

GUIDELINES IN FILLING-UP YOUR HOMEOWNERS' ASSOCIATION REGISTRATION FORMS

(Strict compliance with these guidelines must be observed so that your registration documents may be processed at the shortest possible time.)

I. Requirements for all registration documents:

- All information must be typewritten or at least legibly written in print;
- Provide for the complete name of your association; make sure you include the phrase "HOMEOWNERS' ASSOCIATION, INC.";
- All documents must be filed in three (3) copies each;
- Avoid unnecessary erasures; all erasures must be countersigned by the president or his duly authorized representative;
- Please collate your forms into three (3) sets upon submission with the first set containing "ALL" the originally filled-up forms and supporting documents.
- Make sure to check that all the requirements are complete and collated properly before presenting them for evaluation by the Registration Officers;
- Incomplete documents shall not be accepted. All the requirements must be complete upon filing of the application for registration.

II. Requirements for particular documents:

A. Articles of Incorporation:

- 1) Place the complete name of your association on the top portion of page 1;
- 2) At the FIRST ARTICLE, place again the complete name of your association;
- 3) At the THIRD ARTICLE, provide for a complete and specific address for your principal office, location/site, and telephone number;
- 4) At the FIFTH ARTICLE, place the complete printed names of all the incorporators, which must not be less than five (5) but not more than fifteen (15) persons, with their citizenships and residences;
- 5) At the SIXTH ARTICLE, indicate the number of directors, preferably odd numbers (5, 7, 9, 11, 13, 15) and place the complete printed names of all the directors, which must not be less than five (5) but not more than fifteen (15) persons, with their citizenships and residences;
- 6) At the NINTH ARTICLE, make sure that the initial operating capital is the correct sum total of the contributions of all the incorporators; the amount of contribution is of your choosing;
- 7) At the TENTH ARTICLE, place the complete name of the treasurer, elected by the board of directors of the association;
- 8) Indicate the date and place of adoption of the Articles of Incorporation on page 3;
- 9) Only the incorporators must sign over their printed names on page 3;

- 10) Two (2) witnesses other than the incorporators, must sign over their printed names at the bottom of page 3;
- 11) At the ACKNOWLEDGMENT on page 4, place the complete names of all the incorporators with their respective tax identification numbers, community tax certificate numbers, and date/place of issuance;
- 12) Only and all the incorporators must sign on every page of the document;
- 13) The Articles of Incorporation must be duly notarized.

B. By-Laws:

- 1) Place the complete name of your association on the top portion of page 1;
- 2) At ARTICLE II, place again the complete name of your association and the complete and specific address for your principal office, location/site, and telephone number;
- 3) At ARTICLE III, SECTION 1, indicate the complete name of the subdivision/village (for regular subdivisions) or the name of the property owner/s and transfer of certificate of title number/s (for cmp's and other land tenurial programs);
- 4) At ARTICLE IV, SECTION 1, indicate the specific membership fee in words and figures, which is a one-time payment and collectible only upon the admission of the member;
Example: One hundred (100) pesos
- 5) At ARTICLE IV, SECTION 2, indicate the specific monthly maintenance dues in words and figures;
- 6) At ARTICLE V, SECTION 2, indicate the number of your board of directors in words and figures, consistent with the number you indicated in the articles of incorporation;
- 7) At ARTICLE V, SECTION 4, indicate the term of office of your directors in words and figures; if the term of office is for two (2) years, change all the words "annual" in the by-laws into "biennial", all the corrections made must be countersigned by the president or his duly authorized representative;
- 8) At ARTICLE V, SECTION 7, indicate the schedule of the regular meeting of the board of directors;
Example: 1st Sunday of every month
- 9) At ARTICLE VI, SECTION 2, indicate the term of office of your officers in words and figures; if the term of office is for two (2) years, change all the words "annual" in the by-laws into "biennial", all the corrections made must be countersigned by the president or his duly authorized representative;
- 10) At ARTICLE VIII, SECTION 2, indicate the schedule of the general assembly of the members; if the term of office is for two (2) years, change the words "each year" into "every two years", all the corrections made must be countersigned by the president or his duly authorized representative; the meeting of the members must be held on a Saturday or a Sunday;
Example: 2nd Saturday of January, 4th Sunday of July
- 11) Indicate the date and place of adoption and approval of the By-Laws on page 9;
- 12) Only the incorporators must sign over their printed names on page 9;

- 13) At the ACKNOWLEDGMENT on page 10, place the complete names of all the incorporators with their respective tax identification numbers, community tax certificate numbers, and date/place of issuance; indicate also the number of the pages of the by-laws and the complete name of the association;
- 14) Only and all the incorporators must sign on every page of the document;
- 15) The By-Laws must be duly notarized.

C. Information Sheet:

- 1) Place the term of the directors and officers of your association on the top portion of the page;
Example: For the year: "2007-2008"
- 2) At NUMBER 1, place the complete name of your association;
- 3) At NUMBER 2, provide for a complete and specific address for your principal office, location/site, and telephone number;
- 4) At NUMBER 3, place the complete printed names of all the directors, not the incorporators, consistent with the names you indicated at the sixth article of the articles of incorporation;
- 5) At NUMBER 4, indicate only the officers enumerated in your By-Laws, namely, the President, Vice-President, Treasurer, Secretary, and Auditor; if you wish to have additional officers such as PRO, Sgt. At Arms, etc. with only one person per position, then indicate their functions in the By-Laws or in a separate sheet and must be signed by all the incorporators;
- 6) The President and Vice-President of your association must be a member of the Board of Directors;
- 7) Attach a complete list of the members of the Association, certified by the Secretary, attested by the President and duly notarized;
- 8) The Information Sheet must be certified correct by the secretary, with his/her signature above his/her printed name, duly notarized, with his/her Community Tax Certificate Number.

D. Undertaking and List of Incorporators:

- 1) Place the complete name of your association;
- 2) Don't forget to place the date;
- 3) Place only the names of the incorporators and not the directors; indicate only the positions enumerated in the By-Laws; again, if you wish to have additional positions, attach a sheet to your By-Laws indicating their functions;
- 4) The Undertaking and List of Incorporators must be certified correct by the secretary, with his/her signature above his/her printed name, duly notarized, with his/her Community Tax Certificate Number.

E. Certification:

- 1) Place the complete name of your association at the first blank on top of the page;

- 2) At NUMBER 1, place again the complete name of your association;
- 3) At NUMBER 1(a), indicate the complete name of the subdivision/village (for regular subdivisions) or the name of the property owner/s and transfer of certificate of title number/s (for cmp's and other land tenurial programs);
- 4) At NUMBER 1(b), indicate the phase/s covered by the association; just put "n/a" or not applicable if the association is not divided by phases;
- 5) At NUMBER 3, state the existing number of associations if the subdivision is divided by phases and indicate their respective names; just put "n/a" or not applicable if the association is not divided by phases;
- 6) At NUMBER 4, state the name of the nearest existing association, its location and its distance from your association;
- 7) At NUMBER 6 (for cmp's and other land tenurial programs), indicate the names of all the incorporators, not the directors, and their nature of occupancy;
- 8) At NUMBER 7 (for cmp's and other land tenurial programs), indicate the names of all the members of the association and their nature of occupancy; attach a separate sheet if the space provided is not enough;
- 9) The Certification must be signed by the secretary above his/her printed name, duly notarized, with his/her Community Tax Certificate Number.

F. Authorization:

- 1) Place the complete name, position, complete address, and the specimen signature of the authorized representative of your association who will do and perform all acts relative to the application for registration of the association;
- 2) Don't forget to indicate the date and the complete name of the association on the blanks provided;
- 3) The Authorization must be signed by the president above his/her printed name, duly notarized, with his/her Community Tax Certificate Number.

III. Requirements for Associations of Regular Subdivisions & Villages:

- ✓ Blueprint, whiteprint, or Xerox Copy of the Subdivision Plan, with a stamp of approval of the Housing and Land Use Regulatory Board or the concerned Local Government Unit;
- ✓ Notarized masterlist of all the members of the association, certified by the secretary, and attested to by the president.

IV. Requirements for Associations Under CMP's and Other Land Tenurial Programs:

- ✓ Blueprint, whiteprint, or Xerox Copy of the Location and Vicinity Map, containing the technical description and boundaries of the lot, signed and certified by a geodetic engineer or surveyor;

- ✓ New and originally stamped certified true copy of the Transfer Certificate of Title (TCT) of the lot;
- ✓ Original notarized copy of the Letter of Intent to Sell, or Contract to Sell, or Deed of Absolute Sale, or Notice of Award, or Memorandum of Agreement containing the TCT Number and the selling price of the lot;
 - a. Documents must contain the marital consent if spouses own the lot.
 - b. If the person signing the document is different from the name of the owner as indicated in the title of the lot, a Special Power of Attorney (SPA) authorizing him to sign on the owners' behalf must also be attached. The SPA to be attached must be original or a certified true xerox copy of the original and notarized.
 - c. If the lot owner/s is/are already deceased, an Extra-Judicial Settlement of the Estate must also be attached to determine the legitimate heirs of the property.
 - d. If the lot owner/s is a company or a business entity, a Secretary's Certificate, indicating the name of the person authorized to sell the property in behalf of the company, must also be attached.
 - e. For registering association of NHA projects, the endorsement of the associations' registration by the said agency and the Community Development Plan must also be attached.
 - f. For registering associations under special proclamations, a certified true copy of the said proclamation must also be attached.
- ✓ Notarized masterlist of all the beneficiaries of the association, certified correct by the secretary, and attested to by the president.

V. Reminders:

- ❖ All applications for registration are allotted thirty (30) days for processing, but it usually takes two to three (2-3) weeks for the application to be approved and released.
- ❖ All applications that were returned to the clients due to incomplete requirements, several deficiencies, and for corrections, must come back after compliance with the findings and recommendations, then present them to the same Registration Officer who first evaluated the documents.
- ❖ Follow-up your applications during office hours at telephone number (02) 929-8869, to check if the application is already approved and the client's copy is ready for pick-up. Be sure you have the official receipt with you when making a follow-up of your application.
- ❖ The Original Certificate of Registration of the Homeowners' Association is released only upon the presentation of the original and two (2) photocopies of the Certificate of Registration of the Association at the Bureau of Internal Revenue (BIR) with the Tax Identification Number (TIN) and the five (5) Association Books required for stamping, namely the Membership Book, Minutes Book, Cash, Journal, and Ledger.