

**[HLURB BOARD OF COMMISSIONERS
RESOLUTION NO. R-611-98, January 12, 1998]**

**APPROVING THE ADMINISTRATIVE RULES OF PROCEDURES IN
THE MONITORING OF PROJECTS AND THE IMPOSITIONS OF
ADMINISTRATIVE SANCTIONS ON THE VIOLATIONS OF THE
LAWS, RULES AND REGULATIONS IMPLEMENTING PD NOS. 957,
1344, AND 1216, EO NO. 648 AND OTHER RELATED LAWS**

WHEREAS, the Board, pursuant to its mandates under Executive Order No. 648 as the sole regulatory agency for land and housing development and with the end in view of intensifying monitoring activities, adopted the Procedural Guidelines for the Monitoring of Projects under Resolution No. R-606, dated 13 October 1997, for the guidance of its monitoring staff and Regional Officers;

WHEREAS, in the enforcement of said guidelines there is a need for strict observance of the due process requirements as private rights of persons would inevitably be involved;

WHEREAS, a translation of said procedural guidelines into definitive rules of procedure in the monitoring of development projects and imposition of sanctions for violation of laws, rules and regulations being enforced by the Board is necessary for the guidance of both the staff and the public to ensure the protection of and respect for private rights;

WHEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, that the Administrative Rules of Procedure in the Monitoring of Projects and the Imposition of **Administrative Sanctions on the Violations of the Laws, Rules and Regulations Implementing PD Nos. 957, 1344, and 1216, EO No. 648 and Other Related Laws**, hereto attached as *Annex A*, and made integral part hereof, be APPROVED, as the same is hereby APPROVED.

APPROVED.

Adopted: 12 Jan. 1998

(SGD.) DIONISIO C. DELA SERNA
Chairman, HUDCC
Ex-Officio Chairman

(SGD.) PRESBITERO J. VELASCO
Undersecretary, DOJ
Ex-Officio Commissioner

(SGD.) ROMULO Q.M. FABUL
Commissioner and Chief Executive Officer

(SGD.) TERESITA A. DESIERTO
Commissioner

(SGD.) ISAGANI B. VALDELLON
Deputy Director-General, NEDA
Ex-Officio Commissioner

(SGD.) FRANCISCO L. DAGNALAN
Commissioner

(SGD.) ROQUE ARRIETA MAGNO
Commissioner

Attested:

For the Board Secretariat:

(SGD.) MARIA LUISA G. PANGAN

ANNEX "A"

Administrative Rules of Procedure in the Monitoring of Projects and the Imposition of Administrative Sanctions on the Violations of the Laws, Rules and Regulations Implementing PD Nos. 957, 1344, and 1216, EO No. 648 and Other Related Laws

RULE I
Title and Interpretation

Section 1. Title of the Rules. — These rules shall be known as the Administrative Rules of Procedure for the Monitoring of Projects and the Imposition of Sanctions for Violation of the Laws, Rules and Regulations Implementing the mandates of HLURB.

Section 2. Interpretation of these Rules. — These rules shall be interpreted liberally to promote the welfare and protection of the public as well as to encourage the owners/developers of subdivision and condominium and other projects to comply with the requirements of the law.

RULE II
Coverage and Scope of Monitoring Activities

Section 1. Coverage of Monitoring. — The following projects and transactions are subject to monitoring by this Board:

- a. All land use projects issued locational clearances or certificates of zoning compliance, variances, exceptions and temporary use permits by this Board or its predecessor agencies;
- b. All subdivisions, condominiums and other real estate development projects issued

preliminary approval, development permit, certificate of registration, license to sell, approval of plan alteration or amendment of master deeds of restrictions, mortgage clearance, advertisement approval, certificate of completion and other certifications related or incident thereto;

c. All other land use and development projects and real estate transactions including offers or proposals and arrangement for the sale and development of real estate projects, for the purpose of ascertaining applicability of and compliance with the Boards mandates;

d. Letters or reports from lot/unit buyers or homeowners associations reporting alleged violations of the law and requesting for investigation by the Board or requesting for advise or assistance as to protection of their rights.

Section 2.Scope of Monitoring Activities. — The scope of monitoring activities shall consist of the following:

a. Inspection/Investigation of a land use or development project or real estate transaction previously issued a clearance, permit, license, approval or certificate by the Board to determine whether the same has satisfactorily complied with the terms and conditions thereof;

b. Investigation/verification of a newly discovered land use or development project or real estate transactions to determine whether the same is subject to the regulatory jurisdiction of the Board, and the owner, proponent or developer thereof has secured the mandated clearances, permits, licenses, approvals and certificates therefor;

c. Verification of reports of alleged violations;

d. Examination of corporate records, books of account and financial statement to ascertain compliance by owners/developers with legal requirements; and

e. Issuance of appropriate notices/orders and imposition of corresponding sanctions to ensure compliance with the laws and/or rules and regulations of this Board.

RULE III

Monitoring Authority

Section 1. Authority to Monitor Required. — Only monitors duly designated by the Regional Officer shall be authorized to conduct monitoring activities. This Authority shall be secured by the monitor prior to embarking on field investigation, and should be presented to the owner or representative of the project/transaction being monitored. The monitoring authority shall specify the subject and scope of the investigation, as well as the time frame or duration within which monitoring activities shall be undertaken, which shall not exceed thirty (30) days from date of such authority.

Section 2. Powers of Monitors. — The inspector/investigator authorized to monitor a project or transaction shall have the following powers:

1. The right to free and unimpeded access and entry into the property and premises