Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
19th City Council

PO19CC-145

20th Regular Session

ORDINANCE NO. SP-2272, S-2014

AN ORDINANCE REQUIRING ALL NON-GOVERNMENTAL ORGANIZATIONS (NGOS), PEOPLES ORGANIZATIONS (POS), PRIVATE AGENCIES, GOVERNMENT AGENCIES AND INDIVIDUALS TO SECURE CLEARANCE FROM HOUSING, COMMUNITY DEVELOPMENT AND RESETTLEMENT DEPARTMENT TO ACT AS DULY RECOGNIZED ORIGINATOR/ MOBILIZER OR DOING BUSINESS OR SERVICES FOR THE INFORMAL SETTLER COMMUNITIES WITHIN QUEZON CITY, AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Introduced by Councilor MARIVIC CO-PILAR.
Co-Introduced by Councilors Anthony Peter D. Crisologo, Ricardo T. Belmonte, Jr., Dorothy A. Delarmente, Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Roderick M. Paulate, Ranulfo Z. Ludovica, Estrella C. Valmocina, Allan Benedict S. Reyes, Franz S. Pumaren, Jaime F. Borres, Jesus Manuel C. Suntay, Vincent DG. Belmonte, Julienne Alyson Rae V. Medalla, Godofredo T. Liban II, Karl Edgar C. Castelo and Rogelio "Roger" P. Juan.

WHEREAS, Section 2 (a), Article 1 of Republic Act No. 7279, otherwise known as the Urban Poor Development and Housing Act of 1992, states that it shall be the policy of the State to uplift the conditions of the underprivileged and homeless citizens in urban areas and in resettlement areas by making available to them decent housing at affordable cost;

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WHEREAS, Section 34 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that Local Government Units shall promote the establishment and operation of people's and non-governmental organizations to become active partners in the pursuit of local autonomy;

WHEREAS, to fulfill the mandates of the laws above-cited, the Quezon City government makes the NGOs, POs, private agencies and government agencies an active partner by giving them important role as an organizer/mobilizer;

WHEREAS, originators/mobilizers are legitimate organizations or agencies who are essential to the Community Association's (CA) desire to acquire the parcel of land through Community Mortgage Program (CMP), Direct Purchase, Housing Cooperative, Site Development and other basic services necessary thereto;

WHEREAS, originators/mobilizers likewise assist the informal settler communities in organization, registration with appropriate government agencies, documentation on requirements of the community loan and mortgage for the purchase of the property and parcelation/individualization and consolidation of title and loan with the Social Housing Finance Corporation (SHFC) and other financing agencies.

WHEREAS, sadly some of the POs, NGOs, private agencies and government agencies abuse their functions to the detriment of the interest and welfare of community associations. There is now therefore an urgent need to regulate them to be able for them to commit their services and to prevent a situation where bogus or "fly by night" originators/mobilizers victimize the community associations by collecting their money without performing the services or finishing the project.

NOW, THEREFORE,

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

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SECTION 1. SCOPE OF ORDINANCE - This Ordinance shall cover all Non-Government Organizations (NGOs), Peoples Organizations, Housing Cooperatives and Private and Government Agencies doing business or services for the informal settler communities within Quezon City to secure accreditation from the Housing, Community Development and Resettlement Department;

SECTION 2. DEFINITION OF TERMS - As used in this Ordinance the following terms are hereby defined as follows:

a. ORIGINATOR/ MOBILIZER – An organization or a non-government organization that will help the Community Association (CA) to get organized and registered with the appropriate government agencies, document the loan and mortgage, assist in the negotiation with the landowner for the purchase of the property and act as creditor-mortgagee.

b. COMMUNITY ASSOCIATION (CA) – An organization or informal settler communities who is a borrower, composed of the beneficiaries of the loan and is duly registered with the appropriate government agencies, either with the Securities and Exchange Commission, Cooperative Development Authority, or Housing and Land Use Regulatory Board.

a. HCDRD – Housing, Community Development and Resettlement Department

c. CMP – Community Mortgage Program

d. DP – Direct Purchase

e. SHFC – Social Housing Finance Corporation

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f. HLURB – Housing and Land Use Regulatory Board

g. SEC – Securities and Exchange Commission

h. CDA – Cooperative Development Authority

SECTION 3. The Housing, Community Development and Resettlement Department (HCDRD) – shall evaluate and screen the application for accreditation of any private originator/mobilizer.

SECTION 4. REQUIREMENTS FOR ACCREDITATION AND/OR REGISTRATION - Any private mobilizer who desires to engage or conduct business in Quezon City shall first apply for accreditation and/or registration in the Housing, Community Development and Resettlement Department and is required to submit among others the following documents:

a. SEC Registration/HLURB Registration;

b. Business Permit;

c. Original Copy of Originator's Accreditation from NHMFC/SHFC;

d. NBI Clearance

e. Covering Application Letter

f. Organization's Profile

g. Latest Financial Statement

h. Memorandum of Agreement (MOA) with the landowner and/or u[illegible] the beneficiary association.

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SECTION 5. OBJECTIVES AND RELEASE OF BOND – The objectives of requiring posting of bond are to ensure that originators/mobilizers will perform its duty and to ensure the completion of the project.

SECTION 6. IMPLEMENTING AND MONITORING AGENCY – The Housing, Community Development and Resettlement Department (HCDRD) shall be the implementing agency and in charge of monitoring the compliance of originator/mobilizer to this Ordinance.

SECTION 7. PENALTY CLAUSE – Any private or government mobilizer who violates any provision of this Ordinance shall be fined Five Thousand Pesos (Php5,000. 00).

The fine imposed under this Ordinance must be paid within thirty (30) days, otherwise appropriate case shall be filed in court;

Aside from the fine, the HCDRD shall recommend to the SHFC the revocation/cancellation of its accreditation.

SECTION 8. SEPARABILITY CLAUSE – If for any reason, any part or provision of this Ordinance shall be declared unconstitutional or invalid, either parts or provisions hereof which are not affected thereby shall continue to be in full force and effect;

SECTION 9. REPEALING CLAUSE – All Ordinances or parts thereof, which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

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SECTION 10. EFFECTIVITY CLAUSE – This Ordinance shall take effect upon its approval.

ENACTED: February 24, 2014.

MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

APPROVED: 20 MAR 2014

HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on February 24, 2014 and was PASSED on Third/Final Reading on March 3, 2014.

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

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