

Republic of the Philippines  
PROVINCE OF LA UNION

**TANGGAPAN NG SANGGUNIANG PANLALAWIGAN**

EXCERPT FROM THE JOURNAL OF THE 86<sup>th</sup> REGULAR SESSION OF THE 19<sup>th</sup> SANGGUNIANG  
PANLALAWIGAN OF LA UNION HELD AT THE CITY OF SAN FERNANDO,  
PROVINCE OF LA UNION ON FEBRUARY 16, 2012

**Hon. Aureo Augusto Q. Nisce**..... Vice-Governor / Presiding Officer

PRESENT:

Hon. Francisco "Kit" C. Ortega, Jr. ....	Member
Hon. Jose Maria "Pepe" C. Ortega .....	Member
Hon. Joaquin C. Ostrea, Jr. ....	Member
Hon. Reynaldo M. Mosuela .....	Member
Hon. Victoria L. Aragon .....	Member
Hon. Henry B. Balbin .....	Member
Hon. Rolando V. Rivera .....	Member
Hon. Robert B. Madarang, Jr. ....	Member
Hon. Henry A. Bacurnay, Jr. ....	Member
Hon. Ruperto A. Rillera, Jr. ....	Member
Hon. Alfredo Pablo R. Ortega .....	Member
Hon. Manuel "Mannix" R. Ortega, Jr. ....	Member
Hon. Kenneth Paolo C. Tereng .....	Member

ABSENT:

**N O N E**

**ORDINANCE NO. 021-2012**

**CREATING THE PROVINCIAL HOUSING BOARD OF THE  
PROVINCE OF LA UNION**

*Sponsors: Hon. Reynaldo M. Mosuela  
Hon. Francisco "Kit" C. Ortega, Jr.  
Hon. Jose Ma. "Pepe" C. Ortega  
Hon. Joaquin C. Ostrea, Jr.  
Hon. Robert B. Madarang, Jr.*

**EXPLANATORY NOTE**

WHEREAS, Section 9, Article XIII of 1987 Constitution provides that the State shall by law, and for the common good, undertake, in cooperation with the private sector, continuing housing program which will make available an affordable decent housing and basic services to underprivileged and homeless citizens in the country.

WHEREAS, Republic Act 7279, provides for a decent shelter to the underprivileged and homeless citizens whose lives are generally marked by economic insecurities and whose occupancy on the land is uncertain;

WHEREAS, Section 18, Republic Act 7160, provides that LGUs shall have the power and authority to establish an organization that shall be responsible for the efficient and effective implementation of their development plans, programs, objectives and priorities; to acquire, develop, lease, encumber, alienate or otherwise dispose of real or personal property held by them in their proprietary capacity, and to apply their resources and assets for productive, developmental, or welfare purpose, in the exercise or furtherance of their governmental or proprietary powers and functions;

WHEREAS, as provided in the Presidential Executive Order No. 45, dated October, 2011 Prescribing Time Periods for Issuance of Housing Related Certifications, Clearances and Permits, and Imposing Sanctions for Failure to Observe the Same, the government is committed of reducing the period for processing of housing related documents and has directed the concerned agencies to designate

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responsible officers at the regional/local level with sufficient authority to accept, process, and dispose of applications for housing related certification, clearances or permits;

WHEREAS, the Provincial Government of La Union recognizes the necessity of creating a "Provincial Housing Board" that will recommend housing policies for approval and oversee the well-coordinated implementation of affordable housing programs in the province, either it be by local, provincial or national government and of other agencies for the rural poor and other bonafide residents of the province who are homeless, but also to act as ONE STOP HOUSING PROCESSING CENTER.

**ORDINANCE NO. 021- 2012**

**CREATING THE PROVINCIAL HOUSING BOARD OF THE PROVINCE OF LA UNION**

Be it ordained by the Sangguniang Panlalawigan duly assembled in session that:

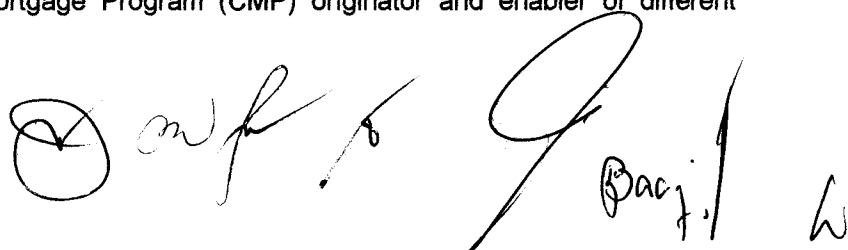
SECTION 1. TITLE: This ordinance shall be known and cited as "AN ACT CREATING THE PROVINCIAL HOUSING BOARD OF THE PROVINCE OF LA UNION."

SECTION 2. DEFINITIONS OF ROLE/FUNCTIONS:

ROLE: The Provincial Housing Board shall be the policy-making body on shelter and housing programs and to act as the ONE STOP SHOP HOUSING PROCESSING CENTER of the Provincial Government of La Union.

FUNCTIONS: The Provincial Housing Board shall perform the following functions, duties and responsibilities.

- a. Ensure the creation of the Provincial Housing Development Office directly under the Office of the Provincial Governor;
- b. Recommend all proposals for the budgetary requirements pertinent to the operation of the Provincial Housing Development Office;
- c. Promulgate policies/guidelines pertinent to the implementation of the local shelter and housing programs in accordance with RA 7279;
- d. Review and approve the Comprehensive Provincial Shelter Plan submitted by the Provincial Housing Development Office;
- e. Promulgate the Provincial Housing Development Office as One Stop Housing Processing Center to process all housing related permits, clearances and certifications, but not limited to land-use reclassification, development permits, locational clearances and other housing related activities;
- f. Recommend for approval of the Sangguniang Panlalawigan the certifications, clearances, development permits and other housing related activities of a project proponent;
- g. Recommend for approval of the Sangguniang Panlalawigan the Comprehensive Land Use Plan (CLUP) and Physical Framework Plan (PFP) ascertaining the inclusion of the Provincial Shelter Plan;
- h. Advise the Sangguniang Panlalawigan on matters of local taxation which may affect the different community-based housing programs of the component local governments;
- i. Recommend for the approval of the Governor partnership agreement with any other government housing or private entity or organization, including but not limited to the following programs: Housing Production Assistance, Resettlement, Local Housing and Cost Recoverable Joint Venture;
- j. Recommend for approval of the Sangguniang Panlalawigan the accreditation of Community Housing Associations (CHAs) on any related housing projects and other private originators for Community Mortgage Program (CMP);
- k. Act as Community Mortgage Program (CMP) originator and enabler of different housing projects;



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- l. Recommend for the approval of the Governor agreements with any government or private entity for the conduct of proper planning sessions, trainings, seminars, conferences and capability building in any housing related activities or issues;
- m. Recommend for approval of the Governor to disburse funds for the Special Housing Trust Funds for appropriation on the Board approved housing programs prepared in accordance with applicable existing rules and regulations;
- n. Serve as Advisory Committee to the Sangguniang Panlalawigan on urban Development and Housing Programs; and
- o. Perform other functions and responsibilities as maybe directed by the Office of the Governor.

**SECTION 3 COMPOSITION:** The Provincial Housing Board shall be composed of the following:

- Chairperson : Provincial Governor
- Vice-Chairperson : Provincial Vice-Governor
- Executive Action Officer : to be designated by the Governor
- Members : Chairperson, SP Committee on Housing  
Land Use and Relocation  
: Chairperson, SP Committee on Finance  
Budget & Appropriation  
: Provincial Planning and Development Coordinator  
: Provincial Engineer  
: Provincial Agriculturist (ENRO)  
: Provincial Legal Officer  
: Provincial Assessor  
: Provincial Director, DILG  
: Representative from HUDCC  
: Representative from NHA  
: Representative from HLURB  
: Representative from real estate brokers in La Union  
: Representative from realty estate developers in La Union  
: Representative from Pag-ibig  
: Representative of PANGOLU with knowledge about housing and to be designated by its President

**SECTION 4. MEETING AND QUORUM.**

- a. The Board shall meet at least once a month or as often as may be necessary as will be agreed upon.
- b. The Chairperson may call a meeting. A majority of all of its members shall constitute a quorum.
- c. Special meetings may be called upon by the Chairperson or by 2/3 votes of its members

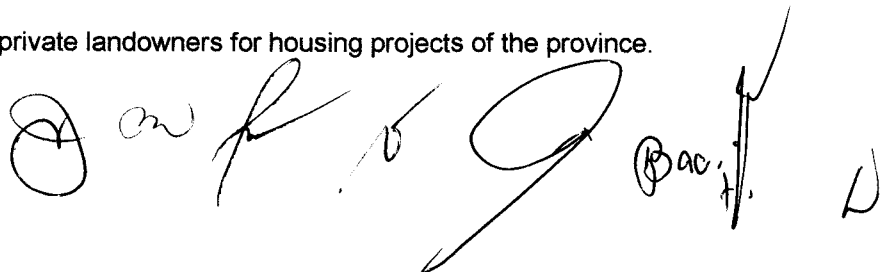
**SECTION 5. BUDGET REQUIREMENT:**

- a. The Board shall submit to the Sangguniang Panlalawigan for approval its operational requirement for the year, the administrative operations of the Provincial Housing Office which will cover the salaries and wages, benefits, travel expenses and other incidental expenditures of its personnel.
- b. The Board shall also submit to the Sangguniang Panlalawigan for consideration and approval its annual supplemental budgetary needs when necessary.

**SECTION 6. Priorities for financial assistance.**

The Provincial Housing Board shall extend financial assistance as priorities to the following:

- a. Financial assistance maybe given to registered and accredited community housing association for housing related projects of the province.
- b. Earnest money to pay private landowners for housing projects of the province.

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- c. Downpayment for the acquisition of private property/right of way for housing related projects of the province.
- d. Expropriation proceedings of private properties for low-cost and socialized housing projects of the province.
- e. Financial assistance maybe extended to community housing association which maybe in the form of loan with 6% interest rate to be charged per annum and payable in installment basis.

**SECTION 7 SPECIAL HOUSING AND TRUST FUNDS**

- a. This provision establishes a special account to be called "Special Housing and Trust Funds" exclusively for housing purposes.
- b. The proceeds generated from the collection of the additional 0.05% tax on real properties shall accrue to the SPECIAL HOUSING AND TRUST FUNDS (SHTF).
- c. All funds generated and collected from various sources intended for housing and other related development programs shall be deposited by the Provincial Treasurer for the exclusive account of the Special Housing and Trust Fund (SHTF) for the purpose of pursuing the goals and objectives of the Province.
- d. All payments, remittances, accrued interest, penalties, and the like from the community housing association which benefited from any financial assistance extended to them by the LGU or from any other sources should be deposited in the same account.

Payments of accreditation of Community Housing Associations (CHSs) and Community Mortgage Programs (CMPs) private originators, CMP originations fees, share in payment of development permits, locational clearances and land use conversion fees and other fees for housing related activities are among the sources of funds for Special and Housing Trust Funds.

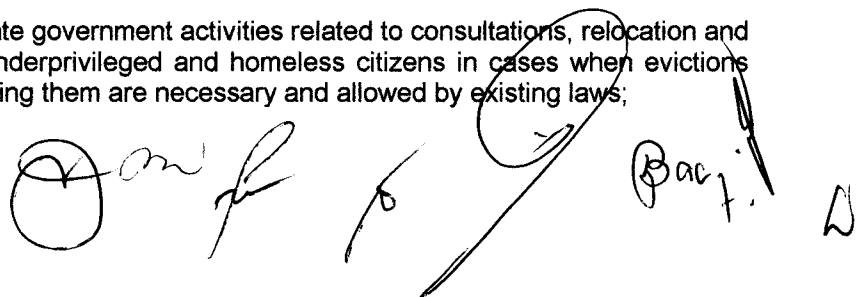
**SECTION 8. PROVINCIAL HOUSING OFFICE (PHOU)**

- a. This provision enables the creation of Provincial Housing Office (PHOU). This Office, under the Office of the Governor, will design, program, execute and coordinate all plans, projects and activities relating to the implementation of community-based housing and other appropriate social housing program packages for designated target clientele/beneficiaries.
- b. This Office will be having three sections, namely, administrative and services, field operations and technical services.
- c. This enables to hire professional staff with a plantilla position to administer the said office subject to availability of funds.
- d. The main focus will be the provision of housing to the poorest segment of the population who have no residential lots yet for the purpose.
- e. It will develop programs and projects meant to enhance community awareness and participation in housing project planning and implementation. It will also be concerned with the development of access for the delivery of necessary social services in the areas of education, health and environmental sanitation to its project communities' residents in line with the call for holistic and integrated development.

**SECTION 9. ON EVICTION/DEMOLITION/ RESETTLEMENT/RELOCATION**

The Provincial Housing Board (PHB) shall oversee the implementation of Section 28 of the UDHA or R.A. 7279 and its implementing rules and regulations; Provided, however, that the application of the rules and regulations pertaining to just and humane evictions and demolition shall not require proof of the blighted status of the area in question or subject to court resolution-

- a. Oversee and coordinate government activities related to consultations, relocation and resettlement of the underprivileged and homeless citizens in cases when evictions and demolitions affecting them are necessary and allowed by existing laws;

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- b. Recommend policy measure and/or undertake appropriate action to ensure full compliance with the constitutional mandate and statutory requirement prior to the eviction and/or demolition affecting the underprivileged and homeless citizens; and
- c. Issue directives, rules and regulations, not otherwise inconsistent with existing laws, as it may deem necessary to effectively carry out the purpose of the constitutional mandate to ensure just and humane eviction and demolition.

**SECTION 10. COMPLIANCE REPORT**

Before undertaking eviction and/or demolition affecting the underprivileged and homeless citizens, local government units, national government agencies or other proponents of eviction and demolition activities, including employees of judiciary, shall submit a compliance report to the local housing board with a statement under oath, that:

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

The compliance report shall include a certified list of families to be evicted and/or relocated. It shall be the responsibility of the local development and housing board to submit a regular monthly accomplishment report on all the activities of the Board to the DILG and HUDCC Regional Offices, which in turn, will be sent to DILG/HUDCC Central Offices, respectively.

**SECTION 11. COURT ORDERED EVICTION AND DEMOLITION**

The Provincial Housing Board shall represent the Provincial Government in any case before any court, tribunal, quasi-judicial body or agency on eviction and demolition of the houses of the underprivileged and homeless citizens as a remedy sought by the complaining party.

**SECTION 12. Authority to Promulgate the Implementing Rules and Regulations.** The Office of the Governor shall promulgate the rules and regulations necessary for the proper and effective implementation of this Ordinance.


**SECTION 13. EFFECTIVITY.**

This ORDINANCE shall take effect immediately upon approval.


UNANIMOUSLY APPROVED.

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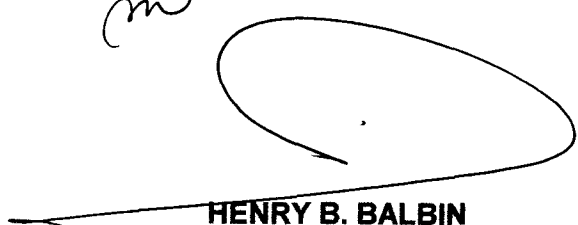
I HEREBY CERTIFY to the correctness of the foregoing ordinance.

  
**CARIDAD J. VILUAN**  
 Secretary to the Sanggunian

ATTESTED:

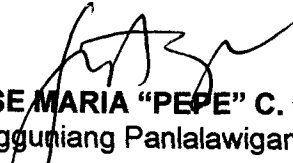
  
**AUREO AUGUSTO Q. NISCE**  
 Presiding Officer  
 Vice-Governor

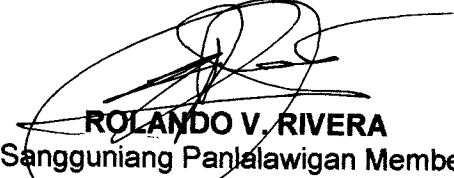
  
**FRANCISCO "KIT" C. ORTEGA, JR.**  
 Sangguniang Panlalawigan Member

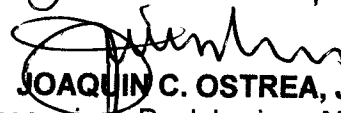
  
**HENRY B. BALBIN**  
 Sangguniang Panlalawigan Member






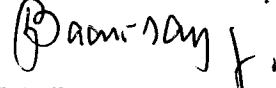
  
**JOSE MARIA "PEPE" C. ORTEGA**  
Sangguniang Panlalawigan Member


  
**ROLANDO V. RIVERA**  
Sangguniang Panlalawigan Member

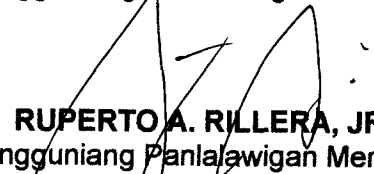
  
**JOAQUIN C. OSTREA, JR.**  
Sangguniang Panlalawigan Member


  
**ROBERT B. MADARANG, JR.**  
Sangguniang Panlalawigan Member

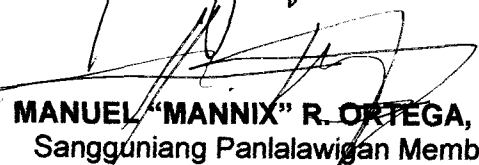
  
**REYNALDO M. MOSUELA**  
Sangguniang Panlalawigan Member

  
**HENRY A. BACURNAY, JR.**  
Sangguniang Panlalawigan Member

  
**VICTORIA L. ARAGON**  
Sangguniang Panlalawigan Member

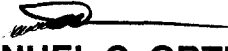
  
**RUPERTO A. RILLERA, JR.**  
Sangguniang Panlalawigan Member

  
**ALFREDO PABLO R. ORTEGA**  
Sangguniang Panlalawigan Member

  
**MANUEL "MANNIX" R. ORTEGA, JR.**  
Sangguniang Panlalawigan Member

  
**KENNETH PAOLO C. TERENG**  
Sangguniang Panlalawigan Member

APPROVED:

  
**MANUEL C. ORTEGA**  
Governor  
