



BOARD OF COMMISSIONERS

985

RESOLUTION NO. _____

Series of 2019

**APPROVING THE 2019 ADMINISTRATIVE RULES OF PROCEDURE
IN THE MONITORING OF REAL ESTATE DEVELOPMENT PROJECTS
AND IMPOSITION OF SANCTIONS FOR VIOLATION OF PRESIDENTIAL
DECREE NO. 957 AND OTHER RELATED LAWS AND THEIR
IMPLEMENTING RULES AND REGULATIONS**

Pursuant to Section 5 (c) and (j), Executive Order No. 648, Series of 1981, as amended by Executive Order No. 90, Series of 1986, and in revision of Board Resolution No. R-960, Series of 2017, otherwise known as the Rules of Procedure in the Conduct of Administrative Inspections and Investigations, the Housing and Land Use Regulatory Board (HLURB) hereby adopts and promulgates the *2019 Administrative Rules of Procedure in the Monitoring of Real Estate Development Projects and Imposition of Sanctions for Violation of Presidential Decree No. 957 and Other Related Laws and Their Implementing Rules and Regulations*.

Rule I – Title and Interpretation

Section 1. Short Title. – These rules shall be known as the “2019 Real Estate Development Monitoring Rules of HLURB” hereinafter referred to as the “Rules.”

Section 2. Definition of Terms. – For purposes of this Rules, the following terms or words shall mean or be understood as follows:

- 2.1 *Aggravating Circumstances* refers to those which worsen the severity and effects of the offense committed and may result in increasing the penalty imposed;
- 2.2 *Cease and Desist Order (CDO)* refers to the remedy or sanction whereby a party is directed to refrain from doing a particular act(s) to prevent any further damage or injury pending the resolution of a complaint for violation of laws, rules and regulations implemented by HLURB, or until specified conditions are met or complied with;
- 2.3 *Field Monitor*, also invariably called in this Rules as Field Inspector or Field Investigator, refers to the staff of the Monitoring Unit of the

Regional Office authorized to conduct an ocular inspection or on-site investigation of subdivision and condominium projects and other real estate development projects subject to the regulation of HLURB;

- 2.4 *Indirect Contempt* refers to willful disobedience of the lawful process or order of the Regional Office;
- 2.5 *Inspection* refers to the act of personally visiting the project site by a Field Monitor, Inspector or Investigator of the Monitoring Unit of the Regional Office for the purpose of determining whether the development or construction of said project complies with or is proceeding in accordance with the approved plans, program of development and applicable laws, rules and regulations being implemented by HLURB;
- 2.6 *Investigation* refers to the act of a Field Monitor, Inspector or Investigator of the Regional Office, initiated either *motu proprio* or upon complaint or information from a third party, of determining whether a non-conformity to the approved plans, or violation of the laws, rules, regulations and standards implemented by HLURB has been committed by the project owner and/or developer, or proponent, and other persons liable. The investigation may either be:
 - 2.6.1 *Field Investigation*, which refers to the conduct of ocular inspection, interview, and examination of documents not otherwise available on record, with the prior written authority of the Regional Officer, for the purpose of gathering and determining relevant facts incident to, or confirming or verifying the report of violation; or
 - 2.6.2 *Non-Field Investigation*, which refers to the examination of the official records, reports and other documents and papers pertaining to a specific project or project owner, developer or proponent to confirm or verify reports of alleged violation;
- 2.7 *Mitigating Circumstances* refers to those which, though not constituting a justification or excuse for the offense committed, may reduce its severity and effects;
- 2.8 *Monitoring Report* refers to either the Field Investigation Report or Non-Field Investigation Report, or a combination of both;
- 2.9 *Notice of Alleged Violation (NOAV)* refers to the notice issued to a project owner and/or developer, or proponent informing said person of the violation(s) allegedly committed based on the report of a third-party informant, the veracity of which cannot be confirmed from official records, and ordering the said project owner, developer or proponent to submit a sworn explanation why no administrative sanction shall be imposed by reason thereof;

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- 2.10 *Notice of Violation (NOV)* refers to the notice issued to a project owner and/or developer, or proponent informing said person of violation(s) found to have been committed on the basis of official records and reports, and ordering said project owner and/or developer or proponent to submit a sworn explanation why no administrative sanction shall be imposed against him/her/it by reason thereof;
- 2.11 *Respondent* refers to the project owner and/or developer, or proponent, broker, dealer or salesman reported to have committed a violation of laws, rules and regulations implemented by HLURB, who has been asked to submit a sworn explanation why no sanctions shall be imposed against him/her/it; and
- 2.12 *Spot Monitoring* refers to the act of any monitoring staff of the Regional Office of initiating an investigation of or referring for investigation a violation of the laws, rules and regulations implemented by HLURB said staff had come across with or discovered.

Section 3. Interpretation/Construction of this Rules. – This Rules shall be interpreted liberally in order to promote the welfare and protect the rights of real estate buyers as well as encourage the owners and/or developers of subdivision and condominium and other real estate development projects within the regulatory jurisdiction of HLURB to comply with the requirements of existing laws, rules and regulations.

Section 4. Objectives. – The objectives of this Rules are:

- 4.1 To ensure the faithful observance by the owners and/or developers of their obligation to fully develop the project on time and in accordance with the approved development plan, contractual stipulations and/or sales representations as well as to comply with the pertinent conditions imposed in clearances, permits, and licenses;
- 4.2 To ensure the efficient and effective monitoring of all activities involving the real estate business or trade to protect legitimate real estate developers and the buying public in pursuit of a conducive business atmosphere and stable real estate trade; and
- 4.3 To adopt adequate and clear procedural guidelines for uniformity and consistency in the monitoring of real estate development projects and the imposition of fines, penalties and sanctions while ensuring the protection of and respect for private rights;

Rule II - Coverage and Scope of Monitoring Activities

Section 5. Coverage. – The following are subject to the monitoring of HLURB:

- 5.1 Subdivisions, condominiums, medium rise residential projects, townhouses, memorial parks and columbaria and other real estate

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;

- 5.2 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 mandates of HLURB;
- 5.3 Subdivisions, condominiums, medium rise residential projects, townhouses, memorial parks and columbaria and other real estate development projects, and their owners and/or developers reported by lot/unit buyers or homeowners associations to have violated the law with request for investigation, advice or assistance for the protection of their rights;
- 5.4 Land use projects issued by HLURB with locational clearances or certificates of zoning compliance, variances, exceptions and temporary use permits in municipalities and cities without Comprehensive Land Use Plan;
- 5.5 Real estate service practitioners or dealers, brokers, and salespersons engaged in the selling of real estate development projects that are subject to the regulation of HLURB;
- 5.6 Use of open spaces and common areas of subdivision projects after issuance of Certificate of Completion, donation to the local government, or turnover to the homeowners association; and
- 5.7 Other analogous projects and transactions involving real estate development projects or similar persons subject to the regulation of HLURB.

Rule III - Jurisdiction and Powers of the Regional Officer

Section 6. Jurisdiction of the Regional Officer. – All notices and orders in the implementation of this Rules shall be issued by the Regional Officer who shall have jurisdiction and power to perform or cause the performance of the following:

- 6.1. Investigate land use or development projects or real estate transactions previously issued with a clearance, permit, license, approval or certificate by HLURB to determine whether the said project or transaction satisfactorily complies with the terms and conditions of the clearance, permit, license, approval or certificate;



- 6.2. Investigate any newly discovered land use or development project or real estate transaction to subject to the regulatory jurisdiction of HLURB to determine whether the owner and/or developer, or proponent thereof has secured the required clearances, permits, licenses, approvals and certificates; and
- 6.3. Verify reports of alleged violations of the laws, rules and regulations implemented by HLURB.

Section 7. Powers of the Regional Officer. – With respect to the exercise by HLURB of monitoring functions, the Regional Officer shall have the power to:

- 7.1 Issue Authority to Monitor specific projects to Field Monitors, Inspectors or Investigators;
- 7.2 Issue CDOs restraining the commission or continuance of the act(s) complained of, or requiring the performance of act(s) either for a limited period or perpetually which shall be effective immediately upon service to the party charged;
- 7.3 Impose fines and penalties for violation of the laws, rules and regulations being implemented by HLURB, and for non-compliance with orders, awards and rulings of the Regional Office;
- 7.4 Cite any person in indirect contempt;
- 7.5 Issue writs or alias writs of execution to enforce the orders and rulings of the Regional Office; and
- 7.6 Exercise such other powers as may be implied, necessary or incidental in carrying out the express powers granted to achieve the objectives and purposes of the law, rules and regulations.

Rule IV – Field Monitoring

Section 8. Authority to Monitor Required. - Only duly designated Field Monitors, Inspectors or Investigators shall be issued Authority to Monitor by the Regional Officer to conduct field monitoring or field investigation activities. This Authority shall be secured prior to the conduct of field investigation or site inspection and the same shall be presented to the project owner and/or developer, or proponent, or their representative, or other persons involved in the project or transaction being monitored. The Authority shall specify the subject and scope of the inspection or investigation, as well as the time frame or duration within which monitoring activities shall be conducted, which in no case shall exceed thirty (30) days from the date the authority is issued.

Section 9. Powers of Field Monitors. - The Field Monitor, Inspector or Investigator duly authorized to monitor a project or transaction shall have the power to do the following:

- 9.1 Conduct interviews or conferences with the project owner and/or developer, or proponent, or their representative, as well as residents of the project and neighboring areas, for the purpose of ascertaining the ownership, status and extent of operation of the project or transaction, and its perceived effects or implications including issues and problems related thereto;
- 9.2 In the exercise of the right to free and unimpeded access and entry into the property and premises of the project or transaction being monitored, he/she may, upon prior and express authority of the Regional Officer, open or remove or cause the opening or removal of any gate, door, barrier or railing that prevents, impedes or impairs the conduct of monitoring activities;
- 9.3 Require the production of permits, clearances, licenses, approvals, receipts, contracts, corporate records, books of accounts and financial statements relevant to HLURB's exercise of its regulatory functions;
- 9.4 Call on any person, office or entity for assistance in the discharge of his/her functions; and
- 9.5 Perform such other functions as may be necessary, incidental, related or inherent in carrying out the regulatory functions of HLURB.

Section 10. Commencement of Field Monitoring. - The conduct of field monitoring activities shall be commenced upon any of the following instances:

- 10.1 Lapse of six (6) months from the issuance of Certificate of Registration (CR) and License to Sell (LS) to verify if the development of the project is in accordance with the approved plans, program of development or period for completion, and to ensure that the same complies with the conditions imposed in the LS. This activity is referred to as the regular or mandatory monitoring of projects;
- 10.2 Filing of a complaint or report by buyer(s) of subdivision lots or condominium units or other real estate projects subject to the regulation of HLURB, or by any interested party;
- 10.3 It appears upon review of documents on record that a violation has been committed;
- 10.4 Discovery of a violation by any official or employee of HLURB or when the same was committed or is being committed in his/her presence; and
- 10.5 Orders of the Arbiter or the Board of Commissioners (Board)

Section 11. Regular or Mandatory Monitoring of New Real Estate Development Projects. – The Regional Office shall conduct inspections or investigations of real estate developments regulated by HLURB after six (6) months from the date of the issuance of CR and LS for the purpose of verifying whether the development or construction of the project is in accordance with the approved plans, work schedule and other requirements: *Provided*, That even prior to the lapse of the said six(6)-month period, the Regional Office is not precluded from conducting an inspection or investigation upon information of any alleged violation of the pertinent laws, and rules and regulations of HLURB.

Section 12. Procedure. – The conduct of field inspection/investigation shall proceed as follows:

- 12.1 *Pre-Inspection/Pre-Investigation.* The Field Monitor, Inspector or Investigator shall review the records of new projects assigned to him/her for monitoring and secure the prior written Authority of the Regional Officer to conduct inspection/investigation of said projects.
- 12.2 *Notice.* The Regional Office, upon the recommendation of the Field Monitor, Inspector or Investigator, shall notify the project owner or developer of the schedule of the site inspection or investigation and may require the preparation and/or submission of additional relevant documents within five (5) days from receipt of the notice.
- 12.3 *Site Inspection/Investigation.* The inspection or investigation shall be conducted on the date stated in the notice sent to the owner or developer and shall be completed within thirty (30) days from the date of issuance of the Authority by the Regional Officer.
- 12.4. *Post-Inspection/Investigation.* The Field Monitor, Inspector or Investigator shall prepare the Site Inspection Report (SIR) or Field Investigation Report (FIR) within five (5) working days from the date of completion of the inspection or investigation. In case a violation is found, the Monitor, Inspector or Investigator shall prepare or cause to be prepared an NOV stating the findings of fact, violations of the law, rules, and regulations committed, and acts required to be done or undone.
- 12.5 *Review of Site Inspection Report.* The Head of the Monitoring Unit of the Regional Office shall review and act on the SIR or FIR and the documents attached thereto and, within five (5) working days from receipt thereof, submit to the Regional Officer his/her recommendation either to issue an NOV or terminate the proceedings, stating clearly the reasons therefor.
- 12.6 *Resolution.* The Regional Officer shall act on the recommendation of the Head of the Monitoring Unit within five (5) working days from receipt thereof.

Rule V – Non-Field Monitoring

Section 13. Procedure for Non-Field Investigations. – Where the alleged violation was found or confirmed upon an examination of the records and documents on file, the investigation shall proceed as follows:

- 13.1 *Evaluation.* The assigned non-field Monitor shall, within ten (10) working days from receipt of the report of violation, review and evaluate the project records and other available documentary evidence and, when necessary, recommend the conduct of field investigation for further fact-finding, verification of the reports or authentication of the documents submitted.
- 13.2 *Non-Field Investigation Report.* The assigned Monitor shall prepare the Non-Field Investigation Report (NFIR) stating the following: (1) facts appearing on record; (2) laws, rules, and regulations violated; (3) supporting documents, copy of which shall be attached thereto; and (4) his/her findings and recommendations.
- 13.3 *Review of Non-Field Investigation Report.* The Head of the Monitoring Unit of the Regional Office shall review and act on the NFIR and, within five (5) working days from receipt thereof, submit to the Regional Officer his/her recommendation either to issue the NOV or NOAV, or terminate the proceedings, stating clearly the reasons therefor.
- 13.4 *Termination of Investigation or Issuance of Notice of Violation / Notice of Alleged Violation.* The Regional Officer shall act on the recommendation of the Head of the Monitoring Unit within five (5) working days from receipt thereof, either by terminating the proceedings and considering the matter closed, or issuing an NOV or NOAV.
- 13.5 *Field and Non-Field Investigation Results Combined.* The relevant findings contained in both the SIR/FIR and NFIR shall be cited and considered in the issuance of the NOV or NOAV.

Rule VI - Issuance and Service of Notice of Violation/ Notice of Alleged Violation and Order to Comment/Explain

Section 14. Notice of Violation. - If upon evaluation of the monitoring report there appears a violation of existing laws, rules, regulations, conditions of the license or permit issued, or decisions of the Board, an NOV with a copy of the monitoring report and the supporting evidence – attached thereto, shall be issued by the Regional Officer and served upon the project owner and/or developer ordering the submission of a sworn explanation why no sanction shall be imposed against him/her/it, together with the relevant supporting documents, within fifteen (15) days from receipt of the NOV.

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When the violation constitutes selling without LS or advertising without approval, a CDO from selling, collecting amortization payments, or advertising of the project shall be included in the NOV as a precautionary measure. In the issuance thereof, the Regional Officer shall take judicial notice of the records of the Regional Office.

Section 15. Notice of Alleged Violation. - In case the investigation arises from a complaint by a third party informant, an NOAV, with the complaint attached thereto, shall be issued and served upon the project owner and/or developer, or proponent, ordering the submission of a sworn explanation with supporting documents in reply thereto within fifteen (15) days from receipt of the NOAV, copy furnished the third-party informant.

Rule VII - Joint Ocular Inspection and Clarificatory Conference

Section 16. Ocular Inspection. - Upon receipt of the respondent's sworn explanation or comment, the Regional Officer may, *motu proprio* or upon the request of any of the parties, order the conduct of an ocular inspection with notice to the parties.

Section 17. Clarificatory Conference. - The Regional Officer or any of his duly authorized staff, may call and conduct a conference between the third party informant or complaining party and the respondent to clarify specific matters as would warrant judicious evaluation or resolution of the report or complaint.

Section 18. Contentious matters. - If the matters raised in the complaint or report should become contentious, adversarial or litigious, the complainant shall be advised to file a verified complaint with the Adjudication Unit in accordance with the HLURB Rules of Procedure.

Section 19. Personal actions. - Written requests or complaints from the general public that are in the nature of personal actions or one that would involve the adjudication of private rights, such as, but not limited to, demand for the delivery of title, refund of payments, or payment of damages, the complaint shall be indorsed for conciliation. If after conciliation has been conducted and the issue remains unresolved, the complaining party shall be advised to file a verified complaint pursuant to the HLURB Rules of Procedure governing adjudication proceedings.

Rule VIII - Imposition of Administrative Sanctions

Section 20. Order of Imposition of Administrative Sanctions (OIAS). - If the project owner and/or developer, or proponent fails to comply with the NOV/NOAV within fifteen (15) days from receipt thereof, or if upon evaluation of the sworn explanation or comment, it is determined that a violation was committed, the Regional Officer shall issue an OIAS, stating clearly the nature

of the violation and the corresponding administrative sanctions imposed, as well as the grounds for such sanctions.

Section 21. *Imposable Sanctions.* - The sanctions that may be imposed in case of violation found in the course of monitoring, as well as the aggravating and mitigating circumstances, and other factors to be considered in the imposition thereof, shall be in accordance with the approved schedule of fines and penalties and guidelines issued by HLURB.

The imposition of fine for violation of Sections 5 and 18 of PD 957 shall be based on the total number of lots or units offered for sale without LS, and number of lots or units mortgaged without mortgage clearance, respectively.

Section 22. *Final Notice to Comply.* If the project owner, developer or proponent fails to comply with the OIAS, the Regional Officer shall issue a Final Notice to Comply (FNC) directing compliance within ten (10) days from receipt of the FNC. Non-compliance with the FNC shall warrant the issuance of a writ of execution in accordance with Rule XIV hereof.

Rule IX - Monitoring of Real Estate Brokers, Dealers or Salespersons

Section 23. *Field Monitoring of real estate brokers, dealers and salespersons.* The procedure for monitoring the selling activities of real estate brokers, dealers or salespersons shall be as follows:

23.1 The monitoring staff shall secure an Authority to conduct monitoring of selling activities of brokers, dealers or salespersons. The Authority shall specify the area, date, and time when field monitoring of selling activities shall be conducted and shall be valid only for that particular date.

23.2 If a violation is found, the Regional Officer shall issue an NOV to the broker, dealer or salesperson who is not registered with HLURB, with expired registration, selling unlicensed projects or those with suspended license or CDO from selling, copy furnished the project owner and/or developer.

23.2.1 If at the lapse of ten (10) days from receipt of the NOV, the broker, dealer or salesperson subject thereof fails to submit a sworn explanation why no administrative fine, sanction or penalty shall be imposed against him/her, the Monitor shall prepare an OIAS to be endorsed by the Head of the Monitoring Unit and signed by the Regional Officer;

23.2.2 In case of non-compliance with the OIAS, an FNC shall be issued against the broker, dealer or salesperson directing compliance within ten (10) days from receipt of the FNC;

- 23.2.3 If the broker, dealer or salesperson fails to comply with the FNC within ten (10) days from receipt thereof, a Writ of Execution shall be issued addressed to the HLURB Sheriff. Non-compliance shall be a ground to deny the subsequent registration or renewal of registration of said broker, dealer or salesperson and the same shall be reported to the Professional Regulatory Board of Real Estate Service.

Rule X - Monitoring Post-Issuance of Certificate of Completion

Section 24. Monitoring of Project Issued Certificate of Completion.— After six (6) months from issuance of the Certificate of Completion (COC), the Monitor shall require the owner and/or developer to submit a copy of the Deed of Donation of open spaces to the local government units (LGUs) pursuant to PD1216, Deed of Donation of the parks and playgrounds to the homeowners association with the consent of the LGU, as the case may be, and proof of turnover of water supply and lighting facilities to local public utilities, *i.e.*, Local Water District or Local Electric Company/Cooperative.

- 24.1 In the event the project owner and/or developer fails to donate the open spaces within the six(6)-month period above mentioned, said project owner and/or developer shall be required to post a maintenance bond to cover the expenses for the maintenance of open spaces, road lots, perimeter fences and all other similar facilities and amenities. The maintenance bond shall be equivalent to ten percent (10%) of the total cost of the items of work to be maintained for projects under Batas Pambansa Blg. 220 standards and twenty percent (20%) for projects under PD 957 standards, as the case may be, in accordance with the submitted fact sheet. Thereafter, the Monitor shall conduct an annual evaluation of the project reckoned from the date of the issuance of the COC or from the posting of the maintenance bond.
- 24.2 Should the project owner/or developer proceed with the intended donation after the lapse of the above six (6)-month period, revalidation of the COC shall be required.
- 24.3 If the COC is issued for the purpose of turnover of maintenance of subdivision facilities and open spaces to the homeowners association, the project owner and/or developer shall be required to submit a Memorandum of Agreement with the association with respect to the maintenance of roads and facilities, payment of Real Property Tax, operation of the water system and other similar concerns.

Rule XI- Other Monitoring Activities

Section 25. Spot Monitoring. If any of the Monitoring Unit staff comes across real estate development projects that appear to have no CR and LS, advertisements without approval and other transactions involving said projects

done in probable violation of the laws, rules and regulations implemented by HLURB, verification of HLURB records shall be conducted. If the violation is confirmed, the same procedure under Rules IV, V, VI, VII and VIII of this Rules shall be followed.

Section 26. *Monitoring Arising from Letter-Complaints.* Upon receipt of the letter-complaint, the assigned Monitor shall perform a non-field investigation and prepare his/her report. If a violation is found, the same procedure under Rules IV, V, VI, VII and VIII shall be followed: *Provided*, That the complaining party shall be furnished a copy of the issuances of the Regional Officer pertaining to the subject of the letter-complaint.

Section 27. *Ocular Inspection Ordered by an Arbiter or the Board of Commissioners.* Upon receipt of a copy of the Order for inspection, the assigned Field Monitor, Inspector or Investigator shall confer with the Arbiter or a representative of the Board for clarification, if necessary, as to the purpose of the inspection ordered. The Monitor, Inspector or Investigator shall submit the SIR to the Arbiter or the Board within ten (10) days from the conduct of inspection or such other period specified in the Order.

Rule XII - Finality of the Order of Imposition of Administrative Sanction

Section 28. *Finality.* Notwithstanding the issuance of an FNC, the OIAS shall become final and executory after fifteen (15) days from receipt (of the OIAS) by the project owner and/or developer, or proponent, real estate broker, dealer or salesperson, unless a motion for reconsideration or appeal from the OIAS is filed within the said fifteen (15)-day period in accordance with Rules XIII and XIV of this Rules.

Rule XIII - Motion for Reconsideration

Section 29. *When and where to file Motion.* - Within fifteen (15) days from the receipt of the OIAS, the respondent owner and/or developer, or proponent, dealer, broker, or salesperson may file with the Regional Office a motion for reconsideration thereof.

Section 30. *Resolution of the Motion.* - The motion for reconsideration shall be resolved by the Regional Officer within fifteen (15) days from the receipt thereof.

Rule XIV - Appeal

Section 31. *When and where to file appeal; requirements.* - A project owner and/or developer, or proponent, dealer, broker or salesperson aggrieved by an OIAS may appeal to the Board by filing with the Regional Office a Memorandum of Appeal within fifteen (15) days from receipt of the OIAS or

Resolution of the Motion for Reconsideration, in accordance with the HLURB Rules of Procedure.

Within five (5) days from receipt of the Appeal Memorandum, the Regional Office shall elevate to the Board the pertinent records of the case, properly numbered and paginated, together with the summary of antecedents and proceedings taken.

Section 32. Appeal bond. - No appeal from an Order of Imposition of Fine shall be entertained unless the appellant posts an appeal bond in cash or manager's check in an amount equivalent to at least fifty percent (50%) of the total amount of fine imposed, payable to HLURB.

Section 33. Proceedings on Appeal. - The appeal shall be acted upon in accordance with the HLURB Rules of Procedure.

Rule XV - Execution of Order of Imposition of Administrative Sanction

Section 34. Writ/ Alias Writ of Execution. - Upon finality of the OIAS, the Regional Officer shall *motu proprio* issue a writ of execution and/or alias writ of execution directed to the HLURB sheriff concerned. Where applicable, the Regional Officer may cause the annotation of the writs on the certificates of title in the name of the respondent project owner and/or developer not otherwise subject of any contract to sell. In case the respondent project owner and/or developer has posted an appeal bond, the execution may proceed against said bond.

Non-compliance with the Writ of Execution shall be a ground for the denial or withholding of approval of subsequent applications for other projects of the same project owner and/or developer or projects where said owner and/or developer is a joint venture partner.

Rule XVI – Oversight Powers of the Chief Executive Officer or Supervising Commissioner of the Regional Office

Section 35. Random Validation. - The Chief Executive Officer (CEO), or the Supervising Commissioners with respect to the regional offices under their administrative supervision, shall oversee the Regional Offices' performance of monitoring functions. For this purpose, the CEO and/or Supervising Commissioners is authorized, at anytime, to validate or cause the validation of the findings and issuances of the Regional Officers with regard to the imposition of administrative sanctions.

Section 36. Submission of Monthly Reports. - Through their respective Supervising Commissioners, the Regional Officers shall submit to the CEO monthly reports of the NOV's, OIASS and Writs of Execution issued by the Regional Office with relevant data as may be necessary.

Rule XVII - Miscellaneous Provisions

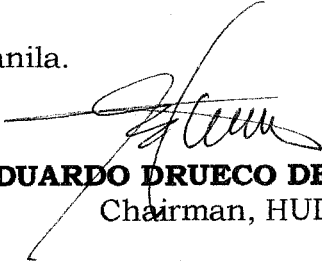
Section 37. Clarificatory or Supplementary Guidelines. - The Chief Executive Officer may issue from time to time supplementary guidelines to clarify any provision of this Rules.

Section 38. Repealing Clause. - This Rules shall modify, amend or repeal Board Resolutions or Administrative Orders and other issuances inconsistent herewith. With respect to matters affecting homeowners associations, the Rules in effect prior to the suspension of Resolution No. 960 shall continue to be in force and effect until further action from the Board.


Section 39. Effectivity. - Rules shall take effect after fifteen (15) days from its publication in a newspaper of general circulation.

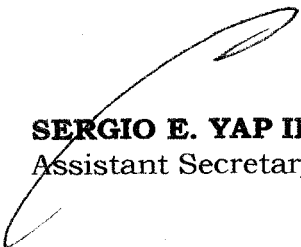
APPROVED, 17 June 2019.

Quezon City, Metro Manila.


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