

MALACAÑANG

MANILA

Executive Order No. 184

CREATING SOCIALIZED HOUSING ONE–STOP PROCESSING CENTERS TO FACILITATE THE PROCESSING AND ISSUANCE OF PERMITS, CLEARANCES, CERTIFICATIONS AND LICENSES APPROPRIATE AND NECESSARY FOR THE IMPLEMENTATION OF SOCIALIZED HOUSING PROJECTS, AND DIRECTING ALL GOVERNMENT AGENCIES CONCERNED TO SUPPORT THE OPERATIONS OF THE SAID CENTERS

WHEREAS, consistent with Section 9, Article III of the Constitution which mandates the provision of decent housing and basic services to the underprivileged and homeless, the present Administration through the various housing agencies of the government, has embarked on a massive socialized housing program;

WHEREAS, to attain targets set under the government's socialized housing program, maximum private sector participation is imperative;

WHEREAS, in undertaking socialized housing projects contemplated under Republic Act No. 7279 otherwise known as the Urban Development and Housing Act of 1992, the developer/proponent must secure the appropriate and necessary permits, clearances, certifications and licenses from various government agencies which include the Department of Agrarian Reform (DAR), the Department of Environment and Natural Resources (DENR), the Department of Agriculture (DA), the Housing and Land Use Regulatory Board (HLURB), and the local government units (LGUs) concerned;

WHEREAS, despite various tax and other incentives offered by government to developers/proponents of socialized housing projects, maximum private sector participation is not realized in view of existing processes in the issuance of permits, clearances, certifications and licenses which are found to be cumbersome and time–consuming, thereby causing considerable delays in project implementation and resulting in added costs that further impair the affordability of socialized housing units;

WHEREAS, Section 20 of Republic Act No. 7279 mandates the creation of one–stop offices in the different regions of the country to handle the processing, approval and issuance of permits, clearances, certifications and licenses and that the same be issued within ninety (90) days from submission of all requirements by the developer/proponent; and

WHEREAS, there is a need to implement the above–mentioned statutory mandate to further strengthen the on–going efforts to streamline bureaucratic procedures and hasten government processing and issuance of permits, clearances, certifications and licenses.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the law, do hereby order:

Section 1. *Creation of Socialized Housing One–Stop Processing Center* – The creation of Socialized Housing One–Stop Processing Centers (SHOPCs) is hereby directed in all the administrative regions of the country to be manned by representatives from the following agencies:

- a. The Housing and Urban Development Coordinating Council (HUDCC);

- b. The Housing and Land Use Regulatory Board (HLURB);
- c. The Department of Agrarian Reform (DAR);
- d. The Department of Environment and Natural Resources–Land Management Bureau (DENR–LMB);
- e. The Department of Agriculture (DA); and
- f. The Department of the Interior and Local Government (DILG);

The above–named agencies are hereby directed to designate an organic official/employee to man their respective Desks in all SHOPCs. In this connection, the Heads of said agencies shall, subject to existing laws and as far as practicable, delegate sufficient authority to their respective Desks to evaluate and process applications to undertake socialized housing projects, as well as supporting documents therefor, render final or appropriate action thereon, and sign and issue the corresponding permits, clearances, certifications and licenses therefor.

The Chamber of Real Estate and Builders Associations, Inc. (CREBA) or any other non–governmental organization involved in socialized housing projects, and the League of Governors and City Mayors of the Philippines (LGCMP), may be invited and asked by the HUDCC to set up their Desks in the SHOPCs and provide private sector monitoring of the operations of the SHOPCs and provide such other services to facilitate coordination among and between the SHOPC Desks, other government agencies and applicant developers/proponents.

Section 2. Powers of the SHOPCs. – Subject to existing laws and the provisions of the preceding Section, the SHOPCs shall, within their respective regions and through the respective Desks of the above–named agencies, exercise the following powers:

- a. Issue Locational Clearances, Conversion Orders or Certificates of Exemption (from the coverage of the Comprehensive Agrarian Reform Program [CARP]), Development Permits and Licenses to Sell in favor of applicant developers/proponents of socialized housing projects;
- b. Issue Environmental Clearance Certificate whenever required;
- c. Determine disturbance compensation for tenant–farmers/farmworkers affected by the land conversion and ensure that affected tenant–farmers/farmworkers are duly compensated;
- d. Ensure the simplification of processing and approval of licenses, permits and clearances to comply with the 90–day period mandated under Section 20 of Republic Act No. 7279; and
- e. Call on other agencies/entities for support/assistance as may be deemed necessary to attain the objectives set forth under this Order

Section 3. Agency Responsibilities. – The SHOPC Desks shall have the following responsibilities:

1. *HUDCC Desk*

- a. Coordinate, monitor and exercise administrative supervision over the SHOPC;
- b. Determine administrative and operational costs of the SHOPC and pro–rate the contribution of each Desk to said costs;

- c. In consultation with the agencies concerned, determine the number of staff/personnel required for the effective operation of the SHOPC;
- d. Identify and call upon other government agencies or offices whose support is vital to the operation of the SHOPC;
- e. Prepare and submit to the HUDCC head office, status report on the operations and performance of the SHOPC; and
- f. Perform such other responsibilities as may be required.

2. *HLURB Desk*

- a. Accept applications for socialized housing projects;
- b. Inspect the proposed project site and determine its suitability for socialized housing purposes;
- c. Recommend to the DAR Desk, the conversion of lands suitable for socialized housing;
- d. Evaluate the application, technical plans as well as other supporting documents and papers in support of the application, and recommend final approval thereof to the concerned LGU;
- e. Issue Locational Clearances and Licenses to Sell;
- f. Subject to par. 4 (a) below, certify that the proposed project site is not included in the DENR list/map of environmentally critical areas; and
- g. Perform such other responsibilities as may be required.

3. *DAR Desk*

- a. Determine and fix the amount of disturbance compensation based on the formula jointly set by the Department of Agriculture (DA) and Department of Agrarian Reform (DAR) pursuant to Sec. 7 (1) of RA No. 6389, and ensure that the affected tenant–farmers/farmworkers are duly compensated;
- b. Evaluate applications for land conversion/exemption from CARP coverage that may be referred or recommended by the HLURB Desk, and in meritorious cases, issue conversion/exemption certificates therefor; and
- c. Perform such other responsibilities as may be required.

4. *DENR – LMB Desk*

- a. Issue Environmental Clearance Certificates relative to applications for projects located within environmentally critical areas but only until such time that the SHOPCs have been furnished with maps and listings of such areas'
- b. Verify land surveys and other pertinent plans submitted by applicant developers/proponents;
- c. Evaluate and approve subdivision surveys; and

d. Perform such other responsibilities as may be required.

5. *DILG Desk*

a. Coordinate with the concerned Sanggunian/LGU to facilitate the required approvals for the project, viz., development/building permits; and

b. Perform such other responsibilities as may be required.

6. *CREBA or Non-Governmental Organization or LGCMP Desks*

a. Assist the HUDCC in monitoring the operations and activities of the SHOPCs to ensure compliance with the provisions of this Order and the guidelines which may be promulgated in connection therewith; and

b. Conduct liaison activities between the various Desks of the SHOPCs and other government agencies, viz., the various offices of the Provincial/City Registers of Deeds, including providing manpower support to the SHOPCs, to facilitate processing and approval of applications/documents.

Section 4. *Processing Guidelines and Flow Chart.* – The agencies named in Section 1 hereof shall jointly promulgate specific guidelines as well as a flow chart to expedite and simplify the processing and approval of applications for permits, clearances, certifications and licenses required to undertake socialized housing projects, in compliance with the mandate that such applications be acted upon within the 9-day period prescribed under Section 20 of Republic Act No. 7279, which guidelines may be revised from time to time, when the need arises.

Section 5. *Submission of Certain Documents and Maps to the SHOPCs by Concerned Agencies.* – To ensure the successful operation of the SHOPCs, the following agencies shall, within thirty (30) days from issuance of this Order, submit to the HUDCC, the following documents and maps, which shall be updated regularly, but at least every quarter, whenever requested:

1. *DA*

a. Master list and corresponding maps of irrigated and irrigable lands; and

b. Complete listing of the crops and value of annual yields or irrigated and irrigable lands and other types of agricultural lands.

2. *All Cities and Municipalities*

a. Town/city zoning plans;

b. Land-use maps and zoning ordinances; and

c. List and corresponding maps of lands identified as suitable for socialized housing projects/purposes.

3. *DENR-EMB*

a. Complete list and corresponding maps of environmentally critical areas and lands actually used or reserved as parks for flora and fauna, forests and watersheds, and other similar purposes,

and other areas necessary to maintain or assure ecological balance and environmental protection.

4. *HLURB*

- a. Land–use maps and town/city plans approved by the HLURB prior to June 15, 1988; and
- b. List and corresponding maps of urban and urbanizable areas.

5. *DAR*

- a. Master list and maps of lands covered by Voluntary Offer to Sell (VOS), Notice of Acquisition (NA) or Notice of Coverage issued pursuant to the CARP; and
- b. Master list of bona fide tenant–farmers duly identified as CARP beneficiaries.

Section 6. *Developer/Proponent's Undertaking and Penalties for Non–Compliance.* –

(a) To assure completion of the socialized housing project, the applicant developer/proponent shall file together with his application a sworn Undertaking stating that the proposed socialized housing project shall be completed or fully developed within a period of one (1) year from the issuance of the permits, clearances, certificates and licenses therefor for projects having a land area of less than five (5) hectares, and at the rate of at least five (5) hectares per year for projects with a land area of five (5) hectares or more.

(b) In addition to the penalties imposed under existing laws, executive and administrative issuances, the following sanctions shall be imposed on a developer/proponent who has failed to comply with his Undertaking, made misrepresentations in his application, or is found to have committed any act or omission to circumvent the intent and purposes of this Order, as follows:

1. Cancellation/suspension of previously issued permits, clearances, certifications and licenses in connection with the approved socialized housing project; and/or
2. Permanent or limited suspension from engaging in any business related to real estate development or housing projects; and/or
3. Reversion of the land (project site) to its original status as agricultural land.

The agencies named in Section 1 hereof shall jointly promulgate the appropriate guidelines to implement the provisions of this section.

Section 7. *Fees.* – In addition to the fees fixed and collected by the concerned agencies in connection with the permits, clearances, certifications and licenses to be issued in favor of an applicant developer/proponent, the SHOPCs are authorized to impose additional fees and charges as may be determined by the HUDCC.

Section 8. *Administrative and Operational Costs.* – The component agencies shall include in their respective annual budgets their pro–rata share in the administrative and operational costs of the SHOPCs, in consultation with the HUDCC.

Section 9. *Separability Clause.* – In the event any provision hereof is declared invalid by any competent court or tribunal, the other provisions hereof thereby shall remain in full force and effect.

Section 10. *Repealing Clause.* – All executive or administrative issuances or parts thereof inconsistent herewith are hereby amended or modified accordingly.

Section 11. *Effectivity.* – This Order shall take effect immediately.

DONE in the City of Manila, this 27th day of June in the year of Our Lord, Nineteen Hundred and Ninety–Four.

By the President:

TEOFISTO T. GUINGONA, JR.

Executive Secretary

IMPLEMENTING RULES AND REGULATIONS GOVERNING THE OPERATIONALIZATION OF A
SOCIALIZED HOUSING ONE–STOP PROCESSING CENTER

Pursuant to Article V, Section 20 (b) of Republic Act No. 7279, otherwise known as the Urban Development and Housing Act of 1992 and Executive Order No. 184, this Implementing Rules and Regulations (IRR) prescribes the procedures and guidelines on the operationalization and function of the Socialized Housing One–Stop Processing Center which shall be created in the primate regions in the country. All concerned agencies/instrumentalities shall be guided by the flow chart that forms part of this IRR, and abide by the following:

SECTION 1. SCOPE AND COVERAGE – The Implementing Rules and Regulations shall apply to all applications for socialized housing development and shall ensure the expeditious processing of permits and licenses for socialized housing development in accordance with the ninety (90)–day–period.

SECTION 2. PURPOSE AND OBJECTIVES – The Implementing Rules and Regulations shall serve as guide for the concerned agencies/instrumentalities embodied in Executive Order No. 184 and related laws in order for them to strictly abide with the mandated number of days to act on applications for socialized housing development.

SECTION 3. PROCEDURES AND GUIDELINES – The following procedures and guidelines shall be observed by the concerned agencies/instrumentalities:

a. All lands zoned for residential purposes per town/city plans approved prior to June 15, 1988 shall be exempt from land conversion.

b) Socialized Housing Projects as per RA 7279 shall be exempt from securing (a) an environmental clearance certificate (ECC) from the Environmental Management Bureau (EMB) except those projects located in environmentally critical areas; (b) a certificate of eligibility for conversion (CEC) from the Department of Agriculture (DA).

c) As indicated in the Flow Chart, the ninety (90)–day period commences after the HLURB desk's evaluation as to the completeness of submitted requirements by the developer. After evaluation, the HLURB Desk determines whether or not the proposed project is exempt from conversion, within the residential zone classification or falling under AO 20 (of the Office of the President dated 07 December 1992). Upon determination as to the project's land category, the documents are then endorsed to the DAR Desk either for adjudication or simply for determination of disturbance compensation and outright issuance of the DAR Conversion Clearance. Upon determination of disturbance compensation, the DAR Desk, through the HLURB Desk, informs the project proponent/applicant on the amount of the

disturbance compensation and receives payment on the same for remittance to the affected tenants. After receipt of payment, the DAR Desk issues the Conversion Clearance to the project proponent/applicant who then prepares the subdivision plan for submission to the HLURB Desk. Upon evaluation of the technical plans, the HLURB Desk transmits to the DILG Desk the initially approved plans for final approval of the concerned LGU. For this purpose, the DILG Desk is tasked to monitor the processing and approval of the subdivision plan and the issuance of development permit by the concerned LGU within thirty (30) days from receipt of the subdivision plans. Upon receipt of the Development Permit and approved plans from the LGU concerned, the HLURB Desk then issues the License to Sell from whence the project proponent/applicant submits to the approved plans to the DENR–LMB Desk for the approval of survey returns, then to the DOJ–LRA Desk for the issuance of individual titles.

d) In accordance with the ninety (90) – day period as prescribed by RA 7279, the component agencies of the SHOPC shall strictly abide with the time frame as indicated for each activity:

1) **DAR CONVERSION**

HLURB DESK

From the inspection of land to determine whether or not it is exempt from DAR conversion, whether or not residentially zoned to its endorsement to the DAR desk for the computation of disturbance compensation – **14 working days**

Issuance of Locational Clearance – **1 working day**

DENR–LMB/EMS DESK

From receipt of application, together with a project description, to issuance of ECC prior to the issuance of the locational clearance (done simultaneously with HLRB activities) – **14 working days**

DAR DESK

Determination of disturbance compensation – **4 working days**

Lifting of the VOS/Na after adjudication – **7 working days**

Issuance of Conversion Clearance – **2 working days**

2) **DEVELOPMENT APPLICATION**

HLURB DESK

Evaluation of technical plans and other pertinent documents relative to the application of a development permit and consequently its submission to the LGU for final approval – **7 working days**

Issuance of License to Sell – **2 working days**

LGU – SANGGUNIAN

Approval of Plan – **30 working days**

DENR – LMB DESK

Verification and approval of survey returns – **15 working days**

DOJ – LRA DESK

Issuance of individual titles – **8 working days**

Whenever documents are returned to the project proponent/applicant, the counting of the ninety (90) – day period is temporarily suspended until such time that all requirements of the SHOPC have been completed and have conformed to the standards of a particular activity.

e. The project proponent/applicant shall not be required to submit any document in support of the application, other than the following:

1. Torrens Title of the proposed project site
2. Special Power of Attorney when necessary
3. location plan/vicinity map of the proposed project site
4. information sheet in the form that the SHOPC shall prescribe, which shall contain a description and other material particulars about the proposed project site, the project proponent/applicant's corporate profile, and other pertinent information.
5. approved Articles of Incorporation
6. Affidavit of Undertaking as provided under Section 6 hereof.

f. The Sanggunian of the local government unit concerned shall, within thirty (30) days from receipt thereof, act on the subdivision plan recommended for approval by the SHOPC–HLURB Desk, promulgate the appropriate Sanggunian Resolution of Final Approval and issue the corresponding Development Permit.

SECTION 4. FLOW CHART – The procedural flow of the SHOPC's activities are discussed in detail in Section 3 (c) and (d) and forms an integral part hereof.

SECTION 5. PENALTY CLAUSE – Any violation of the provisions of these rules shall be penalized in accordance with Section 42 of RA 7279.

SECTION 6. SEPARABILITY CLAUSE – The provisions of these rules are hereby declared separable, and in the event of any such provisions are declared null and void, the validity of all other provisions shall not be affected thereby.

SECTION 7. EFFECTIVITY – These rules shall take effect immediately after its publication in at least two (2) national newspapers of general circulation.

APPROVED this 23rd day of August 1994, Makati, Metro Manila.

RAFAEL M. ALUNAN III ROBERTO S. SEBASTIAN

Secretary Secretary

Department of Interior Department of Agriculture

and Local Government

ERNESTO G. GARILAO ANGEL C. ALCALA

Secretary Secretary

Department of Agrarian Reform Department of Environment

and Natural Resources

DIONISIO C. DE LA SERNA FRANKLIN M. DRILON

Chairman Secretary

Housing and Urban Development Department of Justice

Coordinating Council

Republic of the Philippines

Office of the President

Housing and Urban Development Coordinating Council

Housing and Land Use Regulatory Board

GENERAL INSTRUCTIONS TO COORDINATORS

ON HOW TO OPERATIONALIZE THE SHOPC

The objective of the SHOPC coordinator is to ultimately operate the center strictly in accordance with Executive order 184 and The Implementing Rules and Regulations Governing the Operationalization of a Socialized Housing One–Stop Processing Center approved by the secretaries of the DILG, DAR, DA, DENR, DOJ, and the chairman of the HUDCC.

Pending the submission of the maps, tables, lists and other materials needed to process applications and the amendment of laws that conflict with EO 184, the coordinator shall be guided by the following interim procedures upon receiving his designation:

1. ORGANIZATION

A. Inform the regional director/officer of the DA, DAR, DENR, HLURB, & DILG, about his designation and schedule a meeting with them. Also inform them that they have to designate an officer to man their respective desks.

B. In the meeting, explain in detail the contents of Executive Order 184 and the salient points of RA 7279. Also discuss in detail the operating procedures for SHOPC as outlined in the INTERIM HLURB PROCEDURES FOR THE SOCIALIZED HOUSING ONE STOP PROCESSING CENTER.

C. After receiving the designations of the officers from the other agencies who shall man the desks, call them to a separate meeting and agree on the interim procedures you are to follow. Do a scenario. Trace how an application moves from one desk or agency to another. Discuss in detail the operating

procedures for SHOPC as outlined in the INTERIM HLURB PROCEDURES FOR THE SOCIALIZED HOUSING ONE–STOP PROCESSING CENTER.

D. Designate an assistant coordinator who shall take the place of the coordinator whenever he is absent or not available.

2. SHOPC OFFICE SPACE

Communicate with CREBA. Find out whether they can provide an office space, desks and chairs and other equipment as promised by Atty. Manuel Serrano. If CREBA is unable to provide these, identify an office that can accommodate the various agency desks. The SHOPC space may be within the offices of any of the participating agencies and office furniture may come from any agency.

One alternative to consider is for DAR, HLURB, and DENR to continue processing in their respective offices. Applications are received in one designated office (say HLURB) and documents are transferred to the next agency by messenger. The ultimate objective is to house all desks physical in one location.

3. BUDGET PREPARATION

Prepare budget for operations for the current year. Determine the administrative and operating costs of the SHOPC and pro–rate the contribution of each Desk to said costs.

4. INTERIM PROCESSING PROCEDURES OF EACH AGENCY

A streamline integrated processing system is the ultimate goal of the SHOPC. While this ideal system is yet to be in place, processing should already proceed allowing the agencies to learn as they go. It is suggested that each agency devise its own fast track system simplifying that each agency organize its own SHOPC unit to specifically process socialized housing applications.

5. FORMS

The ultimate objective of the SHOPC is to have one common form for all agencies. In the meantime, existing forms may be used.

6. MONITORING

The coordinator should devise a system of tracking applications in process. He should be able to keep track of the number of days an application has been with an agency and notify the agency if the allotted time is about to expire.

7. REPORTING

The coordinator shall periodically submit accomplishment reports to the HUDCC thorough the Chief Executive Officer of HLURB.

NOTE: KEEP IN MIND THAT RA 7279 SPECIFIES THAT ALL CLEARANCES PERMITS AND LICENSES SHALL BE ISSUED WITHIN NINETY (90) DAYS FROM THE DATE OF SUBMISSION OF ALL REQUIREMENTS.