



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
22nd City Council

PO22CC-167

33rd Regular Session

ORDINANCE NO. SP- 3196, S-2023

AN ORDINANCE AMENDING ORDINANCE NO. SP-3160, S-2022, RENEWING THE AUTHORITY OF THE CITY GOVERNMENT TO RESELL THE FORFEITED PROPERTIES PREVIOUSLY ACQUIRED BY THE CITY GOVERNMENT THROUGH PUBLIC AUCTION, TO ITS REGISTERED OWNERS, IN ACCORDANCE WITH SANGGUNIANG PANLUNGSOD ORDINANCE NO. SP-2783, SERIES OF 2018

Introduced by Councilor EDGAR "Egay" G. YAP

Co-Introduced by Councilors Bernard R. Herrera, Tany Joe "TJ" L. Calalay, Dorothy A. Delarmente, M.D., Joseph P. Juico, Nikki V. Crisolago, Charm M. Ferrer, Fernando Miguel "Mikey" F. Belmonte, Candy A. Medina, Aly Medalla, Dave C. Valmocina, Tatay Rannie Z. Ludovica, Godofredo T. Liban II, Kate Galang-Coseteng, Geleen "Dok G" G. Lumbad, Albert Alvin "Chuckie" L. Antonio III, Don S. De Leon, Wencerom Benedict C. Lagumbay, Atty. Anton L. Reyes, Imee A. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Nanette Castelo-Daza, Marra C. Suntay, Joseph Joe Visaya, Alfred Vargas, MPA, Ram V. Medalla, Shaira "Shay" L. Liban, Aiko S. Melendez, Mutya Castelo, Maria Eleanor "Doc Ellie" R. Juan, O.D., Kristine Alexia R. Matias, Eric Z. Medina, Emmanuel Banjo A. Pilar, Vito Sotto Generoso, Victor "Vic" Bernardo, Alfredo "Freddy" Roxas and Julian Marcus D. Trono

WHEREAS, consistent with the basic policy of local autonomy and pursuant to Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the City Government is empowered to create its own sources of revenues to defray the expenses of government; and with the aim of further enhancing the collection and efficient and effective administration of real property taxes, particularly pertaining to unpaid realty tax obligations, the City has adopted the policy of conducting public auction of delinquent real properties as provided under the law;

WHEREAS, the City Government, in the course of the conduct of auction sales, by virtue of Section 263 (Purchase of Property by the Local Government Unit for Want of Bidder) of Republic Act No. 7160, has acquired improvements whose redemption period have already lapsed without the delinquent owners exercising their right of redemption thereto;

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WHEREAS, split ownership is a situation whereby the improvements are already owned by the City Government but the lots on which these improvements are situated or attached to are still owned by the delinquent owners and cannot be utilized by either the City Government or the previous owners thereof;

WHEREAS, these publicly auctioned improvements are still attached to or situated on a parcel of land with updated real property tax payments and still owned by the delinquent owners, thereby leading to a situation of split ownership wherein said improvements remain unused by the City Government because of this problem;

WHEREAS, to prevent the problems brought about by such split ownership, the City Council enacted Ordinance No. SP-1856, S-2008 on 30 June 2008 entitled "An Ordinance Authorizing the City Treasurer to sell to its registered owners, improvements acquired by the City Government through public auction of delinquent real properties";

WHEREAS, Section 3 of Ordinance No. SP-2783, S-2018 provides that the City Treasurer shall exercise such authority only for a period of twenty-four (24) months from the effectivity of the said Ordinance, unless renewed by the City Council;

WHEREAS, the City Council deems it necessary to renew the said authority granted to the City Treasurer for the same period of 24 months from the effectivity of this Ordinance;

WHEREAS, Ordinance No. SP-3160, S-2022 was approved by the City Council on Second Reading on 17 October 2022 and was passed on Third/Final Reading on 14 November 2022. Accordingly, the same was approved by Honorable Gian G. Sotto, on 02 December 2022 in his capacity as Acting City Mayor;

WHEREAS, upon careful review and deliberation, it was found out that the statement "All improvements to be sold to its registered owners should have the conformation (sic) by the City Council through an approved Resolution" was inadvertently included as Section 5 in Ordinance No. SP-3160, S-2022. Said Section 5 will tend to defeat the purpose of Ordinance No. SP-2783, S-2018, which is to expedite the process of reselling the forfeited properties, previously acquired by the government through public auction, to its registered owners;

WHEREAS, said Section 5 of Ordinance No. SP-3160, S-2022 should be deleted and the designated numbers of the sections therein be adjusted accordingly as a matter of course.

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NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. The City Government is hereby granted an authority to resell the forfeited properties, previously acquired by the City Government through public auction, to its previous registered owners subject to the following requirements:

- 1.1 Updated payment of outstanding and unpaid real property taxes as stated in Section 3 hereof;
- 1.2 The lot where the improvement is situated is also under the name of the registered owner.

SECTION 2. The authority herein granted shall not extend to condominium units forfeited by the City Government for want of bidder, as these improvements do not give rise to a situation of split ownership.

SECTION 3. The City Treasurer, as consideration of the sale, shall require the payment of the outstanding unpaid real property taxes and the cost of auction sale plus interest at two percent (2%) monthly, not exceeding thirty-six (36) months, pursuant to Ordinance No. SP-91, S-1993, otherwise known as the Quezon City Revenue Code of 1993, as amended.

SECTION 4. The authority herein granted shall be for a period of twenty-four (24) months only, unless renewed by the City Council through an approved resolution.

SECTION 5. REPEALING CLAUSE. - All City ordinances, resolutions, rules and regulations, executive orders and memoranda which are inconsistent with any other provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 6. SEPARABILITY CLAUSE. - If any portion or provision of this Ordinance is declared void or unconstitutional, the remaining portions thereof shall not be affected thereby and shall remain in full force and effect.

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SECTION 7. EFFECTIVITY CLAUSE. - This Ordinance shall take effect after its publication in a newspaper of general circulation. The City Government shall post the ordinance in at least two (2) conspicuous areas within the Quezon City Hall and in at least three (3) conspicuous and publicly accessible places in each Congressional District.

ENACTED: June 5, 2023.


GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:



ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)

APPROVED: JUL 13 2023


MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on June 5, 2023 and was PASSED on Third/Final Reading on June 13, 2023.


ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)

