



Republic of the Philippines

Office of the President

Housing and Urban Development Coordinating Council

**HOUSING AND LAND USE REGULATORY BOARD**

**HLURB MEMORANDUM CIRCULAR NO. 14**  
Series of 2017 ( AUGUST 7, 2017)

**TO : ALL CONCERNED**

**FROM : THE COMMISSIONER AND CHIEF EXECUTIVE OFFICER**

**SUBJECT : PROCEDURAL GUIDELINES IN THE IMPLEMENTATION OF EXECUTIVE COMMITTEE RESOLUTION NO. 002, SERIES OF 2017**

Pursuant to Executive Committee Resolution No. 002, Series of 2017 or PROVIDING FOR THE SUBMISSION OF AN AFFIDAVIT OF UNDERTAKING IN LIEU OF THE PROOF OF COMPLIANCE TO THE MODES AND MANNERS PROVIDED BY BOARD RESOLUTION NO. 946, SERIES OF 2017, THE REVISED IMPLEMENTING RULES AND REGULATIONS TO GOVERN SECTIONS 3, 18, AND 20 OF R.A. 7279, AS AMENDED BY R.A. 10884, OTHERWISE KNOWN AS "BALANCED HOUSING DEVELOPMENT PROGRAM AMENDMENTS", the following guidelines are hereby issued:

1. All Regional Field Offices shall accept Affidavit of Undertaking (AOU) in lieu of proof of compliance pending the issuance of the guidelines on or before December 31, 2017 only.

The Regional Field Offices shall annotate at the back of the issued License to Sell that the owner/developer submitted AOU (Annex A – Sample Annotation). The annotation shall only be removed if the owner/developer submitted the required proof of compliance based on the manner of compliance selected (Annex b – Sample Removal of Annotation)

The Regional Field Offices shall maintain a list of projects which have submitted an AOU for monitoring purposes.

2. Owner/developer shall use the attached Annex C – PROFORMA Affidavit of Undertaking. In no case, that the submitted AOU shall be different from the PROFORMA.

The AOU shall include date for the submission of proof of compliance based on the manner of compliance selected within six (6) months after the issuance of License to Sell.

Failure to submit the proof of compliance based on the AOU, HLURB shall suspend or revoke the license to sell of the project. A cease and desist order (CDO) shall also be issued against the developer in accordance with existing HLURB substantive and procedural rules, on the ground, among others.

For strict compliance and enforcement.



**LLOYD CHRISTOPHER A. LAO**

## **ANNEX A**

### **Sample Annotation (On the License to Sell)**

The (Name of owner/developer) has issued an affidavit of undertaking in lieu of the proof of compliance to the modes and manners provided by RA 7279 as amended by RA 10884. That within six (6) months after the issuance of the License to Sell, the owner/developer of the main project shall submit the proof of compliance per HLURB's revised IRR by which the developer of the main project can fulfill and satisfy the balanced housing development requirement.

**ANNEX B**

**Sample Removal of Annotation  
(On the License to Sell)**

The (Name of owner/developer) has fulfil and satisfy the balanced housing development requirement through the submission of proof of compliance per HLURB's revised IRR.

## PROFORMA AFFIDAVIT OF UNDERTAKING

REPUBLIC OF THE PHILIPPINES ) S.S.  
CITY OF \_\_\_\_\_ )

## AFFIDAVIT OF UNDERTAKING

I, \_\_\_\_\_ of legal age, \_\_\_\_\_ and/or  
(Name of Applicant) (Position in the Company)  
duly authorized representative of \_\_\_\_\_  
(Name and Address of Company)

\_\_\_\_\_, after having been sworn in accordance with law hereby declare that:

1. The aforementioned company is a corporation/company organized under Philippine laws and duly registered with the Securities and Exchange Commission;
2. That I am aware of the compliance requirement of 15% of the total subdivision area or total subdivision project cost and at least 5% of condominium area or project cost required to be developed for socialized housing as provided for in Republic Act (RA) No. 10884;
3. That in compliance with Memorandum Circular No. \_\_\_\_\_, I undertake to comply with the socialized housing requirement abovementioned within six (6) months from issuance of License to Sell or from the time of the effectivity of the guidelines set by the Housing and Land Use Regulatory Board (HLURB) for RA No. 10884 and its implementing rules and regulations, whichever comes first;
4. That this undertaking shall be deemed as compliance for \_\_\_\_\_, located in \_\_\_\_\_.  
(Name of Main Project) (Address of Main Project)
5. That I likewise DECLARE and ASSUME full and complete responsibility for all consequences which may arise in connection with the compliance of the socialized housing requirement provided for in RA 10884 and its implementing rules and regulations;
6. That I am executing this Affidavit of Undertaking to attest to the truth of the foregoing.

In WITNESS WHEREOF, I have hereunto affixed my signature below this  
\_\_\_\_\_ at \_\_\_\_\_  
(Date) (Place of Execution)

\_\_\_\_\_  
(Signature over Printed Name of Affiant)

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, affiant exhibiting to me his/her  
\_\_\_\_\_ issued on \_\_\_\_\_ at \_\_\_\_\_  
\_\_\_\_\_.

Doc No. \_\_\_\_\_;  
Page No. \_\_\_\_\_;  
Book No. \_\_\_\_\_;  
Series of \_\_\_\_\_.