

Rationalizing the Housing Permit System in the Philippines

By Director Ronald G. Fontamillas, MNSA

HOUSING AND URBAN DEVELOPMENT
COORDINATING COUNCIL (HUDCC)



In the Philippines, housing has been a perennial problem

- People from the countryside flock for livelihood opportunities, putting pressure on the scarce resources for shelter and provision for basic services.
- Asian Development Bank (ADB) reported that “Metro Manila’s slum areas grow twice as fast as their population.”



Some 3.4 million squatters are living even in danger areas along rivers and railway tracks.



There is a housing backlog of 1.87 million units, a future need of 1.55 million units and an upgrading need of 214,155 units.



Given the urgency to fast-track the development of the areas already declared as housing sites and taking into consideration the current administration's commitment to provide affordable and decent housing to the homeless poor



- **There is a need to institute policy and procedural reforms in the issuance of housing permits and clearances.**

President Gloria Macapagal- Arroyo

- Issued Executive Order No. 45 (EO 45)

which prescribed the time periods for issuance of housing-related certifications, clearances and permits, and imposing sanctions for failure to observe the order.



EO 45 provides specific time frames which Agencies shall act regarding the issuance of the certifications and permits

<i>AGENCY</i>	<i>CERTIFICATION/PERMITS ISSUED</i>	<i>TIME STANDARDS</i>
Department of Agrarian Reform (DAR)	Conversion Order or Exemption Order	30 days including DA Certificate of Eligibility for Reclassification of Agricultural Land
Department of Agriculture-Philippine Coconut Authority (DAR-PCA)	PCA Clearance Certification	15 days
Department of Agriculture-Sugar Regulatory Authority (DA-SRA)	SRA Clearance Certification	15 days
Housing and Land Use Regulatory Board (HLURB)	Certification of Site Zoning Classification License to Sell	10 days
Department of Environment and Natural Resources (DENR)	Environmental Compliance Certificate (ECC)	45 days
	National Integrated Protected Area System (NIPAS) Certification	15 days
	Verification and Approval of Survey Returns	30 days
Local Government Units (LGUs)	Development Permits	30 days

Resolution No. 748 series of 2003

- To address the clamor of developers to fast track the processing of License to Sell and Certificate of Registration
- HLURB took steps to relax the requirements, in line with EO 45
- DAR Conversion Order shall no longer be required as a precondition for issuance of Certificate of Registration and License to Sell in cases where the property involved is located in an area classified as residential, commercial, industrial or similar development purposes as provided in Comprehensive Land Use Plans (CLUP) .
- To alleviate the concerns of other sectors, the HLURB Resolution nonetheless provides that the issuance of Certificate of Registration and License to Sell by the HLURB does not exempt grantees from compliance with and is without prejudice to the provisions of existing laws.



Devolution and Empowering Local Governments

- In line with the policy of decentralization of administration and devolution of powers as mandated by the Local Government Code of 1991 (Republic Act No. 7160), the processing and issuance of development permits which was once with the HLURB (a national agency) has been transferred to the Local Government Units (LGUs).



One-Stop Processing Centers

- In response to Executive Order No. 45, the Department of Interior and Local Government (DILG) issued **Memorandum Circular (MC) No. 2002-15**,
 - ✓ which directed LGUs to issue development permits and locational clearances within 30 days.



To ensure that LGUs would be able to comply with the 30 day prescribed period of EO 45, the MC provides the following time periods:

➤ First Week:

- ✓ Office of Mayor to transmit to Sanggunian applications

➤ Second Week:

- ✓ Chairman of concerned Sanggunian Committee convenes committee

- Sanggunian to evaluate recommendations of Municipal Project Development Officer (MPDO), Office of the Mayor, Local Housing Board
- Call/conduct public hearing



➤ Third Week:

- ✓ Sanggunian to calendar application for deliberation
- ✓ Upon approval transmit to the Office of the Mayor for appropriate action.

➤ Fourth Week:

- ✓ Mayor, together with MPDO makes final review of application
- ✓ Mayor to inform proponent of action taken
- ✓ In case of disapproval, Mayor to indicate reasons for disapproval and return application to Sanggunian



Non-Action

- MC 2002-15 likewise provides for remedies if the Mayor has taken no action, such that within the prescribed time periods under RA 7160 and its Implementing Rules and Regulation shall mean approval of the application for development permits and locational clearances.



Sanctions

Section 7 of Executive Order 45 also provide for sanctions against erring officials who have been unable to conform to the prescribed time periods.



- It may range from the penalty of **removal from the service, transfer, demotion in rank, suspension for not more than one year without pay, fine in an amount not exceeding six months' salary, or reprimand** depending on the gravity and damage of the offense committed

Looking Forward

More Policy Reforms

- 1) Local government units should prepare their Comprehensive Land Use Plans and Zoning Ordinances and have these approved.
- 2) Transfer the permit system to Local Government Units as they are the basic units of governance in the country.
- 3) Set up more *One-Stop Processing Centers* and strengthen existing ones in line with the policy of streamlining of government processes.
- 4) HUDCC's continuing consultations with different stakeholders



Thank you!

Domo Arigato Gozai masta!