATIONS;**

19 **(B) NO PERSON SHALL BE APPOINTED HUMAN SETTLEMENTS**
20 **AND HOUSING OFFICER UNLESS HE IS A CITIZEN OF THE**
21 **PHILIPPINES, A RESIDENT OF THE LOCAL GOVERNMENT UNIT**
22 **CONCERNED, OF GOOD MORAL CHARACTER, A HOLDER OF A**
23 **COLLEGE DEGREE RELATED TO HOUSING, REAL ESTATE AND URBAN**
24 **PLANNING FROM A RECOGNIZED COLLEGE OR UNIVERSITY, AND A**
25 **FIRST GRADE CIVIL SERVICE ELIGIBLE OR ITS EQUIVALENT. HE**
26 **MUST HAVE ACQUIRED EXPERIENCE IN HOUSING, REAL ESTATE,**
27 **URBAN PLANNING AND URBAN DEVELOPMENT, OF AT LEAST FIVE (5)**
28 **YEARS IN THE CASE OF THE PROVINCIAL OR CITY HUMAN**

1 **SETTLEMENTS AND HOUSING OFFICER, AND AT LEAST THREE (3)**
2 **YEARS IN THE CASE OF THE MUNICIPAL HUMAN SETTLEMENTS AND**
3 **HOUSING OFFICER.**

4 **THE APPOINTMENT OF A HUMAN SETTLEMENTS AND HOUSING**
5 **OFFICER IS MANDATORY FOR THE PROVINCIAL, CITY AND**
6 **MUNICIPAL GOVERNMENTS.**

7 **(C) THE HUMAN SETTLEMENTS AND HOUSING OFFICER SHALL**
8 **TAKE CHARGE OF THE HUMAN SETTLEMENTS AND HOUSING OFFICE**
9 **AND SHALL:**

10 **(1) ADVISE THE GOVERNOR OR MAYOR, AS THE CASE MAY**
11 **BE, THE SANGGUNIAN, AND OTHER LOCAL GOVERNMENT**
12 **OFFICIALS CONCERNED REGARDING HOUSING,**
13 **RESETTLEMENT, URBAN PLANNING AND URBAN**
14 **DEVELOPMENT, AND ON SUCH OTHER MATTERS**
15 **RELATIVE TO HOUSING AND RESETTLEMENT;**

16 **(2) FORMULATE PROGRAMS AND MEASURES FOR THE**
17 **CONSIDERATION OF THE SANGGUNIAN AND PROVIDE**
18 **TECHNICAL ASSISTANCE AND SUPPORT TO THE**
19 **GOVERNOR OR MAYOR, AS THE CASE MAY BE, IN**
20 **CARRYING OUT MEASURES TO ENSURE THE DELIVERY**
21 **OF BASIC SERVICES PURSUANT TO SECTION 17 OF THIS**
22 **CODE AND WHICH REQUIRE HOUSING, RESETTLEMENT,**
23 **REAL ESTATE AND URBAN PLANNING EXPERTISE AND**
24 **TECHNICAL SUPPORT SERVICES;**

25 **(3) IN ADDITION TO THE FOREGOING DUTIES AND**
26 **FUNCTIONS, THE HUMAN SETTLEMENTS AND HOUSING**
27 **OFFICER SHALL:**

- 1 **(I) CONDUCT AN INVENTORY OF LANDS, AND UPDATE**
2 **THE INVENTORY EVERY THREE (3) YEARS**
3 **THEREAFTER, WITHIN THEIR JURISDICTION;**
- 4 **(II) PREPARE, FORMULATE OR UPDATE THE**
5 **COMPREHENSIVE LAND USE PLAN AND LOCAL**
6 **SHELTER PLAN, IN COORDINATION WITH THE**
7 **LOCAL PLANNING AND DEVELOPMENT OFFICER,**
8 **AND UPDATE THE SAME AT LEAST ONCE EVERY**
9 **THREE (3) YEARS;**
- 10 **(III) IDENTIFY SITES COMPATIBLE FOR SOCIALIZED**
11 **HOUSING PROJECTS AND RESETTLEMENT AREAS**
12 **FOR THE IMMEDIATE AND FUTURE NEEDS OF THE**
13 **UNDERPRIVILEGED, HOMELESS AND INFORMAL**
14 **SETTLER FAMILIES;**
- 15 **(IV) IDENTIFY AND REGISTER SOCIALIZED HOUSING**
16 **BENEFICIARIES;**
- 17 **(V) MONITOR AND ENSURE THE COMPLIANCE BY**
18 **DEVELOPERS OF THE BALANCED HOUSING**
19 **DEVELOPMENT REQUIREMENT UNDER REPUBLIC**
20 **ACT NO. 10884;**
- 21 **(VI) ASSIST IN THE RELOCATION OF INFORMAL SETTLER**
22 **FAMILIES AND ENSURE THAT THE RELOCATION**
23 **SITE IS PROVIDED WITH ADEQUATE BASIC**
24 **SERVICES, FACILITIES, AND ACCESS TO**
25 **EMPLOYMENT AND LIVELIHOOD OPPORTUNITIES;**
- 26 **(VII) OPEN ROADS OF SUBDIVISIONS TO THE PUBLIC**
27 **WHEN THE GENERAL WELFARE REQUIRES IT UPON**
28 **CONSULTATION WITH STAKEHOLDERS;**

1 (VIII) COORDINATE WITH AND PROVIDE TECHNICAL
2 AND OTHER FORMS OF ASSISTANCE TO THE
3 PRIVATE SECTOR, INTERNATIONAL AND
4 DOMESTIC NON-GOVERNMENT ORGANIZATIONS,
5 AND PEOPLES ORGANIZATIONS INVOLVED IN
6 SOCIALIZED HOUSING; AND

7 (IX) EXERCISE SUCH OTHER POWERS AND PERFORM
8 SUCH OTHER DUTIES AND FUNCTIONS AS MAY BE
9 PRESCRIBED BY LAW OR ORDINANCE.

10 (4) THE HUMAN SETTLEMENTS AND HOUSING OFFICER
11 SHALL CONSULT WITH THE INDIGENOUS CULTURAL
12 COMMUNITIES/INDIGENOUS PEOPLES IN THE DESIGN
13 OF SOCIALIZED HOUSING DEDICATED FOR THEM TO
14 ENSURE THAT CULTURAL AND TRADITIONAL RIGHTS
15 ARE RESPECTED, AND SHALL PROMOTE THE USE OF
16 INDIGENOUS, ALTERNATIVE, AND LOW-COST
17 CONSTRUCTION MATERIALS AND TECHNOLOGIES FOR
18 SOCIALIZED HOUSING; AND

19 (5) THE HUMAN SETTLEMENTS AND HOUSING OFFICER
20 SHALL COORDINATE WITH NATIONAL GOVERNMENT
21 AGENCIES AND INSTRUMENTALITIES PERFORMING
22 FUNCTIONS WHICH MAY AFFECT HOUSING,
23 RESETTLEMENT, URBAN PLANNING AND URBAN
24 DEVELOPMENT.

25 **Sec. 8. *Transitory Provisions.*** – Local Chief Executives shall appoint their
26 respective Human Settlements and Housing Officer within ninety (90) days from the
27 promulgation of the implementing rules and regulations of this Act.

1 The Urban Poor Affairs Offices or its equivalent shall be converted into the
2 Human Settlements and Housing Office. All existing Local Housing Boards or its
3 equivalent are hereby abolished.

4 **Sec. 9. *Implementing Rules and Regulations.*** – Within sixty (60) days after
5 the effectivity of this Act, the Department of the Interior and Local Government, in
6 coordination with the Department of Human Settlements and Urban Development,
7 shall promulgate the appropriate rules and regulations necessary for the
8 implementation of this Act.

9 **Sec. 10. *Separability Clause.*** – If any portion or provision of this Act is
10 declared unconstitutional or invalid, the other portions or provisions not otherwise
11 affected shall remain in full force and effect.

12 **Sec. 11. *Repealing Clause.*** – All laws, decrees, executive orders,
13 proclamations, and other executive issuances which are inconsistent with or contrary
14 to the provisions of this Act are hereby repealed, modified, or amended accordingly.

15 **Sec. 12. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days
16 following its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,