

**[ HLRB RESOLUTION NO. R-538, s. 1994, February 16, 1994 ]**

**ADOPTING THE NEW RULES OF PROCEDURES FOR MEETINGS OF THE BOARD OF COMMISSIONERS, HOUSING AND LAND USE REGULATORY BOARD**

Pursuant to Section 5, (j), Article IV, of Executive Order No. 90, Series of 1986, and consistent with Executive Order No. 284, Series of 1987, the following Rules and Procedure for Meetings of the Board of Commissioners, Housing and Land Use Regulatory Board are hereby promulgated:

Board of Commissioners

**SECTION 1.** Membership — The Board of Commissioners shall be composed of the following:

1. The Chairman, Housing and Urban Development Coordinating Council (HUDCC), as Ex-Officio Chairman;
2. The Four Full-Time Commissioners;
3. The Ex-Officio Commissioners referred to in Executive Order No. 648, representing the:
  - a. The Department of Justice
  - b. The Department of the National Economic and Development Authority;
  - c. The Department of Local Government; and
  - d. The Department of Public Works and Highways.

**SECTION 2.** *Secretariat* — The Board shall have a secretariat to be headed by the Board Secretary and staffed by such personnel as may be needed.

The Secretariat, shall serve as the direct administrative support staff to the Board.

It shall, among others, be responsible for the preparation and the sending of notices and the agenda and its attachment to the Commissioners at least five (5) days prior to the date of the regular meeting as well as the documentation of proceedings thereof through the preparation of minutes and other related-issuance shall follow up such required actions as may be expected from them on matters taken up in the previous meetings it shall also perform such other secretariat services as may be required by the Board to its Divisions.

**SECTION 3.** *The Appeals Review Group* — In the review and evaluation of cases appealed to it, the Board of Commissioners shall be assisted by an Appeals Review

Group under the general supervision of a Commissioner duly designated for said purpose.

Said Appeals Review Group shall be headed by a Director and staffed by lawyers and such other legal and technical staff as may be necessary for the effective discharge of its functions.

The said Group shall be responsible for the following activities:

1. Preliminary evaluation, processing, recording, indexing and storage of appealed dockets;
2. Conduct of legal research and other studies, preparation of position papers, briefs, comments and recommendations for consideration by the Board;
3. Releasing of orders/decisions and notices to parties related thereto;
4. Conduct of final processing activities leading to transmittal of records to the Office of the President and/or demand of records for execution or further processings;
5. Provision of such other legal assistance as may be required by the Board in the resolution of its appealed cases; and
6. Perform such other responsibilities as may assigned to it by the BOARD.

*SECTION 4. Exercise of Powers, Duties and Functions* — Except as provided for hereunder, the Board of Commissioners shall as a rule exercise its functions and duties and take up any question or matter presented to it relative to and within the scope of its functions en banc;

The Board shall as a rule decide cases only upon proper petition for review and in the resolution of such cases, it may act either en banc, or by Division.

Decision rendered by a Division shall be considered as a decision of the Board. However, no doctrine laid down by the Board en banc or by a Division may be reversed or modified except by the Board sitting en banc.

Upon recommendation of its Executive Committee, the Board may resolve an appealed case en banc or require an Arbiter to elevate the records of an original case and resolve the same directly, when it believes grave and critical issues of policy concern are involved, and public interest requires expeditious resolution of the controversy.

*SECTION 5. Authority to Sign for the Board* — In all cases assigned for resolution by the Board en banc, the Commissioner and Chief Executive officer or in his absence, the Commissioner he may designate for this purpose shall have the authority to sign for and in behalf of the Board Orders already approved or adopted by the Board en banc.

SECTION 6. Composition of Divisions —

First — The Ex-Officio Chairman

A Full Time Commissioner  
The Ex-Officio Commissioner representing  
the Department of Interior and Local  
Government (DILG)

Second — The Commissioner and Chief Executive Officer (CEO)

A Full Time Commissioner  
The Ex-Officio Commissioner representing  
the Department of Public Works and  
Highways (DPWH)

Third — A Full Time Commissioner

The Ex-Officio Commissioner representing  
the National Economic Development Authority (NEDA)  
The Ex-Officio Commissioner representing the Department of Justice (DOJ)

The full time Commissioners who shall sit in each Division shall be determined by the Board on recommendation of the Executive Committee.

In its first meeting, each division shall elect its presiding officer.

*SECTION 7. Substitution* — Whenever any member of a division is absent, or inhibits himself from participating in the deliberation of a case, any available member from the other divisions shall sit in place of absent or inhibiting member.

*SECTION 8. Special Division* — There shall be a Special Division in the Board to be composed of any three (3) of the four (4) full time Commissioners which shall meet exclusively for the purpose of resolving such appealed cases as may be raffled to it.

The Chief Executive Officer (CEO) shall be its presiding officer.

The Special Division shall meet only whenever the Board and its Regular Divisions are not in session.

*SECTION 9. Assignment of Cases* — All cases appealed to the Board which are not to be resolved en banc shall be raffled to all Divisions including the Special Division, for deliberation and assignment thereof to a Commissioner for writing of decision in the raffle of cases, proportionately greater share of the workload shall be given to the Special Division. Each Division shall resolve all cases assigned to it as much as practicable within the period of thirty (30) days from such raffle.

*SECTION 10. Quorum: Votes Required* — The presence of two members shall constitute a quorum for the transaction of the official business of each division.