



Republic of the Philippines

Office of the President

Housing and Urban Development Coordinating Council

HOUSING AND LAND USE REGULATORY BOARD

BOARD RESOLUTION NO. 879

Series of 2011

AUTHORIZING THE CREATION OF THE TASK FORCE AGAINST ILLEGAL REAL ESTATE PRACTICES AND ALLOCATING AN INITIAL AMOUNT OF FIVE MILLION PESOS (₱5,000,000) TO FUND ITS OPERATIONS

WHEREAS, the HOUSING AND LAND USE REGULATORY BOARD (HLURB) is mandated by Section 8 of Executive Order No. 648, to regulate the real estate trade and business and to “hear and decide cases on unsound real estate business practices; claims involving refund filed against project owners, developers, dealers, brokers or salesmen and cases of specific performance.”

WHEREAS, in the course of the performance of its mandate, numerous complaints for violation of Presidential Decree No. 957 has and continues to be filed for the purpose of imposing administrative sanctions against subdivision/condominium owners and developers;

WHEREAS, these administrative cases has not proven to be an effective deterrent against violations of the law and the rules and regulations as some unscrupulous subdivision/condominium owners, developers and dealers continue to victimize their hapless buyers into parting with their hard-earned income;

WHEREAS, Republic Act No. 9904, the Magna Carta for Homeowners and Homeowners Association, has likewise mandated the HLURB to protect legitimate homeowners and homeowners’ associations, especially those seeking or are availing of government socialized housing programs, such as the Community Mortgage Program and similar government initiatives, to provide housing to the poor and underprivileged;

WHEREAS, there have been unscrupulous individuals and criminal syndicates which utilize these housing initiatives of the government to illegally exact fees and charges from, and other fraudulent acts against, the unsuspecting beneficiaries or prospective beneficiaries of these programs;

WHEREAS, the HLURB, in the course of its monitoring activities, has uncovered these nefarious activities but cannot conduct in-depth investigations due to its lack of authority and expertise;

WHEREAS, the HLURB does not have any prosecutorial authority nor does its personnel have the authority, training and expertise to file the necessary criminal actions before the courts and actively conduct the prosecution thereof to curb these abuses and criminal devices of unscrupulous subdivision and condominium owners and developers to defraud their buyers as well as those who prey on informal settlers seeking the benefits accorded to them by law;

WHEREAS, the DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENTS has administrative control and jurisdiction over local government units, whose assistance is usually sought by their constituents to curb these nefarious real estate practices and likewise exercises administrative control and supervision, through the National Police Commission, over the Philippine National Police.

WHEREAS, the DEPARTMENT OF JUSTICE, as the prosecutorial arm of the State, has the personnel, armed with the expertise and legal authority, all over the country to impose a more effective deterrent against the unscrupulous and illegal acts and, in the pursuit of its mandate, has administrative control and supervision of the premier investigatory agency of the State, the National Bureau of Investigation.


✓ **WHEREAS**, the FIRST PARTY is authorized to "call on any government employee or any department, bureau, office, agency or instrumentality of the government or private entities and organizations for cooperation and assistance in the exercise of its functions" as per Section 5(i) of Executive Order No. 648.

WHEREFORE, be it **RESOLVED**, as it is hereby **RESOLVED**, that:

1. The Chief Executive Officer and Commissioner is hereby authorized to enter into any Memorandum of Agreement with the Department of the Interior and Local Government (DILG), the Department of Justice (DOJ), the National Bureau of Investigation (NBI) and the National Police Commission (NAPOLCOM) for the creation of the Task Force Against Illegal Real Estate Practices, defining its duties and responsibilities, denominating its personnel, proposing its budget, and such other terms and conditions as may be acceptable to all Parties concerned and in accordance with existing laws, rules and regulations;

2. Allocate an initial amount of Five Million Pesos ((₱5,000,000) to finance the operations of the Task Force chargeable against the service income of the Board not funded by the General Appropriations Act, subject to existing accounting and auditing rules and regulations.

APPROVED, this 22nd day of July, 2011, Quezon City.

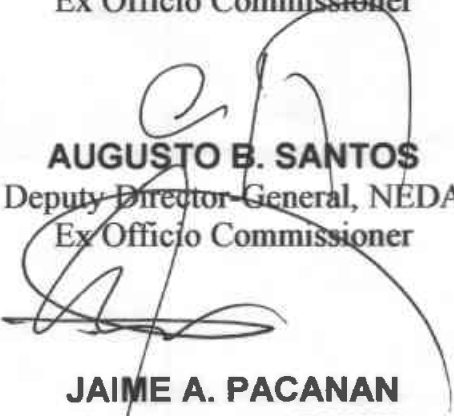

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Attested By:


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