



**Memorandum Circular No. 09
Series of 2017 (14 June)**

TO : ALL CONCERNED

FROM : CHIEF EXECUTIVE OFFICER AND COMMISSIONER

SUBJECT : RESOLUTION NO. 950, S. 2017, RATIFYING EXECUTIVE COMMITTEE RESOLUTION NO. 001, SERIES OF 2017, APPROVING AND ADOPTING THE GUIDELINES IN THE KINDS OF DUES, FEES AND CONTRIBUTIONS THAT MAY BE COLLECTED BY HOMEOWNERS ASSOCIATIONS AND APPROPRIATING BUDGET FOR INFORMATION CAMPAIGN

Quoted hereunder is the subject resolution approved by the Board of Commissioners on 03 May 2017.

“WHEREAS, 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 Executive Order No. 535, Series of 1979, as amended by Section 26 of Republic Act No. 8763, and Republic Act No. 9904, the Housing and Land Use Regulatory Board is authorized to approve, adopt and promulgate Rules of Procedure in the performance of its quasi-judicial or adjudicatory mandate;

WHEREAS, Section 20(h) of Republic Act No. 9904 specifically mandated that the HLURB shall “(f)ormulate, in consultation with the representatives of associations, federations, confederations or umbrella organizations of the associations, the guidelines in regulating the kinds of contributions and fees that may be charged and/or collected by associations.”

WHEREAS, in furtherance of the mandate, a Technical Working Group was formed and consultations conducted with the stakeholders as provided under Section 20(h) resulting in the finalization of the draft

“Guidelines in the Kinds of Dues, Fees and Contributions That may be Collected by Homeowners Associations.”

WHEREAS, the said Guidelines was initially submitted for the approval of the Board of Commissioners in its 426th Meeting, but was deferred for further comment by some members of the Board which was to be submitted to the Board of Commissioners for their consideration in its 427th Meeting tentatively set for October 2016. There were no comments, suggestions and/or recommendations submitted;

WHEREAS, in the meantime, there were several complaints received by the Regional Field Offices, either for mediation/conciliation or adjudication, which bears directly on the matters treated in the said Guidelines, thereby making it even more imperative that the same be promulgated to guide the officers of homeowners associations on the extent and limitations of their authority, specifically, to provide standards in the formulation of dues, fees and contributions which may be charged by associations with the end in view of eliminating unauthorized, excessive and arbitrary fees and assessments; to provide associations with the funds necessary to defray their administrative and other operating expenses in the performance of their duties and functions for the promotion of the welfare of all persons within their territorial jurisdiction and not for profit; to promote membership in the association by providing incentives in the assessment of dues, fees and contributions; and to promote fiscal autonomy and responsibility in the generation and management of the funds of the association;

WHEREAS, realizing the urgency, the HLURB convened its Executive Committee to consider and approve the said Guidelines, subject to the ratification of the Board of Commissioners. Thus, Executive Committee Resolution No. 001, Series of 2017, dated March 8, 2017, was approved, adopting the “Guidelines in the Kinds of Dues, Fees and Contributions That may be Collected by Homeowners Associations,” consisting of six (6) articles of a total of eighteen (18) sections.

NOW, THEREFORE, for and in consideration of the foregoing premises, the Board of Commissioners have resolved as follows:

BE IT RESOLVED, AS IT IS HEREBY RESOLVED, That Executive Committee Resolution No. 001, Series of 2017, providing for

the "Guidelines in the Kinds of Dues, Fees and Contributions That may be Collected by Homeowners Associations." is RATIFIED and ADOPTED.

BE IT FURTHER RESOLVED, AS IT IS HEREBY RESOLVED, That the amount of NINE MILLION TWO HUNDRED FORTY-EIGHT THOUSAND THREE HUNDRED PESOS (P9,248,300.00) be appropriated from the service income for the purpose of conducting a nationwide information campaign on the provisions of the "Guidelines" and other matters pertaining thereto.

APPROVED, this 03rd day of May 2017 in Quezon City, Philippines."

For your information.


LLOYD CHRISTOPHER A. LAO

Code No. 01A





**BOARD RESOLUTION NO. 950
Series of 2017**

**RATIFYING EXECUTIVE COMMITTEE RESOLUTION NO. 001,
SERIES OF 2017, APPROVING AND ADOPTING THE
GUIDELINES IN THE KINDS OF DUES, FEES AND
CONTRIBUTIONS THAT MAY BE COLLECTED BY
HOMEOWNERS ASSOCIATIONS AND APPROPRIATING
BUDGET FOR INFORMATION CAMPAIGN**

WHEREAS, 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 Executive Order No. 535, Series of 1979, as amended by Section 26 of Republic Act No. 8763, and Republic Act No. 9904, the Housing and Land Use Regulatory Board is authorized to approve, adopt and promulgate Rules of Procedure in the performance of its quasi-judicial or adjudicatory mandate;

WHEREAS, Section 20(h) of Republic Act No. 9904 specifically mandated that the HLURB shall "(f)ormulate, in consultation with the representatives of associations, federations, confederations or umbrella organizations of the associations, the guidelines in regulating the kinds of contributions and fees that may be charged and/or collected by associations."

WHEREAS, in furtherance of the mandate, a Technical Working Group was formed and consultations conducted with the stakeholders as provided under Section 20(h) resulting in the finalization of the draft "Guidelines in the Kinds of Dues, Fees and Contributions That may be Collected by Homeowners Associations."

WHEREAS, the said Guidelines was initially submitted for the approval of the Board of Commissioners in its 426th Meeting, but was deferred for further comment by some members of the Board which was to be submitted to the Board of Commissioners for their consideration in its 427th Meeting tentatively set for October 2016. There were no comments, suggestions and/or recommendations submitted;

WHEREAS, in the meantime, there were several complaints received by the Regional Field Offices, either for mediation/conciliation or adjudication, which bears directly on the matters treated in the said Guidelines, thereby making it even more imperative that the same be promulgated to guide the officers of homeowners associations on the extent and limitations of their authority, specifically, to provide standards in the formulation of dues, fees and contributions which may be charged by associations with the end in view of eliminating unauthorized, excessive and arbitrary fees and assessments; to provide associations with the funds necessary to defray their administrative and other

operating expenses in the performance of their duties and functions for the promotion of the welfare of all persons within their territorial jurisdiction and not for profit; to promote membership in the association by providing incentives in the assessment of dues, fees and contributions; and to promote fiscal autonomy and responsibility in the generation and management of the funds of the association;

WHEREAS, realizing the urgency, the HLURB convened its Executive Committee to consider and approve the said Guidelines, subject to the ratification of the Board of Commissioners. Thus, Executive Committee Resolution No. 001, Series of 2017, dated March 8, 2017, was approved, adopting the "Guidelines in the Kinds of Dues, Fees and Contributions That may be Collected by Homeowners Associations," consisting of six (6) articles of a total of eighteen (18) sections.

NOW, THEREFORE, for and in consideration of the foregoing premises, the Board of Commissioners have resolved as follows:

BE IT RESOLVED, AS IT IS HEREBY RESOLVED, That Executive Committee Resolution No. 001, Series of 2017, providing for the "Guidelines in the Kinds of Dues, Fees and Contributions That may be Collected by Homeowners Associations." is RATIFIED and ADOPTED.

BE IT FURTHER RESOLVED, AS IT IS HEREBY RESOLVED, That the amount of NINE MILLION TWO HUNDRED FORTY-EIGHT THOUSAND THREE HUNDRED PESOS (P9,248,300.00) be appropriated from the service income for the purpose of conducting a nationwide information campaign on the provisions of the "Guidelines" and other matters pertaining thereto.

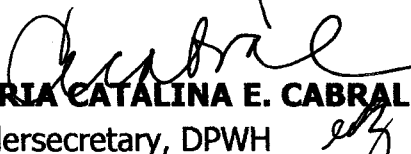
Approved, this 03rd day of May 2017 in Quezon City, Philippines.

LEONCIO B. EVASCO, JR.

Chairman of the Board, HLURB


AUSTERE A. PANADERO
Undersecretary, DILG


LLOYD CHRISTOPHER A. LAO
Chief Executive Officer and Commissioner


MARIA CATALINA E. CABRAL
Undersecretary, DPWH


RIA CORAZON A. GOLEZ-CABRERA
Commissioner

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Board Resolution No. 950, S. of 2017

Ratifying Executive Committee Resolution No. 001, Series of 2017, Approving and Adopting the Guidelines in the Kinds of Dues, Fees and Contributions That May Be Collected by Homeowners Associations and Appropriating Budget for Information Campaign

ROLANDO G. TUNGPALAN
Deputy Director-General, NEDA


LUIS A. PAREDES
Commissioner

ANTONIO T. KHO, JR.
Undersecretary, DOJ


MELZAR P. GALICIA
Commissioner

Attested:


CHARITO B. LANSANG
Board Secretary

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