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ORDINANCE NO. 8730

AN ORDINANCE REORGANIZING AND STRENGTHENING THE MANILA UR
SETTLEMENT AND HOUSING OFFICE AND PROVIDING FUNDS THEREOF

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PREAMBLE

WHEREAS, the City of Manila's vision is to provide adequate and affordable shelter facilities to Manileños, giving due priority to the homeless and underprivileged;

WHEREAS, the 1987 Philippine Constitution, in Article XIII, Section 9 thereof, states that the State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost, decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas;

WHEREAS, said policy is reinforced in Republic Act No. 7279, otherwise known as the Urban Development and Housing Act of 1992, mandating the State to pursue a comprehensive and continuing urban development and housing program;

WHEREAS, Article II, Section 9 of the 1987 Philippine Constitution protects the right of the Filipino people to be freed from poverty through policies that ensure availability of adequate social services, full employment, rising standard of living and improved quality of life for all;

WHEREAS, Republic Act No. 7160, otherwise known as the Local Government Code of 1991, has provided more powers, authorities, responsibilities and resources to local government units in order to enable the attainment of fullest development and meaningful local autonomy to promote general welfare of its constituents through the delivery of basic services and facilities;

WHEREAS, Climate Change Act of 2009 and its amending law aims to ensure local resilience and protect people's right to a healthy ecology;

WHEREAS, Executive Order No. 81-03 issued by the Metropolitan Manila Commission created the Urban Settlements Office tasked to implement the administrative and social amelioration programs namely, the land-for-the-landless program and socialized housing program among others;

WHEREAS, there is a need to strengthen the Urban Settlements Office's programs and policies for housing in the City of Manila and ensure its adaptability and relevancy to the changing times to come up with a more permanent and sustainable solution to housing problems of the City;

WHEREAS, availability of safe, affordable and sustainable housing and housing developments is vital in the development of city and creation of its vibrant community;

WHEREAS, with the increasing number of informal settler families and displaced people and given the finite land resources in the City of Manila, there is a need to maximize the use of these resources and implement projects to cover a wider range of beneficiaries;

WHEREAS, the City's effort combined with the support of specialized national government agencies and private institutions shall ensure the bridging of the gap between affordability of housing and the demand for such and at the same time, provide newly established communities with sustainable livelihood and community development programs;

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WHEREAS, it is the vision of the City Mayor, Hon. Francisco "Isko Moreno" Domagoso to provide ample and livable spaces for Manileños to enjoy a decent living in the City of Manila. Being previously an informal settler himself, he has aspired to provide homes for his constituents and emphasized the need to address the housing problem with a sustainable solution. Mayor Isko Moreno, claims that "With the Local Shelter Plan, our ultimate goal is clear – we will provide a livable resettlement area with low-cost housing and sufficient facilities for all residents. We will not stop until we have a safe and decent community that every Manileño will be proud of.": NOW, THEREFORE,

Be it ordained by the City Council of Manila, in session assembled, *THAT*:

CHAPTER I – GENERAL PRINCIPLES

SECTION 1. Title. – This Ordinance shall be known as the: "**Manila Urban Housing Ordinance**".

SEC. 2. Declaration of Policy. – It is hereby declared a policy of the City of Manila to progressively promote the right of Manileños to an adequate and dignified standard of living, including access to decent and affordable housing, having in mind the general welfare and sustainability of housing projects in partnership with its stakeholders.

SEC. 3. Commitments. – The City shall identify and establish more housing sites to maximize the use of scarce resources. It shall implement plans and programs to address climate change and to ensure resiliency of housing projects. It shall empower the current Manila Urban Settlements Office particularly to:

- a. identify housing sites;
- b. implement housing projects;
- c. identify of source of fund and other sources of income, as well as utilization thereof;
- d. cooperate with National Agencies and/or Private Institutions for implementation of their projects that may involve displacement of Manileños; and
- e. create inclusive, dynamic and self-sustaining communities.

CHAPTER II – MANILA URBAN SETTLEMENTS OFFICE

SEC. 4. Organization. – The Manila Urban Settlements Office or MUSO, in addition to the functions ascribed thereto by Executive Order No. 81-03, and other subsequent issuances, shall act as the primary local government entity responsible for the management of housing and urban development within the territorial jurisdiction of the City as specified in Section 5 of this Ordinance.

SEC. 5. Powers and Functions. – The Manila Urban Settlements Office shall have the following powers and functions to be exercised by itself, through delegation, and/or in partnership with a local government entity or Non-Governmental Organization (NGO), giving due consideration to the policies of National Government Agencies (NGAs) directly concerned with socialized housing and informal settlement upgrading:

- a. Develop and implement the Manila Shelter Plan, including related plans involving urban renewal, open spaces and the like;
- b. Initiate, construct and implement housing projects including but not limited to Land-for-the-Landless, Vertical Housing and Horizontal Housing Project of the City;
- c. Initiate purchase or lease lots, buildings and part thereof for Housing, subject to the approval of the Housing Investment Committee;

- d. Promote urban housing communities' development, with due regard to climate change, ecological balance and geo-hazard assessment;
- e. Formulate and establish a ONE STOP SHOP HOUSING PROCESSING CENTER of the City of Manila tasked to process all housing related permits, clearances and certifications, including but not limited to land-use reclassification, development permits, locational clearances and other housing related activities;
- f. Provide technical assistance to any related housing development project;
- g. Formulate and enforce general and specific policies/guidelines relating to beneficiary selection, maintenance, occupancy/use of housing units and common areas, transfer of rights and succession, among others, including the crafting of a Beneficiaries Handbook and/or Evaluation Framework;
- h. Subject to City Ordinance, collect fees and payments relating to Housing Projects and to disburse the same for housing developments, maintenance and repair of existing housing buildings including agreements and/or management contracts for outsourced services, and other expenses which may be incurred to ensure proper implementation of housing projects;
- i. Manage and invest MUSO Housing Trust Fund with the direction and approval of the Housing Investment Committee;
- j. Recommend the execution of joint ventures and partnerships with government or private sector to promote investments, construct housing developments and/or implementation of corporate social responsibility (CSR) projects relating to housing for but not limited to the following programs: Housing Production Assistance, Resettlement Development, Local Housing and Cost Recoverable Joint Venture;
- k. In coordination with the Department of Engineering and Public Works, develop, improve, manage, administer, subdivide or lease any lands, buildings, estates and other forms of real property owned and acquired by the City of Manila utilized for housing including common areas, parking and/or commercial spaces found therein;
- l. Coordinate with National Government Agencies with projects being implemented in the City of Manila including formulation of Relocation and Resettlement Action Plan with the assistance of Local Inter Agency Committee and other relevant agencies and offices;
- m. Recommend execution of service agreements and/or management contracts with private sector entities, to facilitate upkeep of assets, including but not limited to janitorial, security and maintenance services;
- n. Recommend accreditation of any Community Housing Associations (CHAs) on any related housing projects, as well as other private originators for Community Mortgage Program (CMP);
- o. Perform such other acts necessary to effect the policies and achieve the objectives herein declared; and
- p. Submit quarterly reports to the Office of the Mayor and City Council regarding compliance to the provisions of this Ordinance.

SEC. 6. General Composition. – The MUSO shall be composed of the following Offices:

- a. Office of the Director of MUSO
- b. Assistant Director of MUSO
- c. Personnel and Administrative Services
- d. Finance and Investments
- e. Information and Database Management
- f. Project Management
- g. Planning and Development
- h. Legal Affairs
- i. Estate Management

- j. Special Projects and Community Affairs
- k. Research and Urban Poor Affairs Division

SEC. 7. Personnel and Administrative Services. – Personnel Services embrace all those activities relating to the recruitment, training, and retention of the personnel required to run the Manila Urban Settlements Office (MUSO). This functional area also covers codification and administration of the ground rules under which employees operate and develop the skills necessary to perform the MUSO's functions. It leads to the realization of maximum productivity from employees to minimize personnel expenditures, increase job satisfaction and job security, and organize in-service training programs for MUSO employees. Administrative Services involve planning, direction, control, management, and overall coordination relating to equipment maintenance, departmental expenditures, procurement and disbursements of payrolls, and office budget preparation.

SEC. 8. Finance and Investments. – Finance and Investments Division central function is to oversee the flow of resources among MUSO's various operating and administrative divisions. It is also MUSO's primary agent that monitors financial transactions which include payment of amortizations, rental and other fees, interests and penalties in connection with the City's housing projects. It is in charge of tracking all items of income and expense. It also has responsibility for cash management, a financial watchdog, and some informal allocative or budgeting authority by being the primary source of data on MUSO's operation's financial aspects. It provides the basis for effective planning and management of resources. It also provides financial reports and update on investments. It secures sufficient resources to sustain MUSO's operations and maintain and/or upgrade its physical assets.

SEC. 9. Information and Database Management. – The Information and Database Management Division is responsible for gathering, processing, and analyzing quantifiable and relevant MUSO information. Relevant information shall include stakeholders, beneficiaries, its employees and financial operations, maintenance and purchasing activity, inventory, landholding and estates. It shall likewise manage various database of MUSO for applicants, beneficiaries, estates among others.

SEC. 10. Project Management. – Project Management is in-charge of administration of vertical and horizontal housing projects and developments of the City of Manila, from beneficiary selection, to building maintenance and implementation of housing rules and regulations. A Project Management Team, which shall operate as the Building Administrator and/or Property Manager as the case may be, shall be deployed for every housing project.

SEC. 11. Planning and Development. – Planning and Development Division takes the lead in the strategic planning process for long-range and short-term goals of MUSO. It shall coordinate with other divisions to ensure accomplishment of goals and compliance with the Local Shelter Plan. It shall prepare all physical, social, economic and institutional development schemes and plans for housing projects of the City of Manila, as well as for National Projects being implemented in the City.

SEC. 12. Legal Affairs. – The Legal Affairs Division primarily provides legal services to MUSO, which shall include issuing opinions on questions arising from qualifications of the beneficiaries, assessing and evaluating conflicting applications of home lots and housing units, as well as processing of transfers and/or Certificates of Award. It shall handle protests, complaints and other oppositions involving awards of lots or housing units by conducting fact-finding investigation, and hearings. It is tasked to issue demand letters or notices in case of non-payment or violation of terms of award. It shall likewise process acquisition of land, which shall include the conduct of due diligence on the property, negotiate with the landowner and draft the contracts and other documents. It shall also provide legal support for special projects.

SEC. 13. Estate Management. – Estate Management Division is in charge of the supervision, management, development, and implementation of the Land-for-the-Landless Program. It shall manage all lands acquired by the City for housing and maintain a registry of the same. It shall ensure proper implementation of all schemes and plans prepared by the Planning and Development Division.

SEC. 14. Special Projects and Community Affairs. – Special Projects and Community Affairs Division formulates plans and programs to establish self-sufficient and resilient communities in all housing developments in the City of Manila. It shall conduct social preparation activities to properly inform and update the affected communities of any developments. It shall initiate projects relating to livelihood, employment, food production and other social services within the housing developments to ensure improved quality of life. It shall implement a communications plan to inform stakeholders and beneficiaries of the plans and programs of the City for housing. In addition, it shall develop programs and projects to enhance community awareness and participation in housing projects planning and implementation, as well as delivery of social services within its housing projects. This Division also provides technical and administrative support concerning Joint Ventures or Public-Private Partnerships entered into by MUSO. It is tasked to initiate, process and evaluate, proposals from the public and private sectors of housing related projects that may be beneficial to the City. It shall likewise be in-charge of coordinating with National Government Agencies (NGAs) for their Projects being implemented in the City of Manila.

SEC. 15. Research and Urban Poor Affairs Division. – The Research and Urban Poor Affairs Division primarily plans, supervises, directs, coordinates, and undertakes research and studies/analyses, including but not limited to concept papers, research proposals, policy guidelines, or research studies of the social, technological, economic, environmental and legal profile of bona fide tenants, occupants, and residents in the different landed estates, land, and other real estate properties acquired by the City under the established policies and guidelines under its land-for-the-landless and socialized housing programs, as well as issues related to Urban Poor Affairs. This Division shall also propose new actions based on need or problem, objectives, and possible solutions or implementation methods related thereto. Moreover, it may also accommodate and entertain urban poor affairs and issues related to land dispute complaints, ejection cases, and other related queries, and may make necessary actions/recomendations regarding those matters.

CHAPTER III – HOUSING PROJECTS

SEC. 16. Housing Projects. – MUSO shall initiate housing projects and handle the administration of the same which shall include sale, lease, and maintenance of the following housing developments the City of Manila has or shall be implemented:

- a. Socialized Housing Programs
 - Vertical Housing
 - Townhouse/Single Detached Housing Units
 - Employee Housing
- b. Land-for-the-Landless Program
- c. Expropriation under Republic Act No. 10752 or "The Right-of-Way Act" and applicable laws

All housing shall have a mixed income occupancy with priority given to low-income households. Projects shall likewise incorporate climate and disaster resilience, urban environmental infrastructure improvements, and urban greening innovations in its designs.

SEC. 17. Appropriation. – A housing fund in the amount of One Hundred Million Pesos (PhP. 100,000,000.00) yearly, or an amount equivalent to one percent of Real Property Tax of the preceding year collected by the City of Manila, whichever is higher. Housing fund shall be sourced from Real Property Taxes collected by the City and shall be included yearly in the budget of MUSO under the Annual Budget of the City of Manila, without prejudice to any augmentation as the needs arise. It shall use its share in the local calamity fund appropriation for disaster relief and mitigation for the construction of relocation sites and/or facilities. City Treasurer of Manila is directed to assure and certify the availability of funds to support the appropriation.

SEC. 18. Housing Trust Fund. – All unused funds at the end of the year, shall form part of the MUSO HOUSING TRUST FUND. The housing fund shall be used for the following:

- a. Purchase of land, real property and/or improvements under the Land-for-the-Landless Program;
- b. Development of lands for housing sites;
- c. Augmentation Fund for financial assistance to displaced families due to fire, eviction and demolitions and to subsidize equity and housing related expenses of registered and accredited community housing associations; and
- d. Other expenses which may be required to carry out the purposes of this Ordinance.

CHAPTER IV – TOWNHOUSE/SINGLE DETACHED HOUSING UNITS

SEC. 19. General Design. – The City through MUSO shall construct single detached housing units or a row of two-storey town houses consisting of at least two (2) bedrooms, one (1) living room, one (1) kitchen, one (1) laundry area and one (1) toilet and bath with an area of at least Forty Square Meters (40 Sq. M.) living space.

SEC. 20. Fee. – A mandatory contribution of at least Two Thousand Pesos (PhP. 2,000.00) for minimum wage earners and below, and at least Three Thousand Pesos (PhP. 3,000.00) for those earning above minimum wage to the MUSO Housing Fund shall be collected monthly in exchange for the use of the said unit. The amount may be increased as may be determined by the Housing Investment Committee provided, the same shall not exceed the inflation rate for the preceding year.

SEC. 21. Occupancy. – Only the selected beneficiary together with his or her qualified heirs are allowed to occupy the housing units of the City, whose number of occupants at any given time shall be limited to a maximum indicated in the Housing Project Rules and Regulations. Extended families are not permitted to stay in the said unit. No sublease or subsequent transfer of the Unit or a portion thereof shall be allowed. Ownership of the units shall be retained by the City, prolonged absence of the beneficial owner from the said unit for a period exceeding three (3) months shall be considered abandonment. VHP Rules and Regulations for each housing project shall govern use and occupancy. Visitors shall not be allowed except with prior clearance from MUSO.

SEC. 22. Duration. – Length of stay shall be for a period of fifty (50) years. This is renewable subject to agreement of parties.

SEC. 23. Utilities. – All utilities shall be for the account of the occupant of the unit. The same shall be paid for monthly or as they fall due.

SEC. 24. Common Areas. – Common areas shall be under the control of MUSO. Expenses for the common areas shall be for the account of the City. Use of common areas shall be subject to approval by MUSO. No obstruction shall be allowed therein unless specifically allowed by MUSO. A portion of the common areas may be utilized as venue to implement livelihood programs of the City for current occupants of the housing development. Construction of any structure or any form of obstruction shall not be allowed in the common areas including but not limited to the stairway, hallway, perimeter, frontage or exterior of the building, lobby and roof deck, if any.

SEC. 25. Property Manager. – MUSO shall act as the Property Manager for the Project. It may obtain the services of third parties for security and other support services.

SEC. 26. Alterations. – Only alterations in the interior part of the unit are allowed to be made, subject to prior authorization from the Property Manager. Alterations to the exteriors are not allowed. No extension or any form of construction extending the Unit or a portion thereto shall be allowed.

SEC. 27. Use. – Unit shall only be used for residential purposes only except for the units designated as commercial spaces. No livestock shall be allowed in the premises.

SEC. 28. Commercial Spaces and Parking. – All commercial spaces shall likewise be under the control of MUSO.

SEC. 29. Ejectment. – Violation of the Terms of Occupancy or misuse of the unit by any of the occupants shall be grounds for ejectment.

CHAPTER V – VERTICAL HOUSING PROJECTS

SEC. 30. General Design. – The City through MUSO shall construct a housing building with at least fifteen (15) floors. Unit shall have at least two (2) bedrooms, one (1) living room, one (1) kitchen and one (1) toilet and bath with an area of at least Forty Square Meters (40 Sq. M.) living space. Ground floor of the building shall be reserved for commercial, parking or common areas as may be determined by MUSO. In no case shall the Ground Floor be used for residential purposes.

SEC. 31. Fee. – A mandatory contribution of at least Two Thousand Pesos (Php. 2,000.00) for minimum wage earners and below and at least Three Thousand Pesos (Php. 3,000.00) for those earning above minimum wage to the MUSO Housing Fund shall be collected monthly in exchange for the use of the said unit. The amount may be increased as may be determined by the Housing Investment Committee provided, the same shall not exceed the inflation rate for the preceding year.

SEC. 32. Occupancy. – Only the selected beneficiary together with his or her qualified heirs are allowed to occupy the housing units of the City, whose number of occupants at any given time shall be limited to the maximum number specified in the Vertical Housing Project Rules and Regulations. Extended families are not permitted to stay in the said unit. No sublease or subsequent transfer of the unit or a portion thereof shall be allowed. Ownership shall be retained by the City, prolonged absence of the beneficial owner from the said unit for a period exceeding three (3) months shall be considered abandonment. Visitors shall not be allowed except with prior clearance from MUSO.

SEC. 33. Duration. – Length of stay shall be for a period of fifty (50) years. However, in case beneficiary occupies unit at least a year after turnover of the building, duration of stay shall be limited to the remaining life span of the building which shall not exceed fifty (50) years.

SEC. 34. Utilities. – All utilities shall be for the account of the occupant of the unit. The same shall be paid for monthly or as they fall due.

SEC. 35. Common Areas. – Common areas shall be under the control of MUSO. Expenses for the common areas shall be for the account of the City. Use of common areas shall be subject to approval by MUSO. No obstruction shall be allowed therein unless specifically allowed by MUSO. A portion of the Common Areas may be utilized as venue to implement livelihood programs of the City for current occupants of the housing development. Construction of any structure or any form of obstruction shall not be allowed in the Common Areas including but not limited to the stairway, hallway, perimeter, frontage or exterior of the building, lobby and roof deck.

SEC. 36. Building Administrator. – MUSO shall act as the building administrator for the Project. It may obtain the services of third parties for security and other support services.

SEC. 37. Alterations. – Only alterations in the interior part of the unit are allowed to be made, subject to prior authorization from the Property Manager. Alterations to the exteriors are not allowed.

SEC. 38. Use. – Unit shall only be used for residential purposes only except for the units designated as commercial spaces. No livestock shall be allowed in the premises.

SEC. 39. Commercial Spaces and Parking. – All commercial spaces shall likewise be under the control of MUSO.

SEC. 40. Ejectment. – Violation of the Terms of Occupancy or misuse of the unit by any of the occupants shall be grounds for ejectment.

CHAPTER VI – EMPLOYEE HOUSING

SEC. 41. General Design. – The City through MUSO shall develop and construct for purposes of Employee Housing a housing building or a row of townhouses within the City of Manila. Each unit of the housing building or townhouse shall have at least two (2) bedrooms, one (1) living room, one (1) kitchen and one (1) toilet and bath with an area of at least Forty Square Meters (40 Sq. M.) living space. Ground floor of the building shall be reserved for commercial, parking or common areas as may be determined by MUSO. In no case shall the Ground Floor be used for residential purposes.

SEC. 42. Fee. – A mandatory contribution of Two Thousand Pesos (PhP. 2,000.00) for employees with Salary Grade 8 and below and at least Three Thousand Pesos (PhP. 3,000.00) for employees with Salary Grade 9 and above but shall not exceed Salary Grade 18 to the MUSO Housing Fund shall be collected monthly in exchange for the use of the said unit. The amount may be increased as may be determined by the Housing Investment Committee provided, the same shall not exceed the inflation rate for the said year.

SEC. 43. Occupancy. – Only the selected beneficiary together with his or her qualified heirs are allowed to occupy the housing units of the City, whose number of occupants at any given time shall be limited to the maximum number specified in the Vertical Housing Project Rules and Regulations. Extended families are not permitted to stay in the said unit. No sublease or subsequent transfer of the unit or a portion thereof shall be allowed. Ownership shall be retained by the City, prolonged absence of the beneficial owner from the said unit for a period exceeding three (3) months shall be considered abandonment. Visitors shall not be allowed except with prior clearance from MUSO.

SEC. 44. Duration. – Length of stay shall be for a period of fifty (50) years. However, in case a beneficiary occupies a unit at least a year after turnover of the building, the duration of stay shall be limited to the remaining life span of the building which shall not exceed fifty (50) years.

SEC. 45. Utilities. – All utilities shall be for the account of the occupant of the unit. The same shall be paid for monthly or as they fall due.

SEC. 46. Common Areas. – Common areas shall be under the control of MUSO. Expenses for the common areas shall be for the account of the City. Use of common areas shall be subject to approval by MUSO. No obstruction shall be allowed therein unless specifically allowed by MUSO. A portion of the Common Areas may be utilized as venue to implement livelihood programs of the City for current occupants of the housing development. Construction of any structure or any form of obstruction shall not be allowed in the Common Areas including, but not limited to the stairway, hallway, perimeter, frontage or exterior of the building, lobby and roof deck.

SEC. 47. Building Administrator. – MUSO shall act as the building administrator for the Project. It may obtain the services of third parties for security and other support services.

SEC. 48. Alterations. – Only alterations in the interior part of the unit are allowed subject to prior authorization from the Property Manager. Alterations to the exteriors are not allowed.

SEC. 49. Use. – Unit shall only be used for residential purposes only except for the units designated as commercial spaces. No livestock shall be allowed in the premises.

SEC. 50. Commercial Spaces and Parking. – All commercial spaces shall likewise be under the control of MUSO.

SEC. 51. Ejectment. – Violation of the Terms of Occupancy or misuse of the unit by any of the occupants shall be grounds for ejectment.

CHAPTER VII – COMMON PROGRAM TERMS

SEC. 52. Ownership. – Ownership over units of Socialized Housing Program shall be retained by the City. All lands and/or improvements acquired under the Land-for-the-Landless Program which are not fully paid by current occupants shall likewise belong to the City.

All land covering the said projects are hereby declared as Housing and Resettlement Sites.

SEC. 53. Eligibility Criteria for Socialized Housing. – Only the following shall qualify for socialized housing program:

- a. A Filipino citizen;
- b. Of Legal Age;
- c. Resident of the City of Manila;
- d. Belonging to Low-Income families which is defined as those earning less than twice the official poverty line set by the Philippine Statistics Authority (PSA); and
- e. With no landholding, house, ownership rights or claims over property, nor in the process of acquiring a property within and without the City of Manila.

Professional squatters or members of any squatting syndicates shall be disqualified as beneficiary for any of City of Manila's housing projects. Beneficiaries of other City or National Housing Projects or Land-for-the-Landless Program shall likewise be disqualified. Qualified Beneficiaries shall execute an Affidavit stating that they possess all the qualifications and none of the disqualifications.

For Employee Housing, additional qualification shall be at least three (3) years continuous government service with the City Government of Manila or National Government Agencies (NGAs) with offices situated in the City of Manila, whose salaries are not higher than salary grade 18 or its equivalent as certified by their offices' respective personnel department: Provided, that they have no disciplinary record and Provided Further, That they are not yet beneficiaries of any housing program.

In coordination with the City Council, the MUSO shall design a system for the identification and registration of qualified program beneficiaries in accordance with the objectives of this Ordinance.

SEC. 54. Land-for-the-Landless Program. – The City of Manila, through MUSO shall initially purchase, on behalf of the landless residents of Manila, the property currently occupied by the said residents under the Land-for-the-Landless Program. MUSO may also extend financial assistance to:

- a. Pay earnest money to private landowners for housing projects;
- b. Purchase private property and/or right of way for housing related projects; and
- c. Expropriate private properties for low-cost and socialized housing projects.

SEC. 55. Eligibility Criteria for Land-for-the-Landless Program. – The following shall qualify as beneficiaries for the Program:

- a. A Filipino citizen;
- b. Of Legal Age;
- c. Resident of the City of Manila;
- d. With Capacity to Pay;
- e. Current Legal, Actual and Physical occupant of the Land subject of the Program;
- f. With no landholding house, ownership rights or claims over property, nor in the process of acquiring a property within and without the City of Manila; and
- g. Affected by national or local government projects.

Professional squatters or members of any squatting syndicates shall be disqualified as beneficiary for any of City of Manila's housing projects. Beneficiaries of other City or National Housing Projects or Land-for-the-Landless Program shall likewise be disqualified. Qualified Beneficiaries shall execute an Affidavit stating that they possess all the qualifications and none of the disqualifications.

SEC. 56. Awarding of Lots. – Applicant who has met and complied with documentary requirements for the award of the lot and upon due evaluation of MUSO, shall be issued a Certificate of Award. Awardee shall adhere to the Conditions of the Award to be considered in good standing as a beneficiary. The Certificate of Award confers the right to buy such lot on installment basis in accordance with the Land-for-the-Landless Program of the City. Exact portion of the lot to be awarded shall be indicated in the Certificate of Award, Contract to Sell and Deed of Sale.

Portion of Lot to be awarded shall be specific and in accordance with the Structural Scheme and Subdivision Plan approved by MUSO.

SEC. 57. Payment Term. – Beneficiary of the Program has the option to pay on installment basis the lot subject of the Certificate of Award for a period not exceeding thirty (30) years subject to approval of MUSO, payable every 30th of the month. Payments received shall be applied based on the earliest amortization that falls due.

Unpaid monthly amortizations shall be charged an interest of five percent (5%) per annum compounded in addition to Penalties and Fees. Failure to pay amortizations for three (3) consecutive months may result to cancellation of award. [Allowable rate for interest is up to twelve percent (12%) per annum under Special Proclamation dated August 14, 1985 on socialized housing program on commercial basis].

SEC. 58. Beneficiary Selection. – In addition to the relevant issuances of program and/or project level Beneficiary Selection, Awards and Arbitration Committees (BSAAC), the MUSO is hereby charged to perform regular review and assessment of beneficiary selection parameters. As such, it may recommend to the BSAAC revisions/ amendments to the evaluation and selection of beneficiaries, it may find necessary, and pursuant to the guidelines for qualification for housing assistance.

SEC. 59. Grounds for Termination. – Beneficiaries may be ejected from the Awarded Lot or Housing Unit, upon written notice, based on the following grounds:

- a. Expiration of the period of Occupancy;
- b. Arrears in payment of monthly amortization or mandatory contributions as indicated in Section 4 and 5 of this Ordinance, for a cumulative period of three (3) months;
- c. Misuse or abuse of the Unit;
- d. Abandonment of the Unit for a period of three (3) months by the Beneficiary;
- e. Failure to comply with the Terms of Certificate of Award or Occupancy, as provided;
- f. Misrepresentation of any kind made by the Beneficiary in his or her application;
- g. Legitimate need of MUSO to repossess the Unit for official use, provided that the Lessee is given a formal three (3) month notice in advance of its intention to do the same;
- h. MUSO's need to make necessary repairs of Unit or construction of new building, which is the subject of an existing order of condemnation by appropriate authorities concerned in order to make the said building or premises thereof safe and habitable: Provided, That after said repair, the occupant ejected shall have the first preference to occupy the newly renovated premises or a unit in the newly constructed building;
- i. Any other violation of the Terms of Certificate of Award or Occupancy;
- j. Death of the Beneficiary;
- k. Act or omissions of the Beneficiary resulting to the injury and disturbance of other occupants of the building or housing units;
- l. Violations of the Rules and Regulations issued by MUSO for the housing building or development;

- m. Conviction of any crime involving moral turpitude; and
- n. All other grounds similar thereto, or any other instances, or any which the MUSO may deem as a violation of the Terms of Lease.

SEC. 60. Procedure for Ejectment. – Upon determination of grounds for ejectment, the MUSO shall send written notice to the Beneficiary of their violation and its demand to vacate. The Beneficiary shall then be given five (5) days from receipt thereof to comply with the conditions of the Certificate of Award or Occupancy, if possible. Otherwise, he or she shall be required to immediately vacate the premises.

SEC. 61. Authority to Enter Into Contract. – In the case of housing programs that are occupied through lease, a lease contract shall be entered into by and between the beneficiaries and the City, as represented by the MUSO.

SEC. 62. Contribution to MUSO Housing Trust Fund. – All beneficiaries of the Socialized Housing Program shall contribute in the amount of Two Thousand Pesos (PhP. 2,000.00) or Three Thousand Pesos (PhP. 3,000.00) per month whichever is applicable, to enjoy the benefits under City of Manila's Housing Projects. Contributions paid by the beneficiary net of all the applicable expenses and charged incurred by the deceased for the duration of his stay in the unit and charges incurred by the deceased for the duration of his/her stay, as well as for the restoration and rehabilitation of the Housing Unit occupied shall be released to the said beneficiary at the end of the term provided in Chapter IV and V of this Ordinance or upon voluntary relinquishment of the Housing Unit.

The Housing Investment Committee may, from time to time but not more than once every year, review the said rate of contribution. Any increase in the rate shall not exceed the prevailing inflation rate for the previous year.

SEC. 63. Power to Enter Upon Notice; Without Notice. – The MUSO may, at any time with notice, *motu proprio* or upon complaint by an interested party, inspect the unit or premises of any housing project under its administration, in order to do either of the following:

- a. Investigate possible violation of rules and regulation for the occupancy and/or the Handbook for Beneficiaries; and
- b. Carry out repairs or works.

However, should the MUSO have reasonable grounds to believe with respect to any premises that there is an imminent danger which affects public safety or public health, one or more of its officers of MUSO or its authorized personnel, may enter the premises *without notice*, in order to address, remove or prevent the danger.

CHAPTER VIII – LAND SELECTION

SEC. 64. Inventory of Lands. – Within three (3) months from the effectivity of this Ordinance, an inventory of all kinds of lands and improvements thereon within the territorial jurisdiction of the City of Manila shall be conducted by three (3) reputable independent appraisers as chosen by the Committee. The inventory shall include the following:

- a. Lands owned by the National Government in the City of Manila;
- b. Lands owned by the City Government of Manila;
- c. Unregistered or abandoned and idle lands;

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- d. Areas or Units identified and allocated for Socialized Housing pursuant to Ordinance No. 8569, Section 18 of Republic Act No. 7279, otherwise known as the "Urban Development and Housing Act of 1992" (UDHA), as amended by Republic Act No. 10884, otherwise known as "Balanced Housing Development Program Amendments"; and
- e. Other lands which may be of use to the City Government of Manila, in pursuit of the objectives of this Ordinance.

In conducting the inventory, the independent appraisers shall indicate the type of land use, the degree of land utilization and other data or information necessary to carry out the purposes of this Ordinance. They shall submit their report on the appraisal and inventory of lands to the Committee, the City Mayor, the City Council and the Urban Settlements Office.

SEC. 65. Identification of Sites Suitable for Housing. – In coordination with the City Council, and with the support of the relevant City Government units, the MUSO shall, through a Land Evaluation Report, identify lands for socialized housing and resettlement areas suited for the immediate and future needs of residents, especially those from low-income families, taking into consideration, among others, the availability of basic services and facilities, their accessibility and proximity to job sites and other economic opportunities. The Land Evaluation Report shall contain the following:

- a. Land Ownership;
- b. Selling Price;
- c. Physical Characteristics which includes present status of lot, existing land use/zoning/declared use per tax declaration, size and shape of lot, topography among others;
- d. Description of Community;
- e. Facilities and Utilities; and
- f. Accessibility to transportation and employment.

Subject to preference provided by law, lands for socialized housing may be identified from:

- a. Those owned by the City Government of Manila;
- b. Alienable lands of the public domain;
- c. Unregistered or abandoned and idle lands;
- d. Those within the declared areas for priority development Zonal Improvement Program sites, and Slum Improvement and Resettlement Program sites which have not yet been acquired;
- e. Donated privately owned lands;
- f. Private lands offered for sale by the owners; and
- g. Other lands that may be acquired as provided for by law.

The City Government, through the MUSO, shall give budgetary priority to on-site development of government lands. Identified housing sites shall be safe and accessible to various modes of public transportation. Accessibility shall be defined by:

- a. Distance to main transportation line;
- b. Availability of public transportation, frequency of trips and routes; and
- c. Distance of site to schools, markets, commercial centers, recreational places, city hall, employment opportunities, churches and industrial centers.

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CHAPTER IX – MUSO HOUSING TRUST FUND

SEC. 66. Creation of MUSO Housing Trust Fund. – There is hereby created a special account and trust fund to be called the MUSO Housing Trust Fund the available funds thereof shall be administered by the Housing Investment Committee. MUSO Housing Trust Fund may, as determined by the Housing Investment Committee, be invested in medium-term and long-term government securities, special short-term government securities and/or fixed term deposits with the Bureau of Treasury. Investment of the said Fund may be made directly implemented by the Committee or coursed through a Bank or Financial Institution.

SEC. 67. Purpose of the Fund. – The aforesaid MUSO Housing Trust Fund shall be used solely and exclusively to finance necessary, incidental, reasonable and appropriate expenses which the City Government, through the MUSO, may incur pursuant to its mandate of instituting socialized housing program and allied interventions.

SEC. 68. Contributions. – The MUSO Housing Trust Fund shall be composed of contributions of beneficiaries of this Ordinance and other Expropriation Ordinances, as well as payments, remittances and other sums received or collected from the beneficiaries, lessees or other interested party pursuant to contracts emanating from the City's residential housing programs, projects and activities, which shall include proceeds from commercial and/or common spaces located in all housing projects of the City.

All payments, remittances, accrued interests, penalties, and others from the community housing associations which benefited from any financial assistance extended to them by the City or from any other sources should be deposited in the same account.

SEC. 69. Donations for Housing. – All donations to the City of Manila for housing shall go directly to and form part of this MUSO Housing Trust Fund.

SEC. 70. Other Monies. – All funds/monies generated and collected from various sources intended for housing and other related development programs shall be deposited by the City Treasurer for the MUSO Housing Trust Fund's exclusive account in any government bank to pursue the goals and objectives of the Committee.

SEC. 71. Other Sources of Income. – Payments of accreditation of HOA/private originators, HOA Origination fees, share in the payment of development permits, locational clearances, and land-use conversion fees and other fees for housing-related activities are a sample of sources of funds for MUSO Housing Trust Fund.

In addition there to, all properties and funds collected under Ordinance No. 8569 which seeks to implement Section 18 of Republic Act No. 7279, otherwise known as the "Urban Development and Housing Act of 1992" (UDHA), as amended by Republic Act No. 10884, otherwise known as "Balanced Housing Development Program Amendments". Under the said Ordinance, developers of subdivision projects are required to develop an area for socialized housing equivalent to at least fifteen percent (15%) of the total subdivision area or total subdivision project cost, at the option of the developer. Developers of proposed residential condominium projects are likewise required to develop an area for socialized housing equivalent to at least five percent (5%) of the condominium area or project cost, at the option of the developer.

CHAPTER X – HOUSING INVESTMENT COMMITTEE

SEC. 72. Creation, Powers, Duties and Functions. – There is hereby created a City Housing Investment Committee which shall perform the following functions:

- a. Recommend purchase, sell, lease and/or exchange lands for purposes of urban renewal, housing development, resettlement and related services and facilities. Provided, That the transaction is with consent of the City Council through a resolution;
- b. Design, formulate, negotiate and implement financial or investment schemes;
- c. Prepare a Financial Plan for investment of its funds as it may deem proper, in bonds and securities issued and guaranteed by the national government and approve the applicable rate for such;
- d. Recommend to enter into an agreement with banks or financial institutions for the purpose of investing funds;
- e. Prepare a Financial Plan for Investment in various proprietary ventures to earn income to pursue its primary objective of promoting socialized housing;
- f. Issuance of resolution for the disbursement of the MUSO Housing Trust Fund created herein;
- g. Enable private sector assistance and participation in the achievement of the goals of the MUSO and in carrying out its operations;
- h. Recommend the execution of memoranda of agreements, joint ventures, long-term leases and management contracts with private sector entities, to include real estate developers or construction companies with dependable reputes and proven track record in developing and managing real estate ventures and any contracts or agreements as may be necessary for the attainment of the objectives of this Ordinance;
- i. Render annual reports and special reports, as may be required by the City Council and Office of the Mayor; and
Supervise and review all issues concerning MUSO and all housing related matters.

SEC. 73. Composition. – The Housing Investment Committee shall be composed of the following:

Chairperson	- City Mayor
Vice-Chairperson	- City Administrator
Members	- Officer-In-Charge, Manila Urban Settlements Office
	- Officer-In-Charge, Department of Engineering and Public Works
	Officer-In-Charge, City Planning and Development Office
	Officer-In-Charge, City Treasurer's Office
	Officer-In-Charge, City Budget Office
	Officer-In-Charge, Office of the City Accountant

SEC. 74. Meetings. – The Committee shall meet regularly at least once a month, but special meetings may be called either by the Chairperson or by three (3) members, when necessary. Three (3) members of the Committee shall constitute a quorum and any approval of business shall require the concurrence of at least three (3) members.

SEC. 75. Consultants. – The Committee may hire, from time to time, and up to a maximum of two (2) consultants, known professionals in the urban renewal and housing industry or financial investments, as the need arises. They may be entitled to receive honoraria, the amount thereof to be determined by the Committee.

CHAPTER XI – OTHER SERVICES

SEC. 76. Basic Services. – It shall be the responsibility of the City Government of Manila to provide its housing programs with the following basic services and facilities, provided however that the cost of service shall be shouldered by the beneficiaries:

- a. Accessible and adequate potable water;
- b. Electricity;
- c. Sanitation, sewerage and solid waste management services and/or facilities;
- d. Access to primary roads; and
- e. Footpaths, drainage and road networks.

The provision of other basic services such as health, education, recreation, and protection shall be planned and be given priority for implementation by the City Government of Manila.

SEC. 77. Building Maintenance and Utilities. – Unit awardees shall shoulder expenses for maintenance, and upkeep of their respective units occupied. In case of any repairs, this shall be done by the City Engineering Office at the expense of the occupant.

However, major repairs, rehabilitation, and restoration of housing projects shall be for the account of the City Government, as owner, and shall be deemed as priority concerns of the Department of Engineering and Public Works. Repair and maintenance of the Common Areas shall likewise be for the account of the City. All expenses and charges relating hereto shall be chargeable against the Building Maintenance Expense Account of the City Engineering Office. While the expenses relating to outsourced services including Janitorial and Security Services shall be chargeable against City General Services Maintenance Services Account.

Fees and charges, both for residential and for commercial use of the buildings shall be determined by the MUSO, with the guidance of the Committee. Alterations to the Unit shall be subject to approval of MUSO. Regulations and guidelines shall be indicated in the VHP Rules and Regulations.

SEC. 78. Use of Common Areas; Commercial Spaces. – Common areas are to be maintained by MUSO and subject to VHP Rules and Regulations. As such, it may impose reasonable restrictions upon its use and enjoyment. In all instances, common areas must be free from obstruction(s) and shall remain accessible to all beneficiaries. Reasonable fees may be charged by MUSO for the use of the Common Areas, as well as lease of commercial units, parking and other areas, in accordance with prevailing rates in the said location.

CHAPTER XII – SUCCESSION OF HEIRS

SEC. 79. Succession. – In cases of succession, the heir(s) may:

- a. Vacate and turnover the premises to MUSO and receive a lump sum equivalent to the accumulated contributions made by the deceased to the MUSO Housing Trust Fund, net of all expenses and charges incurred by the deceased for the duration of his/her stay, as well as for the restoration and rehabilitation of the Housing Unit occupied and subject to the signing of waiver as may be required by MUSO; or

- b. Designate an heir who shall exercise his/her right of first refusal or to apply for occupancy of the unit whichever is applicable, in accordance with Section 82 of this Ordinance and continue to possess the awarded unit subject to terms of lease and the Handbook for Beneficiaries.

The heir(s) shall inform the MUSO of their decision to either vacate or re-apply within one (1) month of the death of the Beneficiary. Failure to do so within the given period shall automatically mean the vacation and turnover of the premises to the City in accordance with the succeeding provisions.

SEC. 80. Turnover of Premises to the City. – The heirs shall inform the MUSO of their intention to vacate and turnover the premises to the City in writing within one (1) month of the death of the Beneficiary. They shall then require to submit proof of heirship, as well as all other requirements that may be deemed necessary by the MUSO, before they can claim the lump sum equivalent to the accumulated contributions to the MUSO Housing Trust Fund made by the deceased. The amount shall be net of all the applicable expenses and charges incurred by the deceased for the duration of his stay in the unit and charges incurred by the deceased for the duration of his/her stay, as well as for the restoration and rehabilitation of the Housing Unit occupied and subject to the signing of waiver as may be required by MUSO.

The heirs shall be given five (5) days upon receipt of the lump sum from the MUSO to vacate the premises. Otherwise, they shall be subject to ejectment proceedings.

SEC. 81. Application for the Lease. – The heirs shall inform the MUSO of their intention to apply for the lease of the unit in writing within one (1) month of the death of the Beneficiary. They shall then be required to submit proof of heirship, along with all other requirements that may be deemed necessary by the MUSO.

In all instances, the MUSO shall allow only one (1) heir as beneficiary to the unit, subject to the limitations of occupancy, as provided herein.

In the event of multiple heirs, the said heirs shall be required to decide among themselves who the new beneficiary will be, subject to the eligibility criteria provided herein. Once determined, the heirs shall execute a waiver of their rights to the lease of the unit in favor of the determined heir. Failure to decide shall automatically be construed as an exercise of the option under SEC. 80(a) of this Ordinance thus, heirs shall immediately vacate the premises and turnover the same to the City.

SEC. 82. Preference to Heirs. – The heir(s) of the beneficiary shall be given preferential status in the application of the unit previously occupied by the deceased, subject to their eligibility and compliance with the terms of Certificate of Occupancy and the Handbook for Beneficiaries.

However, before an heir may be considered, MUSO shall first evaluate application of heir and ensure his or her eligibility based on the criteria for socialized housing program mentioned in Chapter IV or V of this Ordinance.

In the event that heir(s) are found to be ineligible under the Socialized Housing Program, the Unit shall be opened for occupancy by a qualified third party as may be determined by MUSO.

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CHAPTER XIII – PROHIBITED ACTS AND PENALTIES

SEC. 83. Subleasing and Alienation. – In order to remain committed to the ~~stated~~ ~~objectives~~, an awarded unit shall not in any manner be leased or subleased, alienated or encumbered through any form of disposition, except in cases of succession. The beneficiary is prohibited from selling the unit or to use it as a collateral for future financial requirements.

Unit shall likewise be used solely for residential purposes only and subject to the Rules and Regulations issued by MUSO.

All other limitations and/or prohibitions found in other public housing programs of the City, not contrary to the policies contained herein, shall likewise be imposed to beneficiaries of this project.

SEC. 84. Misrepresentations. – Any misrepresentation to obtain unit entitlement shall render the corresponding grant void from the beginning, without prejudice to any criminal and/or civil liability that may arise from such misrepresentation.

SEC. 85. Penalty. – Any violation of the terms and conditions of Certificate of Award or Occupancy shall cause the automatic cancellation and nullification of the same. The award shall be recalled immediately and be assigned to another qualified applicant. Contributions to the MUSO Housing Trust Fund made by the violator shall automatically be forfeited by MUSO as penalty and damages. In addition, violator shall pay the cost of rehabilitation of the Unit to restore the same to its original condition when initially awarded to violator.

SEC. 86. Other Remedies. – The City may, at its option, avail of other legal remedies or actions, whether civil or criminal, available under the law.

CHAPTER XIV – OTHER RIGHTS OF BENEFICIARIES

SEC. 87. Voluntary Relinquishment of Rights. – Beneficiaries may at any time, voluntarily vacate the Housing Units or signify their intent to sell the lot awarded to them under the Land-for-the-Landless Program pursuant to Section 88 below.

Upon notice of their intent to vacate the premises to MUSO, they shall within a period of not more than fifteen (15) calendar days, vacate and turnover the premises to MUSO.

Within a period of thirty (30) calendar days, said beneficiary shall receive a lump sum equivalent to his or her accumulated contributions to the MUSO Housing Trust Fund, net of all expenses and charges incurred or the duration of his/her stay, as well as for the restoration and rehabilitation of the Housing Unit occupied and subject to the signing of waiver as may be required by MUSO.

SEC. 88. Right of First Refusal. – In no case shall the selected beneficiary be allowed to dispose of the property purchased under the Land-for-the-Landless program without the prior consent of the City Mayor. The City shall have the right of first refusal to repurchase the property.

In the event that prior consent of the City Mayor is not obtained prior to sale, the sale shall be considered void. The City may at any time, exercise its right of first refusal and immediately purchase the property from the seller.

CHAPTER IV – CONTRACTS AND FUNDS GENERATION

SEC. 88. Purchase of Land for Land-for-the-Landless Program and Housing Sites. – All lands which will be used as housing site shall be purchased by the City through MUSO in the amount equivalent to just compensation or the full and fair equivalent of the property taken from its owner by the expropriator.

SEC. 90. Joint Venture and Public-Private Partnerships. – The City through MUSO, may enter into a Joint Venture or Public-Private Partnerships with other Government Agencies, Private Entities and other entities for the purposes of construction of housing developments or for other purposes to fulfill the objectives of this Ordinance.

SEC. 91. Loans and Similar Funding. – The City may, utilize loan or funding from International Finance Institutions or International Organizations such as, but not limited to the World Bank, Asian Development Bank and Japanese Agency for International Cooperation for its housing projects and developments or for other purposes to fulfill the objectives of this Ordinance.

In addition, the City may, obtain loans from local banks or financial institutions for the same purposes.

All funds obtained under this Section shall be credited to and shall form part of MUSO Housing Trust Fund.

SEC. 92. Proceeds from Ordinance No. 8569. – The City may utilize all properties or funds collected under Ordinance No. 8569 as provided in Section 71 above, to implement and further the objectives of this Ordinance.

SEC. 93. Use of Pag-IBIG Fund and Similar Funds. – Beneficiaries of Land-for-the-Landless Program of the City may utilize their Pag-IBIG Fund (or other similar fund) benefits in purchasing of property under the said Program, subject to the conditions and qualification which the said Funds impose upon their loan applicants.

Proceeds from bank loan or other financial institutions may likewise be used by Beneficiaries to purchase the property under the said Program.

CHAPTER XVI – OTHER PROVISIONS

SEC. 94. Information Dissemination. – The MUSO, in partnership with the relevant entities of the local government shall engage in sharing, to the greatest extent possible, accurate and responsive information about the City's housing projects.

Furthermore, it should dedicate a website containing all the necessary information, as well as facilitating online transactions for interested applicants and beneficiaries of the City's housing programs. Online payment facility shall be made available for convenience of beneficiaries.

SEC. 95. Amendment. – This Ordinance and the provisions contained herein can only be amended and revised through a subsequent repealing Ordinance duly approved by a 2/3 vote of the City Council. While a unanimous vote of all the members of the City Council shall be required to repeal this Ordinance.

SEC. 96. Supplementary Application of the Civil Code. – In cases not covered by the provisions of this Code, the pertinent provisions of the Civil Code, and other related issuances shall apply in a supplementary manner.


SEC. 97. Separability Clause. – If for any reason, a part of this Ordinance is declared illegal or invalid, other parts or provisions hereof which are not affected thereby shall remain valid in full force and effect.

SEC. 98. Repealing Clause. – Any ordinance or part or provisions thereof which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

SEC. 99. Effectivity Clause. – This Ordinance shall take effect immediately upon its approval.

This Ordinance was finally enacted by the City Council of Manila on **March 1, 2021.**

PRESIDED BY:


JOEL R. CHUA
Acting Presiding Officer
City Council, Manila

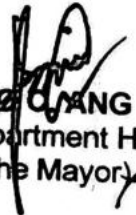
ATTESTED:


LUCH R. GEMPIS, JR.
City Government Department Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON MAR 23 2021


FRANCISCO "Isko Moreno" DOMAGOSO
Mayor
City of Manila

ATTESTED:


BERNARDITA C. PANG
City Government Department Head III
(Secretary to the Mayor)

RNF: jhb/rmd/egv/eee/jrp