

[LTO RESOLUTION NO. R-521-92, November 25, 1992]

APPROVING THE GUIDELINES FOR THE INVENTORY AND IDENTIFICATION OF LANDS AND SITES FOR SOCIALIZED HOUSING IN RELATION TO R.A. 7279

WHEREAS, the Urban Development and Housing Act (Republic Act 7279 directs the "x x x the local government units concerned, in coordination with the Housing and Land Use Regulatory Board and with the assistance of the appropriate government agencies x x x" to "indicate the type of land use and the degree of land utilization, and other data on information" in the conduct of the inventory of lands. Further, "after the inventory, the local government units, in coordination with the National Mapping Resource Information Authority, and the Land Management Bureau, shall identify lands for socialized housing and resettlement areas x x x".;

WHEREAS, pursuant to Section 40 of the same Act the Housing and Urban Development Coordinating Council (HUDCC) shall, through the key housing agencies provide local government units with necessary support such as formulation of standards and guidelines as well as providing technical support in the preparation of town and land use plans; and pursuant to E.O. 90, this Board is designated as the key housing body that shall serve as sole regulatory body for housing and land development;

WHEREAS, to effectively implement the provisions of Sections 7 and 8 of Republic Act 7279 there is a need for the adoption of appropriate implementing guidelines;

WHEREFORE, be it RESOLVED as it is hereby RESOLVED, that the "Guidelines for the Inventory and Identification of Lands and Sites for Socialized Housing to Implement Sections 7 and 8 of R.A. 7279", hereto attached as Annex "A" and made an integral part hereof be APPROVED, as the same are hereby APPROVED.

RESOLVED FURTHER, as it is hereby RESOLVED, that these guidelines shall be used in the inventory of lands and the identification of sites for socialized housing by all concerned local government units.

Adopted: 25 Nov. 1992

(Sgd.) ZORAYDA AMELIA C. ALONZO
Acting Chairman, HUDCC
Ex-Officio Chairman

(Sgd.) ANICETO M. SOBREPEÑA
Dep. Dir.-Gen., NED
Ex-Officio Commissioner

(Sgd.) ERNESTO C. MENDIOLA
Commissioner and Chief
Executive Officer

(Sgd.) AMADO B. DELORIA
Commissioner

(Sgd.) ROMULO Q. FABUL
Commissioner
(Sgd.) LUIS T. TUNGPALAN
Commissioner

(Sgd.) BIENVENIDO E. MERELOS
*Assistant Secretary for Legal
Service, DPWH And
Ex-Officio Commissioner*

GUIDELINES FOR THE INVENTORY OF
LANDS AND IDENTIFICATION OF SITES FOR
SOCIALIZED HOUSING

SECTION 1. *Mandate* — These guidelines are enacted pursuant to Section 40 of R.A. 7279 which provides, inter alia, that Housing and Urban Development Coordinating Council through the key housing agencies, shall provide local government units with necessary support such as formulation of standards and guidelines as well as technical assistance in the preparation of land use plans, in relation to Section 4d of E.O. 90, Series of 1990 which designated the Board as sole regulatory body for housing and land development.

These guidelines are formulated in furtherance of the provisions of the same Act which provide respectively: "Within one (1) year from the effectivity of the Act, all city and municipal governments shall conduct an inventory of all lands and improvements thereon within their respective localities"; and "after the inventory of all lands and local government units in coordination with the National Housing Authority (NHA), Housing and Land Use Regulatory Board (HLURB), Land Management Bureau (LMB) and National Mapping and Resource Information Authority (NAMRIA), shall identify lands for socialized housing and resettlement areas for the immediate and future needs of underprivileged and homeless in the urban areas, taking into consideration the degree of availability of basic services and facilities, their economic opportunities, and the actual number of registered beneficiaries".

The inventory of lands and subsequent identification of sites for socialized housing shall serve as inputs in the formulation of the National Urban Development and Housing Framework as contained in Section 6 of this Act.

SECTION 2. *Objectives* — These guidelines are intended to provide guidance and assistance to the Local Government Units (LGUs) in the implementation of Sections 7 and 8 of R.A. 7279.

SECTION 3. *Scope* — These guidelines shall cover the inventory of all lands and the identification of suitable sites for socialized housing and urban and urbanizable areas.

3.1 The following lands shall be covered by the inventory and detailed data/information thereon shall be gathered:

- a. all undeveloped and vacant lands zoned for residential purposes as delineated in the Zoning Ordinance of the Local Government Units, duly approved by the Housing and Land Use Regulatory Board;
- b. government-owned lands, whether owned by the national government or any of its subdivision, instrumentalities, or agencies including, government-owned or controlled corporations and their subsidiaries;

c. unregistered or abandoned agricultural and idle lands including idle government lands;

d. other lands

d.1 lands located outside the zoned built-up areas but suitable for socialized housing, per suitability criteria contained in these guidelines;

d.2 squatter settlements, including Areas for Priority Development (APD), Zonal Improvement Program (ZIP) Sites and Slum Improvement and Resettlement Program (SIR) Sites;

d.3 marginal agricultural lands which comply with the conversion criteria of DAR;

d.4 government-owned lands which have not been used for the purpose for which they have been reserved or set aside for the past ten (10) years from the effectivity of the Act and identified as suitable for socialized housing.

3.2 The following lands shall be indicated on the map, as cited in Section 6.1 although are exempted from the coverage of the law:

a. Those included in the coverage of Republic Act No. 6657 otherwise known as the Comprehensive Agrarian Reform Law;

b. Those actually used for national defense and security of the State;

c. Those used, reserved or otherwise set aside for government offices, facilities and other installations, whether owned by the National Government, its agencies and instrumentalities, including government-owned or controlled corporations, or by the local government units: Provided, however, that the lands herein mentioned, or portions thereof, which have not been used for the purpose for which they have been reserved or set aside for the past ten (10) years from the effectivity of the Act, shall be covered by the Act;

d. Those used or set aside for parks, reserves for flora and fauna, forests and watersheds, and other areas necessary to maintain ecological balance or environmental protection, as determined and certified to by the proper government agency, and

e. Those actually used for religious, charitable, or educational purposes, cultural and historical sites, hospitals and health centers, and cemeteries or memorial parks.

SECTION 4. Definition of Terms — As used herein the following words and phrases shall have the following meanings/definitions:

4.1 Areas for Priority Development (APD) refers to those areas declared as such under existing statutes and pertinent executive issuances.

4.2 Blighted Lands refer to the areas where the structures are dilapidated,

obsolete, and unsanitary, tending to depreciate the value of the land and prevent normal development and use of the area.

4.3 Idle Lands refer to non-agricultural lands in urban and urbanizable areas on which no improvements, as herein defined, have been made by the owner, as certified by the city, municipal or provincial assessor.

Idle Government Lands refer to: non-agricultural lands in urban and urbanizable areas on which no improvement as herein defined has been made by the government including:

- 1) patrimonial properties of the state;
- 2) public properties; and
- 3) properties foreclosed by the government financing institutions (GFIs) and government-owned and controlled corporations (GOCCs), as certified by the city, municipal or provincial assessor.

Improvements refer to all types of buildings and residential units, walls, fences, structures or constructions of all kinds of a fixed character or which adhered to the soil but shall not include trees, plants and growing fruits, and other fixtures that are mere superimpositions on the land, and the value of improvements shall not be less than fifty percent (50%) of the assessed value of the property.

4.4 Government Lands refer to parcels of lands which titles are held by national government entities or any of its subdivisions, instrumentalities, or agencies, including government-owned or controlled corporation and their subsidiaries and lands placed under the jurisdiction of the above entities by virtue of proclamations signed by the President. Government lands also include rights-of-way or road titles.

4.5 Marginal Lands refer to lands which are not effective for crop production due to constraints such as topography of the area and poor yields.

4.6 Resettlement Areas refer to areas identified by the appropriate national agency or by the local government unit with respect to areas within its jurisdiction, which shall be used for the relocation of the underprivileged and homeless citizens.

4.7 Slum Improvement and Resettlement Program (SIR) refers to the program of the National Housing Authority of upgrading and improving blighted squatter areas outside of Metro Manila pursuant to existing statutes and pertinent executive issuances.

4.8 Socialized Housing refers to housing programs and projects covering houses and lots or homelots only undertaken by the Government or the private sector for the underprivileged and homeless citizens which shall include sites and services development, long-term financing, liberalized terms on interest payments, and such other benefits in accordance with the provisions of this Act.

4.9 Underprivileged and Homeless Citizens refer to the beneficiaries of this Act and to individuals or families residing in urban and urbanizable areas whose income or combined household income falls within the poverty threshold as defined by the

National Economic and Development Authority and who do not own housing facilities. This shall include those who live in makeshift dwelling units and do not enjoy security of tenure.

4.10 Unregistered or Abandoned Lands refer to lands in urban and urbanizable areas which are not registered with the Register of Deeds or with the city or municipal assessor's office concerned, or which are uninhabited by the owner and have not been developed or devoted for any useful purpose, or appears unutilized for a period of three (3) consecutive years immediately prior to the issuance and receipt or publication of notice of acquisition by the Government as provided under the Act. It does not include land which has been abandoned by reason of force majeure or any other fortuitous event: Provided, That prior to such event, such land was previously used for some useful or economic purpose.

4.11 Urban Areas refer to all cities regardless of their population density and to municipalities with a population density of at least five hundred (500) persons per square kilometer.

4.12 Urbanizable Areas refer to sites and lands which, considering present characteristics prevailing conditions, display marked and great potential of becoming urban areas within the period of five (5) years.

4.13 Zonal Improvement Program (ZIP) refers to the program of the National Housing Authority of upgrading and improving blighted squatter areas within the cities and municipalities of Metro Manila pursuant to existing statutes and pertinent executive issuances.

SECTION 5. Responsible Agencies — The following agencies shall be involved in the inventory and site identification:

5.1 The Local Government Units (LGUs) shall be responsible for the conduct of inventory and identification of sites for socialized housing.

5.2 The Housing and Land Use Regulatory Board (HLURB) shall prepare guidelines for the inventory and identification of sites for socialized housing and provide training and technical assistance in the conduct of inventory. It shall also provide relevant information on land use and zoning and assist in the preparation of Land Use Plans incorporating the identified sites for socialized housing.

5.3 The National Mapping and Resource Information Authority (NAMRIA) shall provide base maps, aerial photographs and other cartographic materials needed for the inventory.

5.4 The Land Management Bureau (LMB) shall furnish the LGUs with cadastral maps, inventory of government-owned lands and other relevant data.

5.5 The National Housing Authority (NHA) shall make available existing guidelines and criteria on the identification of sites for socialized housing, accept and act as repository (of deeds, TCT's, plans, etc.) of government-owned lands found suitable for the above stated purpose, and assist the concerned LGUs in the implementation of appropriate housing programs arising from the inventory gathered on socialized housing projects.