

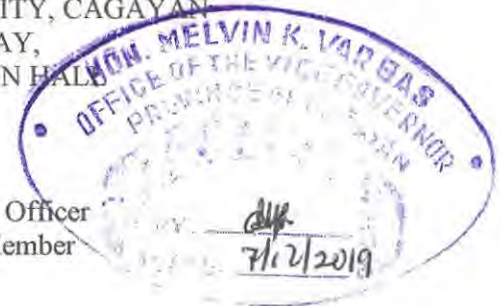


Republic of the Philippines  
 PROVINCE OF CAGAYAN  
 City of Tuguegarao



**SEVENTH CITY COUNCIL**

EXCERPTS FROM THE MINUTES OF THE 135<sup>th</sup> REGULAR SESSION  
 OF THE SEVENTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN  
 HELD ON JUNE 25, 2019, 9:00 A.M., TUESDAY,  
 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL



**PRESENT:**

Hon. Bienvenido C. De Guzman II	City Vice Mayor, Presiding Officer
Hon. Danilo L. Baccay	Sangguniang Panlungsod Member
Hon. Jude T. Bayona	-do-
Hon. Kendrick S. Calubaquib	-do-
Hon. Maila Rosario T. Que	-do-
Hon. Arnel T. Arugay	-do-
Hon. Gilbert S. Labang	-do-
Hon. Winnoco R. Abraham	-do-
Hon. Raymund P. Guzman	-do-
Hon. Grace B. Arago	-do-
Hon. Anthony C. Tuddao	-do-
Hon. Gil G. Pagulayan	Ex Officio Member (Liga ng mga Barangay President)
Hon. Karen L. Taguinod	Ex Officio Member (SK Federation President)

**ABSENT:**

Hon. Imogen Claire M. Callangan	Sangguniang Panlungsod Member (on Official Time)
Hon. Mary Marjorie P. Martin-Chan	-do- (on Vacation Leave)

**CITY ORDINANCE NO. 24-2019**

**AN ORDINANCE CREATING THE TUGUEGARAO CITY LOCAL HOUSING BOARD, DEFINING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES**

**WHEREAS**, Local housing boards are local special bodies tasked to formulate, develop, implement and monitor policies on the provision for housing and resettlement areas, and on the observance of the right of the underprivileged and homeless to a just and humane eviction and demolition;

**WHEREAS**, Republic Act No. 7279 or the Urban Development and Housing Act (UDHA) of 1992 provided a blueprint for socialized housing and just and humane eviction and demolition processes at the local government level;

**WHEREAS**, local housing boards are envisioned to provide urban poor communities, POs and NGOs more direct participation in the planning and implementation of local housing programs;

**WHEREAS**, Memorandum Order No. 74 issued by former President Gloria Macapagal-Arroyo last September 13, 2002 directed the LGUs to create their respective housing boards, or their equivalent.

**NOW, THEREFORE**, be it **ORDAINED** by the Sangguniang Panlungsod of Tuguegarao City, in session assembled, that:

**SECTION 1. CREATION.** There is hereby created a local housing board in the City of Tuguegarao which shall be called "*Tuguegarao City Local Housing Board.*"

**SECTION 2. COMPOSITION.** The Tuguegarao City Local Housing Board which shall hereinafter be referred to as the "Board" shall be composed of the following:

Chairperson: City Mayor

Members:

1. Chairperson, Committee on Housing and Urban Development or its equivalent Chairperson of the Sangguniang Panlungsod;
2. City Planning and Development Coordinator;
3. City Engineer;
4. Representative from Health Office;
5. Representative from DSWD Office;
6. Representative from Assessor's Office
7. Representative from PNP/POSO;
8. A representative from the private or business sector
9. Representatives from People's Organizations (POs) operating in the city, who shall constitute less than one-fourth (1/4) of the members of the fully-organized Board: *Provided*, that a PO already represented in any local special body may be concurrently represented in the Board;
10. Representative from CDRRMO;
11. Executive Assistant;
12. Representative from Non-Governmental Organizations (NGOs);
13. Economic Researcher;
14. Zoning Inspector;
15. Project Evaluation Officer;
16. Planning Officer
17. Representative from City Assessor's Office;
18. Representative from City Engineering Office.

It is hereby provided that there shall be a Local Housing Focal Person to be designated by the Local Chief Executive through an Executive Order.

**SECTION 3. POLICIES.** The Board shall, among other things, formulate, develop, implement, and monitor policies on the provision for housing and resettlement areas, and on the observance of the right of the underprivileged and homeless to just and humane eviction and demolition.

**SECTION 4. POWERS AND FUNCTIONS.** The Board shall have the following powers and functions:

- a. Prepare, based on local shelter plan, guidelines and, with the assistance of the HUDCC and other concerned government agencies, a comprehensive city shelter plan which shall form part of the city development plan: *Provided*, that public hearings shall be conducted for the purpose;
- b. Designate at least one (1) representative of the Board to the City Development Council: *Provided*, that said representative is not already a member of the Council;
- c. Assist the City Development Council in the formulation of its Comprehensive Land Use Plan (CLUP);
- d. Recommend to the Sangguniang Panlungsod preliminary and final subdivision schemes and development plans and subdivisions, residential, commercial, industrial and other purposes in accordance with the provisions of Presidential Decree No. 957, as amended, otherwise known as the Subdivision and Condominium Buyer's Protective Decree, and its implementing standards, rules and regulations concerning approval of subdivision plans;
- e. Recommend to the Sangguniang Panlungsod preliminary and final subdivision schemes and development plans of all economic and socialized housing projects as well as individual or group building and occupancy permits covered by Batas Pambansa 220 and its implementing standards, rules, and regulations;
- f. Evaluate and resolve any opposition to the issuance of development permits for any of the projects stated in the two (2) preceding subsections, in accordance with the said laws and rules of procedure promulgated by the Housing and Land Use Regulatory Board (HLURB);
- g. Monitor the nature and progress of land development of projects it has approved, as well as the housing constructions in the case of house and lot packages, to ensure their faithful compliance with the approved plans and specifications and the imposition of appropriate measures to enforce compliance therewith;
- h. Ensure compliance with the balanced housing requirement as provided for in Section 18 of Republic Act No. 7279 and its implementing rules and regulations;

- i. Conduct inventory of all lands within the city and update the same every three (3) years in accordance with Section 7 of Republic Act No. 7279 and the guidelines issued for the purpose;
- j. Identify sites for socialized housing subject to the requirements prescribed by Section 8 of Republic Act No. 7279 and guidelines issued for the purpose;
- k. Advise the Sanggunian on matters of local taxation which may affect the city government socialized housing program including, but not limited to, the formulation of a socialized housing tax, idle lands tax, and an additional levy on the real property tax to constitute a Special Socialized Housing Fund;
- l. Recommend for approval of the city mayor formulated schemes for the acquisition and disposition of lands within the city for socialized housing purposes, subject to Sections 9 to 14 of Republic Act No. 7279 and the implementing guidelines enacted for the purpose: Provided, that such schemes shall ensure that the valuation of a particular land for socialized housing process shall be within the affordability levels of prospective beneficiaries;
- m. Recommend, for approval of the mayor, partnership arrangements with the national government on, but not limited to, the following programs
  - 1. Housing Production Assistance, Resettlement Assistance, Local Housing, Cost Recoverable Joint venture and other relevant programs of the National Housing Authority (NHA);
  - 2. Local government housing assistance programs of the Home Development Mutual Fund (HDMF), National Home Mortgage Finance Corporation (NHMFC) and the Home Guaranty Corporation (HGC), and for this purpose, the Board shall coordinate with the Advisory Committee created to oversee the implementation of the Local Government Pabahay Program; and,
  - 3. Other socialized housing projects undertaken by other national government agencies (NGAs) and government-owned and controlled corporations (GOCCs) within the city.
- n. Ensure the registration of underprivileged and homeless urban or rural dwellers as socialized housing beneficiaries under Sections 16 and 17 of Republic Act No. 7279: Provided, that the Board shall assume the functions of the city registration committee as constituted under the implementing rules and regulations of the same Sections;
- o. Coordinate with government agencies and instrumentalities performing functions which may affect housing and urban development;
- p. Monitor all evictions and demolitions, whether voluntary, extra-judicial, summary or court-ordered;
- q. Require the proponent of an eviction and demolition, i.e., national government or its duly authorized representative, to first secure from the Board the Checklist, Guidelines and Eviction and Demolition Compliance Certificate prior to the actual implementation thereof and, thereafter, to submit to the Board the completed Checklist, attested to under oath by the proponent and indicating that:
  - 1. Adequate consultations with the affected families were undertaken;
  - 2. Adequate resettlement site and relocation facilities are made available; and,
  - 3. The provisions of Section 3, paragraph 1 of the Implementing Rules and Regulations of Section 28 of this Ordinance (Pre-relocation) have been complied with.
- r. Based on the completed Checklist and subject to further verification, issue an Eviction and Demolition Compliance Certificate on a proposed eviction and demolition; and,
- s. Perform such other related functions established by law or by ordinance as necessary to implement the mandate of local government units under the Urban Development and Housing Act.

**SECTION 6. EVICTION AND DEMOLITION.** The Board is hereby tasked to oversee the implementation of Section 28 of Republic Act No. 7279 and its implementing rules and regulations: *Provided*, that just and humane eviction and demolition procedures under the said provision of law are likewise made applicable to rural areas of the city.

For this purpose, the Board shall:

- a. Oversee and coordinate government activities relative to consultation, relocation and resettlement of underprivileged and homeless urban or rural poor dwellers in cases when evictions and demolitions affecting them are necessary and allowed by existing laws;
- b. Recommend policy measures and 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 urban and rural dwellers; and,



- c. Issue directives, rules and regulations, not otherwise inconsistent with existing laws, as it may deem necessary to effectively carry out the purposes of the constitutional mandate to ensure just and humane evictions and demolitions.

**SECTION 7. COMPLIANCE REPORT.** Before undertaking evictions or demolitions that will affect underprivileged and homeless urban or rural poor dwellers, the city government, national government agencies or other proponents of evictions and demolition activities including employees of the judiciary shall submit a Compliance Report to the Board, with a statement under oath that:

- a. Adequate consultation as defined and outlined under pertinent laws, rules and regulations have already been undertaken with the affected residents;
- b. Adequate relocation, as defined and outlined under pertinent laws, rules and regulations, is available, ready and sufficiently supported by relocation and resettlement funding; and,
- c. The requirement and procedures under the implementing rules and regulations of Section 28 of Republic Act No. 7279, specifically on the Pre-Relocation, Relocation, and Post-Relocation Phases of eviction or demolition activities have been or shall be observed, as the case may be.

The Compliance Report shall include a certified list of families to be evicted or relocated.

The Board shall have the power to review the Compliance Report and approve or disapprove the same.

**SECTION 8. MEETING AND QUORUM.** The Board shall meet at least once a month or as often as may be deemed necessary. The presence of the Chairman or the Vice Chairman and the majority of the members of the Board shall constitute a quorum to transact official business.

**SECTION 9. EXECUTIVE COMMITTEE.** The Board shall create a three-member Executive Committee (ExeCom) from among its members to represent it and act on its behalf when it is not in session. The Mayor or his duly designated representative shall head the ExeCom.

**SECTION 10. ALLOWANCES.** Members of the Board who are not government officials or employees shall be entitled to the necessary travelling expenses and allowances chargeable against the funds of the Board, subject to existing accounting and auditing rules and regulations.

This shall not preclude the city government from mobilizing other possible funding sources for the compensation and remuneration of the services of the NGO and PO representatives in the Board.

**SECTION 11. BUDGET.** The funding for the operations and activities of the Board shall be sourced out from available funds in the ensuing Annual or Supplemental Budget of the City.

**SECTION 12. PENALTIES.** Failure to submit the Compliance Reports as required under Section 7 of this Ordinance, or any act of misrepresentation or fraud in connection with any information contained in a submitted Compliance Report, shall subject the government officials or employees responsible for such omission, misrepresentation or fraud to:

- a. Disciplinary action under Book I, Title Two, Chapter 4 of the Local Government Code; or
- b. Prosecution under the penalty clause of Republic Act No. 7279.

**SECTION 13. IMPLEMENTING RULES AND REGULATIONS.** Within sixty (60) days after the enactment of this Ordinance, the city mayor shall, in consultation with the concerned government agencies, the private sector, POs and NGOs, formulate the appropriate rules and regulations necessary to effectively implement any or all of the provisions of this Ordinance.

Such rules and regulations shall include, among others, guidelines on the following:

- a. Resource generation and mobilization for socialized housing purposes;
- b. Schemes for city government housing assistance; and,
- c. Accreditation and selection of representatives of the private sector, NGOs and POs to the Board.

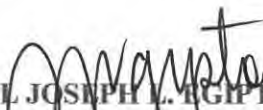
**SECTION 14. REPEALING CLAUSE.** All Ordinances and other city issuances, or part or parts thereof, which are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

**SECTION 15. SEPARABILITY CLAUSE.** If for any reason, any provisions of this Ordinance are declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in force and effect.

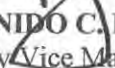
**SECTION 16. EFFECTIVITY CLAUSE.** This City Ordinance shall take effect upon its approval.

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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:

  
**JOEL JOSEPH L. RIGUITO, Ph.D.** 062719  
Secretary to the Sanggunian *AL*

ATTESTED:

  
**HON. BIENVENIDO C. DE GUZMAN II**  
City Vice Mayor  
Presiding Officer  
Date: JUNE 28, 2019

APPROVED:

  
**HON. ATTY. JEFFERSON P. SORIANO**  
City Mayor  
Date: JUNE 28, 2019

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