



Republic of the Philippines
Province of Cavite
City of Bacoor

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OCT 21 2023
10:20 AM

5th SANGGUNIANG PANLUNGSOD

COMMITTEE ON HOUSING, LAND UTILIZATION AND URBAN DEVELOPMENT

PUBLIC HEARING REPORT NO. HLUUD 019 S-2023

Subject: AN ORDINANCE AUTHORIZING THE COLLECTION OF HOUSING MAINTENANCE FEES FROM BENEFICIARIES OF SOCIALIZED HOUSING PROJECTS IN THE CITY OF BACOOR, CAVITE AND PROVIDING PENALTIES FOR VIOLATION HEREOF. PCO 2023-099 dated 17 July 2023.

This report resolves to authorize the collection of housing maintenance fees from beneficiaries of socialized housing projects, dated 29 August 2023. The said authorization was referred to the committee by the Sangguniang Panlungsod Presiding Officer, Hon. Vice-Mayor Rowena Bautista-Mendiola, during the 52nd regular session.

The pertinent facts about the subject matter are:

- Under Section 17 of Republic Act No. 7160 (the "Local Government Code of 1991"), local government units shall exercise powers necessary to provide basic services and facilities, including low-cost housing and other mass dwellings;
- Section 5, Article X of the 1987 Constitution provides that "each local government unit shall have the power to create its own sources of revenues and to levy taxes, fees and charges subject to such guidelines and limitations as the Congress may provide, consistent with the basic policy of local authority; and
- RA 7160 devolved to all local governments the administration of basic services, including agriculture, environmental protection, health, maintenance of public works and highways, social welfare, and tourism.

Findings:

The foregoing discussion clearly showed that the City Government is committed to undertaking socialized housing projects in partnership with the national government and private sector. The said projects are designed to provide affordable housing to the underserved and low-income citizens of Bacoor City and require regular maintenance, upkeep, and improvement for the continuous provision of decent living conditions. The funding required for the maintenance, operational costs, and improvements of socialized housing facilities cannot solely come from the City's general budget but also from other equally important public services and infrastructure projects of the city that require financing. The collection of Housing



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Maintenance Fees directly from the beneficiaries of the said socialized housing projects creates a sustainable and reliable source of funds, ensuring the viability and longevity of the socialized housing facilities. The transparency in the collection and utilization of the Housing Maintenance Fees strengthens public trust, promotes accountability, and discourages corrupt practices. The adoption of this practice of collecting maintenance fees aligns with international best practices for managing socialized housing projects, thereby strengthening Bacoor City's commitment to providing affordable and quality housing options.

RECOMMENDATION:

After a thorough review, the committee respectfully recommends the **APPROVAL** of the proposed ordinance, which shall apply to all the beneficiaries of socialized housing projects situated within the jurisdiction of the City of Bacoor, Cavite.


WE HEREBY CERTIFY that the contents of the foregoing report are true and correct.

Signed this 29th day of August 2023 at the City of Bacoor, Cavite.

Committee on Housing, Land Utilization and Urban Development


COUN. ALDE JOSELITO F. PAGULAYAN
Chairman


COUN. ADRELITO G. GAWARAN
Vice Chairman


COUN. SIMPLICIO G. DOMINGUEZ
Member


COUN. ALEJANDRO F. GUTIERREZ
Member



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Province of Cavite
City of Bacoor

5th SANGGUNIANG PANLUNGSOD

COMMITTEE ON HOUSING, LAND UTILIZATION AND URBAN DEVELOPMENT

PUBLIC HEARING MINUTES HLUUD 019 S-2023

Subject: **AN ORDINANCE AUTHORIZING THE COLLECTION OF HOUSING MAINTENANCE FEES FROM BENEFICIARIES OF SOCIALIZED HOUSING PROJECTS IN THE CITY OF BACOOR, CAVITE AND PROVIDING PENALTIES FOR VIOLATION HEREOF. PCO 2023-099 dated 17 July 2023.**


The public hearing was presided over by the Committee Chairman on Housing, Land Utilization, and Urban Development, Hon. Councilor Alde Joselito F. Pagulayan. In attendance were Hon. Councilor Adrielita G. Gawaran, Hon. Liga ng mga Barangay President Romon N. Bautista, the City Treasurer's Office represented by Ms. Normalyn, Bacoor Homeowners Association Council Inc. representatives, representatives of the Homeowners Association President of various barangays, the City Engineering Office represented by Engr. Crisaldo L. Tigloo, City Environment and Natural Resources represented by Mark L. Villalobos, Office of the Building Official represented by Engr. Ramesis E. Alhambra, Barangay Captains, Housing Urban Development and Resettlement Department (HUDRD) representatives, and the Office of the City Legal Services represented by Atty. Nathaniel De Leon.

Coun. Pagulayan told the attendees to introduce themselves and their respective offices. Since the attendees were already given an attachment while the notice was served, Coun. Pagulayan asked the resource persons for comments and suggestions on the proposed ordinance. The Office City Legal Services interposes no objection according to Atty. De Leon. All of the attendees/representatives have no objection to the proposed ordinance. Since there were no comments or suggestions, the committee hearing was ADJOURNED, as per Coun. Gawaran motion.

Prepared By:


PETER ADRIAN F. BORJA
Local Legislative Staff I

Attested By:


COUN. ALDE JOSELITO F. PAGULAYAN
Chairman
Committee on Housing, Land Utilization
And Urban Development



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City of Bacoor

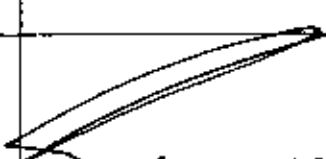
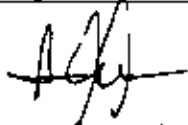

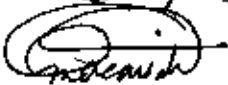
5th SANGGUNIANG PANLUNGSOD

COMMITTEE ON HOUSING, LAND UTILIZATION AND URBAN DEVELOPMENT

ATTENDANCE OF THE PUBLIC HEARING

24 August 2023 / 11:00 a.m.
Bacoor Legislative and Disaster Resilience Building,
Sangguniang Panlungsod Session Hall, 6th Floor, Bacoor Government Center

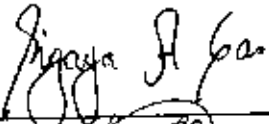

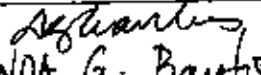
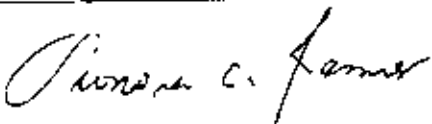

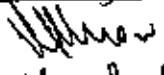
Subject: **AN ORDINANCE AUTHORIZING THE COLLECTION OF HOUSING MAINTENANCE FEES FROM BENEFICIARIES OF SOCIALIZED HOUSING PROJECTS IN THE CITY OF BACOOR, CAVITE AND PROVIDING PENALTIES FOR VIOLATION HEREOF. PCO 2023-099 dated 17 July 2023.**

SIGNATURE/ NAME	POSITION/AFFILIATION OFFICE/ADDRESS	CONTACT NUMBER/EMAIL
HON. ALDE JOSELITO F. PAGULAYAN	CITY COUNCILOR SANGGUNIANG PANLUNGSOD	
HON. ADRIELITO G. GAWARAN	CITY COUNCILOR SANGGUNIANG PANLUNGSOD	
HON. REYNALDO D. PALABRICA	CITY COUNCILOR SANGGUNIANG PANLUNGSOD	
 REYNALDO D. PALABRICA	CITY TREASURER'S OFFICE	09166674458
 CLARITA O. MACANLIS	H.U.D.R.D	09978137040
Je D. Sons	HWDRD	09922915741



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City of Bacoor

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SIGNATURE/ NAME	POSITION/AFFILIATION OFFICE/ADDRESS	CONTACT NUMBER/EMAIL
	Housing Officer	Ligaya.garcia@yachocem.com
 Atty. Nestorantel De Leon	OCS	
 LORINDA G. Bautista	P.B.	0973-8687613
Ronaldo N. Digo	BHOACI	0919 365 1172
 Pierson C. Ferrer	BHOACI	09454253989
Felicita L. Mabini	BHOACI	0917 345 1149
Roberto Gamay	BHOACI	0928123253
 PAMESIS E. ALHAMBRA	O.B.O.	0975460446
 Miguelito F. Anon	P/B	0908 171 3385
Mark Person L. Vitalobos	LENRO	09489168644
CYNTHIA A. ALINA	BHOACI	0915 569 2544

ENCR



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Province of Cavite
City of Bacoor

5th SANGGUNIANG PANLUNGSOD

SIGNATURE/ NAME	POSITION/AFFILIATION OFFICE/ADDRESS	CONTACT NUMBER/EMAIL
<i>sw</i> CRISALDO L. TIGLAD	ENGR - III / CEO	09338678712 <i>engcrisliglad@gmail.com</i>
RAUL E. ENRIQUETA JR	Member 2	09619491321
<i>Micaela</i> MARIA CRISTINA ARELLANO	PRESIDENT SALINAS VILUZ	0977 270906
NITS AURE ABAARA	Perpetual Vill. 6, Mambog HOA BHODCI Committee	09284381137



Republic of the Philippines
 Province of Cavite
 City of Bacoor

5th SANGGUNIANG PANLUNGSOD

**COMMITTEE ON HOUSING, LAND UTILIZATION
 AND URBAN DEVELOPMENT**

**NOTICE OF THE PUBLIC HEARING
 (PROOF OF RECEIPT)**

24 August 2023 / 11:00 a.m.
 Bacoor Legislative and Disaster Resilience Building,
 Sangguniang Panlungsod Session Hall, 6th Floor, Bacoor Government Center

Subject: **AN ORDINANCE AUTHORIZING THE COLLECTION OF HOUSING MAINTENANCE FEES FROM BENEFICIARIES OF SOCIALIZED HOUSING PROJECTS IN THE CITY OF BACOR, CAVITE AND PROVIDING PENALTIES FOR VIOLATION HEREOF. PCO 2023-099 dated 17 July 2023.**

RECEIVED BY: NAME/SIGNATURE	POSITION/AFFILIATION OFFICE/ADDRESS	DATE/TIME CONTACT NUMBER
<i>Michelle Patmon</i>	PSC	August 22, 2023 3:35 pm 09288223471
<i>Anne Villar</i>	HMARD	8/22/23 5:44 pm 0945061479
<i>Arnold Roman</i>	C.E.D.	08/22/23
<i>Sherwin J. ...</i>	LD	8/22/23
<i>[Signature]</i>	S, A,	082223
<i>Ron Digo</i>	BHARCA	082223



Republic of the Philippines
Province of Cavite
City of Bacoor

5th SANGGUNIANG PANLUNGSOD



PROPOSED CITY ORDINANCE NO. 2023-099
Series of 2023

AN ORDINANCE AUTHORIZING THE COLLECTION OF HOUSING MAINTENANCE FEES FROM BENEFICIARIES OF SOCIALIZED HOUSING PROJECTS IN THE CITY OF BACOR, CAVITE AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

Sponsored by:

Co-Sponsored by:

WHEREAS, under Section 17 of Republic Act No. 7160 (the "Local Government Code of 1991"), local government units shall exercise powers necessary to provide basic services and facilities, including low-cost housing and other mass dwellings.

WHEREAS, Section 5, Article X of the 1987 Constitution provides that "each local government unit shall have the power to create its own sources of revenues and to levy taxes, fees and charges subject to such guidelines and limitations as the Congress may provide, consistent with the basic policy of local autonomy."

WHEREAS, RA 7160 devolved to all local government's the administration of basic services, including agriculture, environmental protection, health, maintenance of public works and highways, social welfare, and tourism.

WHEREAS, the City Government is committed to undertake socialized housing projects in partnership with the national government and the private sector. The said projects are designed to provide affordable housing to the underserved and low-income citizens of Bacoor City, require regular maintenance, upkeep, and improvement for the continuous provision of decent living conditions.

WHEREAS, the funding required for the maintenance, operational costs, and improvements of socialized housing facilities cannot solely come from the City's general budget due to other equally important public services and infrastructure projects of the city that require financing.

WHEREAS, the collection of Housing Maintenance Fees directly from the beneficiaries of the said socialized housing projects shall create a sustainable and reliable source of funds, ensuring the viability and longevity of the socialized housing facilities.

WHEREAS, the direct participation of beneficiaries in sharing the costs for maintenance and improvement of the said facilities fosters a sense of collective ownership, responsibility, and commitment to the upkeep of the community they live in.

WHEREAS, such shared responsibility and cost distribution aim not to impose an undue financial burden on the beneficiaries but rather ensure that the costs for the maintenance and improvement of these projects are equitably distributed.

WHEREAS, the transparency in the collection and utilization of the Housing Maintenance Fees strengthens public trust, promotes accountability, and discourages corrupt practices.

WHEREAS, the adoption of this practice of collecting maintenance fees aligns with international best practices for managing socialized housing projects, thereby

strengthening Bacoor City's commitment to providing affordable and quality housing options.

WHEREAS, this scheme allows the City Government to create an emergency fund, ensuring the resilience and continuity of the socialized housing projects amidst unforeseen events and emergencies.

WHEREAS, the enactment of this Ordinance, therefore, is a necessary measure to sustain the operational and maintenance needs of the socialized housing projects of the City of Bacoor, ensure their continuous improvement, and preserve the welfare of the beneficiaries.

NOW BE IT ORDAINED AS IT IS HEREBY ORDAINED by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite **THAT**:

Section 1. Scope - This Ordinance shall apply to all the beneficiaries of socialized housing projects situated within the jurisdiction of the City of Bacoor, Cavite. It encompasses all types of residential units awarded through socialized housing programs, whether constructed by the City Government, through a public-private partnership, or by the National Government when said socialized housing program is operated by the City Government. This Ordinance shall not apply in socialized housing programs established by the National Government where there are already mechanisms in place for the collection of maintenance fees for beneficiaries.

Section 2. Title. This Ordinance shall be known as the "**Socialized Housing Maintenance Financing Ordinance of Bacoor**".

Section 3. Definition of Terms - As used in this ordinance, the following terms shall be defined as follows:

- (A) "**Socialized Housing Projects**" - are housing development programs initiated by the city government, national government, or public-private partnerships aimed at providing affordable shelter to low-income residents of Bacoor City.
- (B) "**Beneficiaries**" - are the individuals or families who have been awarded a residential unit as part of the socialized housing project.
- (C) "**Housing Maintenance Fees**" - are the charges imposed on beneficiaries to cover the costs associated with the upkeep, maintenance, and improvements of the socialized housing projects. These may include but are not limited to, costs for waste management, security, common area maintenance, and other related community services.

Section 4. Collection of Housing Maintenance Fees and Real Property Taxes. - The City Treasurer, or his/her duly authorized representative, is hereby authorized and directed to collect Housing Maintenance Fees from the beneficiaries of the socialized housing projects within the City of Bacoor covered by this Ordinance in the amount of P50.00 per month. The City Treasurer or its authorized representative shall be responsible for the collection of these fees, and for providing official receipts for payments received.

In order to lessen the financial burden of low-income families who will benefit from the socialized housing projects covered by this Ordinance, the City Treasurer, subject to the approval of the City Mayor and the Bureau of Local Government Finance, is hereby directed to formulate a system where the Real Property Taxes due to be paid by the beneficiaries of the socialized housing projects are paid in installment together with the Housing Maintenance Fees on a monthly basis. The mechanics of the said system shall be submitted by the City Treasurer for the approval of the City Mayor within sixty (60) days from the date of effectivity of this Ordinance.

Section 5. Utilization and Disbursement of Housing Maintenance Fees - The Housing Maintenance Fees collected from the beneficiaries of the socialized housing projects under this Ordinance shall be used exclusively for the following purposes:

- (A) **Maintenance and Operations** - Thirty percent (30%) of the total Housing Maintenance Fees collected per year will be dedicated to the maintenance and operation of the housing projects. This includes, but is not limited to, the cleaning and upkeep of common areas, such as corridors, stairwells, elevators, administration offices, storage rooms, parks and recreational facilities; the repair and replacement of shared infrastructure, like roads, sidewalks, and street lights; and the regular servicing of utility systems, such as water, sewerage, and power supply. This also includes the maintenance of cleanliness and sanitation of the housing units and the facilities of the housing projects.
- (B) **Security and Safety Measures** - Ten percent (10%) of the total Housing Maintenance Fees collected per year will be allocated for the provision of security services and implementation of safety measures within the housing project areas. This encompasses security personnel salaries, installation and maintenance of CCTV cameras, emergency response training, and the purchase of safety equipment, like fire extinguishers and first aid kits.
- (C) **Community Development** - Ten percent (10%) of the total Housing Maintenance Fees collected per year shall be dedicated to community development initiatives, such as skills and livelihood training programs, the holding of community events, the construction of livelihood centers within the vicinity of the socialized housing project, and other activities aimed at fostering a sense of community among beneficiaries, provided that these initiatives will not diminish the maintenance and operations of the project and the safety and security of the beneficiaries.
- (D) **Emergency Fund** - Forty-five percent (45%) of the total Housing Maintenance Fees collected per year will be set aside to create an Emergency Fund to be maintained in a trust fund by the City Treasurer and shall be used to pay for unforeseen circumstances affecting the socialized housing projects and its beneficiaries such as the construction or repair of new buildings due to the impact of natural disasters or urgent large-scale repairs and maintenance works on existing buildings, the purchase, installation, and maintenance of alternative sources of energy such as solar or wind energy, the implementation of various climate change adaptation measures, and the like. This fund will ensure the resilience and continuity of the socialized housing projects amidst unforeseen events. Provided that allocating the collected fees to this Emergency Fund will not unreasonably diminish the ability of the City Government to maintain, operate, and secure the housing projects.
- (E) **Administration** - Five percent (5%) of the total Housing Maintenance Fees collected per year will be utilized for the administrative cost of managing these funds, which includes but is not limited to auditing, accounting, and reporting expenditures.

Section 6. Provisional Maintenance by the City Government. Considering that it will take the City Treasury approximately one year to collect sufficient funds for the purposes above-mentioned, the City Government shall provisionally finance the maintenance and operation of the said socialized housing projects during the first year of its operation and the provisions of Section 5 shall be implemented immediately on the succeeding years. No additional funds shall be expended by the City Government

for the maintenance or upkeep of the said socialized housing projects without the express approval of the Sangguniang Panlungsod.

Section 7. Non-profit Orientation of Housing Projects - Under this Ordinance, all socialized housing projects within the jurisdiction of the City of Bacoor, Cavite, shall operate on a non-profit basis. The primary objective of these housing projects is to provide affordable and quality housing options for the underserved and low-income citizens of the City. In increasing the said Housing Maintenance Fees in the future, the Sangguniang Panlungsod shall be guided by the following principles:

- (A) **Non-profit** - Any excess revenue or surplus generated from these housing projects, including but not limited to the Housing Maintenance Fees, shall not be used for the purpose of creating profit. Instead, all such revenues will be fully re-invested back into the said socialized housing projects for maintenance, improvements, community development initiatives, any other purpose that contributes to the betterment of the housing projects and the welfare of the beneficiaries, or to finance other projects comprising the socialized housing program of the City of Bacoor. Likewise, any excess revenue generated from these housing projects that is not re-invested into the said housing projects or to the socialized housing program of the City Government shall be considered technical malversation under Article 220 of the Revised Penal Code.
- (B) **Affordable Housing** - The City of Bacoor reaffirms its commitment to keep housing costs affordable for beneficiaries. Thus, the Housing Maintenance Fees and any other associated costs must not impose undue financial burden on the beneficiaries.
- (C) **Periodic Review** - To ensure adherence to the non-profit orientation of these projects, a periodic review will be conducted by the Bacoor Housing Urban Development and Resettlement Department and the City Social Welfare and Development Office. The review will assess financial practices and housing costs and determine whether any adjustment to the Housing Maintenance Fees is required.

Section 8. Prohibited Acts and Penalties- The following acts are hereby prohibited:

- (1) **Overcharging** - Any public officer who willfully overcharges or attempts to overcharge the beneficiaries of the socialized housing projects in violation of this Ordinance shall, upon conviction, be penalized by a fine of Five Thousand Pesos (Php 5,000.00) for the first offense and a fine of Five Thousand Pesos (Php 5,000.00) with imprisonment for a period of six (6) months for every succeeding offense, without prejudice to the finding of civil and administrative liability.
- (2) **Inducing Beneficiaries to Pay Other Charges** - The same penalties shall be imposed on any public officer who induces, coerces, or attempts to induce or coerce beneficiaries to pay any amount in excess of the Housing Maintenance Fees.

Section 9. Implementing Rules and Regulations - The Bacoor Housing Urban Development and Resettlement Department, the Office of the City Legal Service, and the City Social Welfare and Development Office, under the supervision of the City Administrator's Office, shall formulate the necessary rules and regulations for the effective implementation of this Ordinance and present it to the City Mayor for his/her approval not later than sixty (60) days upon the effectivity of this Ordinance.

Section 10. Separability Clause - If any part or provision of this Ordinance is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

Section 11. Repealing Clause - All ordinances, resolutions, and issuances inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 12. Effectivity Clause - This Ordinance shall become published at least once in a newspaper of general circulation in the City of Bacoor, Cavite and posted on at least three (3) conspicuous places within the City of Bacoor, Cavite for a minimum of three(3) consecutive weeks. This Ordinance shall be effective on the day following its publication or at the end of the period of posting, whichever occurs later.

ENACTED by the Sangguniang Panlungsod of Bacoor, Province of Cavite this ___th day of _____ 2023.

I hereby certify that the foregoing Ordinance is true and correct and that it was passed in accordance with law.

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved by:

HON. STRIKE B. REVILLA
City Mayor

Date of Approval: _____