



Republic of the Philippines
House of Representatives
Quezon City



EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 8303

Introduced by REPRESENTATIVE ERIC L. OLIVAREZ

EXPLANATORY NOTE

The Constitution of the Philippines provides in Section 9 of Article XII for the State to undertake a continuing program of urban land reform and housing which will make available at an affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas. From this constitutional mandate, it can be clearly deduced that the State considers, as it should be considered, the importance of assisting underprivileged citizens in having decent housing and access to basic services. However, because of the rapid rise of poverty in the country, efforts to provide decent housing to underprivileged Filipinos remain futile as many Filipino families still resort to informal settling.

Poverty in the Philippines has been a problem for so long. As an effect of this, many Filipino families do not have decent homes to live in. They instead resort to settle on lands without legal claim over it. Moreover, natural disasters and calamities also contribute to the problem of informal settling. Although the Filipino people remain to be resilient despite all the hardships that our country faces, this still does not deny the fact that these calamities have caused destruction to a lot of homes of the Filipino people. Informal settling is very troublesome because these people, just to utilize their basic need of a shelter, have to live in constant fear that they may be evicted by the owners of the properties they are occupying.

In order to provide a solution to the problem of informal settling, this Act is created in order to provide a rental housing subsidy program which shall be established as a housing and social protection program with the purpose of leading informal settler families into living decent lives in decent homes. Through this program, informal settler families shall be protected from the heavy impacts of eviction from the places they are occupying. Also provided in this Bill, among others, are the qualifications in order to be eligible under the rental housing subsidy program and the requirements for their continuing eligibility.

Considering the positive impact that will be realized by underprivileged Filipino people through its provisions, the passage of this Bill is earnestly sought.

Eric C. Olivarez
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1
2 **AN ACT ESTABLISHING THE RENTAL HOUSING SUBSIDY PROGRAM AND**
3 **PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES**

4 *Be it enacted in the Senate and the House of Representatives of the Republic of the*
5 *Philippines in Congress assembled:*

6 **SECTION 1. *Short Title.*** – This act shall be known as the “*Rental Housing Subsidy*
7 *Act of 2020*”.

8 **SECTION 2. *Declaration of Policy.*** – It is hereby declared the policy of the State
9 to give highest priority to the enactment of measures that protect and enhance the right
10 of all the people to human dignity, reduce social, economic, and political inequalities by
11 diffusing wealth and political power for the common good.

12 Towards this end, the State shall undertake the initiation of continuing programs
13 which will make available decent housing and basic services to underprivileged citizens
14 at an affordable cost.

15 **SECTION 3. *Definition of Terms.*** –

- 16 a) ***Informal Settler Families (ISF)*** shall refer to households living in a lot,
17 whether private or public, without the consent of the property owner; or
18 those without legal claim over the property they are occupying; or those
19 living in danger areas such as *esteros*, railroad tracks, garbage dumps,
20 riverbanks, shorelines, and waterways;

- 1 b) **Rental Housing Subsidy** shall refer to the financial assistance to be
2 provided by the government for purposes of rent accommodation which
3 shall be in conformity with the amounts prescribed under Republic Act No.
4 9653, otherwise known as the "Rental Control Act".

5 **SECTION 4. Rental Housing Subsidy Program.** – A Rental Housing Subsidy
6 Program is hereby established in order to facilitate a housing and social protection
7 program for the benefit of ISFs. Through the Rental Housing Subsidy Program, eligible
8 ISFs shall be recipients of a rental housing subsidy, the amount of which shall be
9 determined jointly by the Department of Human Settlements and Urban Development
10 (DHSUD) and the National Economic and Development Authority (NEDA).

11 Moreover, the amount of the rental subsidy shall be reviewable at any time but
12 only once every two (2) years in order to conform with prevailing economic conditions.

13 Finally, the rental subsidy shall be granted to qualified ISFs for a maximum period
14 of five (5) years from the time of their availment of said program.

15 **SECTION 5. Qualifications.** – For ISFs to be able to avail of the Rental Housing
16 Subsidy Program, the following qualifications must be present:

- 17 a) The ISF must be living in:
18 1. danger areas as defined by the DSHUD; or
19 2. areas identified for government infrastructure projects which are firmly
20 backed up with funding commitments coupled with actual validation by
21 its respective government implementing agencies;
22 b) The ISF must have at least one (1) member of the household who is
23 employed or who has a source of livelihood;
24 c) The ISF must be willing to transfer to a safer area as shall be provided under
25 this Act and vacate the informal settlement area.
26

27 **SECTION 6. Conditions for Continued Eligibility.** – The beneficiaries shall be
28 mandated to comply with the conditions that shall be stated below in order to enjoy
29 continued eligibility under this Act:

- 30 a) The ISFs who are beneficiaries under this Act shall not relocate to the
31 danger area, government infrastructure area, or private land wherein they
32 previously resided except when permitted by the proper government
33 authorities; and
34 b) The beneficiaries shall pay the remaining portion of the rentals to the lessor
35 which is not covered under the program.

36 Beneficiaries who maintain good payment standings shall be prioritized as
37 beneficiaries in government housing programs.

1 **SECTION 7. Form of Payment.** – The rental subsidy shall be distributed by the
2 DSHUD on a monthly basis to the lessors of the ISFs through a dedicated government
3 bank account.

4 **SECTION 8. Role of Government Agencies.** – The program shall involve the
5 national government agencies and instrumentalities with the following roles:

6 a) The DHSUD shall:

- 7 1. Create program targets in coordination with housing agencies and
8 further incorporate these to the national housing policy;
- 9 2. Formulate housing policies applicable to attached corporations of the
10 DHSUD in connection with the implementation of this program;
- 11 3. Determine both the beneficiaries and the lessors in this program;
- 12 4. Set-up a system for the monitoring and evaluation of the
13 implementation of this program. Said system of monitoring and
14 evaluation shall also include tools, exit strategies and methodologies
15 on compliance with the conditions, implementation, output, and
16 impact assessments together with its attached agencies; and
- 17 5. Recommend to Congress measures for the proper and responsive
18 implementation of this Act.

19 b) The National Housing Authority (NHA) shall:

- 20 1. Confirm and certify the eligibility of the beneficiaries under the
21 program;
- 22 2. Determine areas in need of immediate resettlement in coordination
23 with infrastructure program implementing agencies;
- 24 3. Update the alphalist and socio-economic profiles of beneficiaries to
25 be resettled as part of the National Resettlement Program; and
- 26 4. Create a grievance and redress system which shall be part of the
27 monitoring and evaluation system of the implementation of this
28 program.

29 c) The Home Development Mutual Fund (HDMF) shall enroll the beneficiaries
30 to the HDMF system so as to facilitate their entry in to the formal housing
31 market.

32 d) The Department of Social Welfare and Development (DSWD) shall create
33 social preparation programs which shall include training programs for the
34 benefit of the beneficiaries in order for them to utilize the benefits granted
35 to them under this program.

36 e) The Presidential Commission for the Urban Poor (PCUP) shall:

- 1 1. Assist the DSWD in the creation of social preparation programs for
2 the beneficiaries;
- 3 2. Conduct social preparation activities in coordination with the local
4 government units.
- 5 f) The Technical Education and Skills Development Authority (TESDA) shall
6 provide skills training to beneficiaries.
- 7 g) The local government units (LGU) shall:
 - 8 1. Maintain a registry of all lessors in their respective areas that shall
9 be accessible to the public;
 - 10 2. Assist the NHA in the conduct of census and tagging of ISFs in need
11 of immediate resettlement;
 - 12 3. Assist the DSWD and PCUP in the conduct of social preparation
13 activities;
 - 14 4. Contain the vacated areas of ISFs in order to achieve the objectives
15 of this program;
 - 16 5. Assist the DSWD in the monitoring and evaluating the
17 implementation of this program; and
 - 18 6. Conduct field valuation of beneficiaries and their respective lessors
19 in the rental housing units.

20 **SECTION 9. *Additional Positions and Personnel for the DHSUD.*** – The
21 DHSUD shall, in accordance with civil service rules, create positions and enlist additional
22 personnel to ensure the proper implementation of this Act.

23 **SECTION 10. *Appropriations.*** – The amount necessary for the effective
24 implementation of this Act shall be charged against the current appropriations for the
25 DHSUD. Thereafter, such amounts as necessary for its continued implementation shall
26 be included in the General Appropriations Act.

27 **SECTION 11. *Implementing Rules and Regulations.*** – The DHSUD, in
28 coordination with relevant government agencies, shall issue the rules and regulations
29 necessary for the implementation of this Act within ninety (90) days from the effectivity of
30 this Act.

31 **SECTION 12. *Mandatory Review on the Implementation of this Act.*** – The
32 DHSUD shall submit to the Congress a report on the implementation of this program once
33 a year from the date of effectivity of this Act.

1 **SECTION 13. *Separability Clause.*** – If any provision of this Act is declared invalid
2 or unconstitutional, the other provisions not affected thereby shall remain valid and
3 subsisting.

4 **SECTION 14. *Repealing Clause.*** – All acts, executive orders, memorandum
5 circulars/guidelines and other issuances or parts thereof, which are inconsistent with this
6 Act, are hereby repealed or modified accordingly.

7 **SECTION 15. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
8 publication in the Official Gazette or in two (2) newspapers of general circulation.

9 **Approved.**