



Republic of the Philippines
OFFICE OF THE MAYOR
City of Manila
EXECUTIVE ORDER NO. 31
Series of 2022

**RECONSTITUTION OF THE CITY OF MANILA'S
HOUSING BOARD PURSUANT TO CITY ORDINANCE NO. 8185**

WHEREAS, Executive Order No. 708 issued by President Gloria Macapagal Arroyo on February 26, 2008 provides for the devolution of clearing house functions of the Presidential Commission for the Urban Poor (PCUP) for demolition and eviction activities involving the homeless and underprivileged to the respective cities and municipalities in whose territorial jurisdiction the proposed demolition and eviction activities of government agencies are to be undertaken;

WHEREAS, City Ordinance No. 8185 was enacted pursuant to Executive Order No. 708 providing for the creation of a Local Housing Board or any similar body in the local government unit concerned;

WHEREAS, there is an urgent necessity to reconstitute the City of Manila Housing Board (CMHB);

NOW THEREFORE, I, **MARIA SHEILAH "HONEY" H. LACUNA-PANGAN, MD, FPDS**, Mayor of the City of Manila, by virtue of the powers vested in me by 1987 Philippine Constitution, the Local Government Code of 1991, and existing laws, hereby order the following:

Section 1. *Reconstitution.* Pursuant to Executive Order No. 708, Series of 2008, there is hereby reconstituted the City of Manila Housing Board (CMHB). The CMHB shall be composed of the following:

Chairman HON. MARIA SHEILAH "HONEY" H. LACUNA-PANGAN MD, FPDS
City Mayor

Members Chairman of the City Council Committee on Housing,
Land, Urban Planning Development and Resettlement

Arch. Danilo M. Lacuna, Jr.
City Planning and Development Office

Engr. Armando Andres
Department of Engineering and Public Works

Atty. Cris P. Tenorio
Manila Urban Settlements Office

Representative, Presidential Commission for the
Urban Poor (PCUP)

Representative, National Housing Authority (NHA)

Representatives from People's Organizations
(POs) operating in the City, who shall constitute

not less than one fourth (1/4) of the members of the fully organized Board; and

Representatives from SEC registered Non-Government Organizations (NGOs) operating in the City, who shall constitute not less than one fourth (1/4) of the members of the fully organized Board.

Section 2. *Definition of Terms.*

1. "City of Manila Housing Board" (CMHB) refers to the Board tasked to oversee the implementation of just and humane eviction of informal settlers, dwellers, including demolition of their structures;

2. "Informal settlers" refers to individuals who occupy the land of another without the consent of the owner;

3. "Underprivileged and homeless city dwellers" refer to individuals or families residing in the City whose income or combined household incomes fall within the poverty threshold as defined by the National Economic and Development Authority (NEDA) and who do not own any house, including those who live in makeshift dwelling units;

4. "Summary eviction/demolition" refers to the immediate dismantling of illegal structures by the City Engineer's Office or any of its agencies authorized to demolish without providing the structure owner(s) any benefit of the Urban Development and Housing Program;

5. "People's Organization or PO" refers to an independent community and/or class-based association established to protect and advance the interest of the urban poor;

6. "Non-Government Organization or NGO" refers to a non-profit, voluntary organization that is committed to the task of socioeconomic development and established primarily for service which may involve assisting citizens or POs in various ways by educating, training or giving financial assistance to them.

Section 3. *Transmittal of Order.* The Urban Settlements Office shall inform its member agencies of this Order and obtain the names of their representatives. A list of the names should be transmitted to this Office within five (5) days from the effectivity of this order.

Section 4. *Powers and Functions.* As the sole clearing house for eviction and demolition activities concerning informal settlers in danger areas, public places and government projects, the Board shall exercise the following powers and functions:

1. Monitor all evictions and demolitions, whether voluntary, extrajudicial, summary, or court-ordered;
2. Require the proponent of eviction and demolition, i.e. national government department, institution or local government, or its duly authorized representatives, to first secure from the Board the Checklist, Guidelines and Eviction and Development Compliance Certificate prior to the actual implementation thereof and thereafter, to submit to the Board the completed Checklist which should be attested to, under oath by the proponent indicating that:
 - a. Adequate consultations with the affected families were undertaken;
 - b. Adequate resettlement site and relocations facilities were made available; and
 - c. The provisions of Section 3, paragraph 1 of the Implementing Rules and Regulations of Section 28 of Republic Act No. 7279 (relocation) have been complied with.

3. Based on the completed Checklist, and subject to further verification, issue an Eviction and Demolition Compliance Certificate on proposed eviction and demolition involving the homeless and under-privileged citizens.

Section 5. *Application for an Eviction and Demolition Compliance Certificate.* Every proponent of an extrajudicial eviction and demolition, whether administrative or summary, shall, prior to actual eviction and demolition, secure a Compliance Certificate from the Board. The process of applying for the said certificate shall be as follows:

1. In the case of an administrative eviction and demolition involving the underprivileged, the proper application form for certificate of compliance shall be filled with the Board together with the required documents as listed in the appropriate Checklist at least fifteen (15) working days prior to the actual conduct of eviction and demolition.

In the case of summary eviction and demolition, the proponent shall likewise obtain an application for certificate of compliance: PROVIDED, That the said application shall be submitted at least seven (7) working days prior to the conduct of the same, pursuant to the rules on summary demolitions: PROVIDED FURTHER, That in the event that the affected persons are found to be among those subject administrative eviction or demolition, the Board shall immediately inform the proponent and require the proper application for certificate of compliance: PROVIDED FURTHERMORE, That in the case of voluntary eviction and demolition, the proponent shall obtain from the Board, the proper application for certificate of compliance and submit the same together with the required documents as listed in the appropriate Checklist at least fifteen (15) working days prior to the actual conduct of eviction and demolition.

2. If the application is sufficient in form and substance, the Board, upon verification, shall approve the application, issue the proper certificate of compliance and notify the proponent.
3. The certification shall indicate the name of the proponent, the purpose and location of the area applied for eviction and demolition, a statement of compliance with the pertinent rules, the number of working days covering the eviction or demolition applied for, an authorization or approval for the rendering of police assistance, validity period, the date of issuance, and the authorized signature.
4. If the application is incomplete in form and substance, the Board shall inform the proponent and the latter has to comply with the deficiency within ten (10) working days from notification, with the exception of a summary eviction and demolition which shall be complied with within three (3) working days from notification, PROVIDED, that in the event that the deficiency is not complied with within the periods mentioned herein, the proponents shall be required to reapply for a new Compliance Certificate.
5. In cases where the Board issues a certificate or the proponent has already complied with the deficient requirements for application and, thus, acquired a certification, the eviction and demolition will proceed as a matter of course.

Section 6. *Eviction/Demolition Exempted from Coverage.* The Compliance Certificate requirement mentioned in the preceding sections shall not cover court ordered evictions and demolitions. As such, the concerned courts or their officers need not obtain the required Compliance Certifications, pursuant to Section 2 of the Implementing Guidelines of Executive Order No.152, Series of 2002.

Section 7. *Authorized Police Assistance.* A proponent of an eviction and demolition may be provided with duly authorized police assistance only upon prior compliance with the statutory requirements under Section 27, 28 and 30 of Republic Act No. 7279 and its

Implementing Rules and Regulations, Checklist and Compliance Certificate requirements or with the written notice requirement when applicable, as certified or authorized by the Board.

In the case of a court-ordered demolition, police assistance shall only be allowed under the following circumstances:

1. In pursuance of any court order specifying police action or assistance.
2. In any case or event where voluntary eviction and dismantling of structures are agreed upon, in writing, by the concerned parties, and approved by the Board.
3. In the case of a local infrastructure project where police assistance is approved, in writing, by the duly authorized official of the Board;
4. In the case of national infrastructure projects; PROVIDED, that the duly authorized official of the Board has approved the same in writing; and,
5. In any other cases of eviction and demolition where police assistance is necessary to preserve peace and order: PROVIDED, HOWEVER, that the duly authorized official of the Board has approved the same in writing.

For the purposes of the above, a written request by the sheriff for police assistance in the implementation of a court order or writ, with certified copies of the said order or writ annexed therein, shall suffice for the police to render assistance without further need of obtaining the approval of the Board. In lieu of the approval of the Board, the concerned PNP Officer shall merely inform the Board, in writing, of the date of eviction and demolition at least three (3) days prior to the actual conduct of the same. The written notice shall contain copies of the sheriff's request for police assistance, the order or writ to be implemented and other pertinent documents.

In any of the circumstances specified above, the members of the PNP tapped to provide police assistance must be in proper uniform and in appropriate cases, carry with them the necessary documents supporting the provision of police action or assistance. The provision of the above, notwithstanding, the request for police assistance shall still be subject to the pertinent guidelines and regulations of the Philippine National Police (PNP).

Section 8. *Oversight.* The Board shall, in coordination with other government agencies including the proponent, oversee the conduct of evictions and demolitions in accordance with Section 27, 28 and 30 of R.A. No. 7279 and its Implementing Rules and Regulations.

In the case of an extrajudicial eviction and demolition as defined in the Implementing guidelines of Executive Order No. 152, Series of 2002, the Compliance Certificate shall constitute inputs for data-banking activities and serve as advance notice to ensure Board's presence or its representative during the conduct of an eviction and demolition.

In the case of a court ordered eviction and demolition, the Board shall establish the appropriate schemes to monitor the same in coordination with the pertinent government agencies.

In monitoring the actual conduct of demolition, the Board has to observe the conduct of an actual eviction and demolition and prepare a detailed report on the compliance or non-compliance of said activity to Section 27, 28 and 39 of R.A. No. 7279 and its implementing Rules and Regulations.

Section 9. *Meeting and Quorum.* The Board shall meet at least once a month or as often as may be deemed necessary. The presence of the Chairman and the majority of the members of the Board shall constitute a quorum to transact official business.

Section 10. *Secretariat.* The City Urban Settlements Office shall serve as Secretariat and shall be responsible for providing technical and administrative support, documentation proceedings, preparing reports and providing technical and administrative support, documentation proceeding, preparing reports and providing such other assistance as may be required by the Board. It may avail of the services of any NGO or educational or research institutions for this purpose.

Section 11. *Selection of POs and NGOs Representatives.* The City Urban Settlements Office shall, within thirty (30) days from the effectivity of this Ordinance, gather all representatives of POs and NGOs operating within the City of Manila for purposes of choosing among themselves who will sit as board members in the CMHB. The application and election of representatives in the Board shall be guided by the rules promulgated by the City Urban Settlements Office prior to the actual day of deadline of the filing of applications.

Section 12. *Budget.* The City Budget Office shall allocate:

- a. At least one percent (1%) of its annual Internal Revenue Allotment (IRA) for the operations and activities of the Board; and,
- b. Members of the Board shall receive no compensation, but shall be entitled to travelling, representation and other allowances/honoraria as may be fixed by the City Mayor.

Section 13. *Cooperation of Concerned Agencies.* The Board shall Coordinate with all concerned government agencies such as the Department of Interior and Local Government (DILG), the Philippine National Police (PNP), the Department of Social Welfare and Development (DSWD), the Department of Public Works and Highways (DPWH), the Department of Health (DOH), the Housing and Urban Development Coordination Council (HUDCC), the National Housing Authority (NHA), and the Presidential Commission for the Urban Poor (PCUP) to ensure the effective and efficient implementation of the Ordinance.

Section 14. *Submission of Periodic Reports.* The Board shall, thru the Secretariat, submit quarterly reports to the Office of the Mayor, City Council and the DILG Regional Office relative to the status of compliance with the provisions of this Ordinance and the pertinent provisions of laws governing eviction, demolition and relocation activities.

Section 15. *Penalties.* Failure to comply with the statutory requirements specified herein and other relevant laws, or any act of misrepresentation or fraud in connection with any information contained in any verification report or any application for certificate of compliance or in securing the same, shall subject the government officials or employees responsible for such omission, misrepresentation or fraud to:


1. Disciplinary action under Book 1, Title Two, Chapter 4 of the Local Government Code; or
2. Prosecution under the penalty clause (Section 45) Republic Act No. 7279.


Section 16. *Resolutions.* Thirty (30) days from the formal constitution of the Board, all resolutions or issuances mentioned in the preceding paragraph shall be resolved by the newly-constituted Board.

Section 17. All orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this Order, are hereby repealed, amended or modified accordingly.

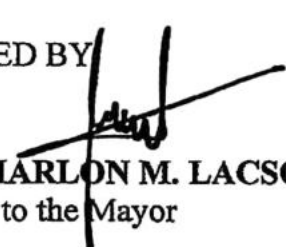
Section 18. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila this 25th day of August, in the year of our Lord, 2022.



MARIA SHEILAH "HONEY" H. LACUNA-PANGAN MD, FIDS
Mayor of the City of Manila 

ATTESTED BY


ATTY. MARLON M. LACSON
Secretary to the Mayor

EO 2022/MUSO Housing board/vnl