

**[HLURB Administrative Order No. 02, s. 2015,
January 30, 2015]**

**RESOLUTION NO. R-922, REVISED IMPLEMENTING RULES AND
REGULATIONS TO GOVERN THE DEALERS, BROKERS AND
SALESMEN OF SUBDIVISION AND CONDOMINIUM PROJECTS
UNDER PRESIDENTIAL DECREE NO. 957, OTHERWISE KNOWN AS
THE "SUBDIVISION AND CONDOMINIUM
BUYERS' PROTECTIVE DECREE"; AND ALL
OTHER PROJECTS REQUIRED BY LAW TO BE REGISTERED WITH
THE HOUSING AND LAND USE REGULATORY BOARD**

Adopted: 30 January 2015

Date Filing: 06 March 2015

Attached herewith is HLURB Board Resolution No. R-922, Series of 2014, *Revised Implementing Rules and Regulations to Govern the Dealers, Brokers and Salesmen of Subdivision and Condominium Projects Under Presidential Decree No. 957, Otherwise Known as the "Subdivision and Condominium Buyers' Protective Decree" and All Other Projects Required by Law to be Registered with the Housing and Land Use Regulatory Board*, approved by the Board on 02 December 2014.

The above was published in The Philippine Star on 30 January 2015, and, in accordance with the provisions of law, will take effect fifteen (15) days from its date of publication, on 14 February 2015.

Please be guided accordingly.

(SGD) ANTONIO M. BERNARDO
Chief Executive Officer and Commissioner

Attachment:

**Board Resolution No. 922
Series of 2014**

**Revised Implementing Rules and Regulations to Govern the Dealers,
Brokers and Salesmen of Subdivision and Condominium Projects Under
Presidential Decree No. 957, Otherwise Known as the "Subdivision and
Condominium Buyers' Protective Decree" and All Other Projects Required
by Law to be Registered with the Housing and Land Use Regulatory Board**

Pursuant to Article IV, Section 5(c) of Executive Order No. 648 (E.O. No. 648), as amended by Executive Order No. 90, and to Section 36 of Presidential Decree No.

957 (P.D. No. 957), the following rules and regulations ("Rules") are hereby promulgated by the Housing and Land Use Regulatory Board (HLURB) to implement Section 11 and 12 and other related provisions of P.D. No. 957 and to regulate dealers, brokers, and salesmen of subdivision and condominium projects and all other similar projects required by law to be registered with the HLURB.

SECTION 1. Title. - This Rules shall be referred to as the "2014 Revised Implementing Rules and Regulations on Dealers, Brokers and Salesmen".

SECTION 2. Scope of Application. - This Rules shall apply to all persons, natural or juridical, that shall engage in the practice of real estate service with projects required by law to be registered with HLURB.

When used in this Rules, the word "project" shall include the following which are required by law to be registered with the HLURB:

- 2.1 All subdivisions, including residential, commercial, farmlot, and industrial subdivisions;
- 2.2 All condominiums, including residential and commercial condominiums;
- 2.3 Any other similar projects, including cemeteries, memorial parks, and columbaria.

SECTION 3. Objectives. This Rules aims to ensure that the public and prospective buyers of any lot including any building or improvements thereon, or any unit in a project are protected from fraudulent practices and manipulations through close supervision and regulation of persons engaged in the practice of real estate service with a project.

SECTION 4. Definition of Terms. When used in this Rules, the following terms shall mean or be understood as follows:

- 4.1 "Broker" refers to any person, natural or juridical, that is required by P.D. No. 957 to be registered with the HLURB before it can undertake, for commission or other compensation, to sell or negotiate the sale of any lot including any building or improvement thereon, or any unit in a project belonging to another.
- 4.2 "Business Firms" refers to any corporation, partnership, cooperative or association, or single proprietorship that is required by P.D. No. 957 to be registered with the HLURB before it can engage in the practice of real estate service as defined under Section 4.14 hereof.
- 4.3 "Cease and Desist Order" refers to an order issued by the HLURB directed against a developer enjoining it from committing certain acts in relation to its project by reason of a violation of Presidential Decree No. 957, Batas Pambansa Blg. 220, or any of their implementing rules and regulations or any guidelines or circular issued thereunder.
- 4.4 "Cemetery" refers to a public or private land used for the burial of the dead and other similar uses.
- 4.5 "Columbarium" refers to any structure, either freestanding or part of another building, containing niches for the inurnment of cremated human remains. A columbarium may include an "ossuary" which refers to the interment space for the bones of the dead.
- 4.6 "Commercial Condominium" refers to the entire parcel of real property divided or to be divided primarily for commercial purposes into

commercial units, including all structures thereon.

- 4.7 "Commercial Subdivision" refers to a tract or parcel of land registered under Act No. 496, as amended by Presidential Decree No. 1529, which is partitioned primarily into individual lots for commercial use with or without improvements thereon and offered to the public for sale in cash or in installment terms.
- 4.8 "Condominium Project" refers to the entire parcel of real property divided or to be divided primarily for residential purposes into condominium units, including all structures thereon.
- 4.9 "Dealer" refers to any person, natural or juridical, that is required by P.D. No. 957 to be registered with the HLURB, before it can directly engaged as principal in the business of buying and selling of any lot including any building or improvement thereon, or any unit in a project, whether on a full- time or part-time basis.
- 4.10 "Developer" refers to a person, natural or juridical, who develops or improves for and in behalf of the owner of a project. When used in this Rules, the developer shall also pertain or include the owner.
- 4.11 "Farmlot Subdivision" refers to a subdivision project primarily intended for agricultural production, with a minimum lot area of 1000 sq.m. and with a 25% maximum allowable buildable area.
- 4.12 "Industrial Subdivision" refers to a tract of land registered under Act No. 496, as amended by P.D. No. 1529, partitioned into lots for sale or lease to establishments engaged primarily in industrial production or services. The degree of development may be limited to the provision of utilities and allocation of areas for industrial buildings, facilities, and amenities, or it may also include the provision of buildings, facilities, and amenities.
- 4.13 "Memorial Park" refers to a privately-owned cemetery provided with a systematic supervision and maintenance where park-like atmosphere is its outstanding quality.
- 4.14 "Practice of Real Estate Service" refers to any of the acts or transactions embraced within Sections 4.1, 4.9 and 4.17 hereof with respect to any project required by law to be registered with the HLURB. In the case of brokers and salesmen, any single act or transaction thereof shall constitute practice of real estate service.
- 4.15 "Project" refers to the different real estate developments enumerated under Section 2 hereof which are required by law to be registered with the HLURB.
- 4.16 "Sale" or "sell" shall include every disposition or attempt to dispose, for a valuable consideration, of any lot, including the building and other improvements thereof, or any unit in a project. "Sale" and "sell" shall also include a contract to sell, a contract of purchase and sale, an exchange, an attempt to sell, an option of sale or purchase, a solicitation of a sale, or an offer to sell, directly or by an agent, or by a circular, letter, advertisement or otherwise.
A privilege given to a member of a cooperative, corporation, partnership, or any association and/or the issuance of a certificate or receipt evidencing or giving the right of participation in, or right to, any land in consideration of payment of the membership fee or dues, shall be deemed a sale within the meaning of this definition.
- 4.17 "Salesman or Salesperson" refers to any person engaged, supervised, or regularly employed by a broker and who is required by P.D. No. 957 to be registered with the HLURB before it can perform, for and in behalf of the broker, any or all functions of the latter.
- 4.18 "Subdivision Project" shall mean a tract or a parcel of land registered