

RULES AND REGULATIONS GOVERNING THE BUSINESS OPERATIONS OF APARTMENT-HOTELS (APARTELS) AND TOURIST INNS

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/30ae92f5e986/>

Pursuant to the authority vested in the Department of Tourism by Executive Order No. 120 "To Promulgate Rules and Regulations Governing the Operations and Activities of all Persons, Firms, Entities and Establishments that Cater to Tourists, to Provide Standards for Accreditation of Hotels, Resorts, and Tourist-Oriented Facilities for Classification Purposes, and to Prescribe Rules and Regulations Governing the Issuance of Licenses to Travel Agencies," and the provisions of Presidential Decree Nos. 259 and 1463 not inconsistent with said executive order, the following rules and regulations are hereby promulgated to govern the business and operation of all apartment-hotels (apartels) and tourist inns in the Philippines.

CHAPTER I

Definition of Terms

SECTION 1. Definition — When used in these Rules, the following terms shall, unless the context otherwise indicates, have the following respective meaning:

- a. Apartment-Hotel (Apartel). Any building or edifice containing several independent and furnished or semi-furnished apartments, regularly leased to tourist and travellers for dwelling, on a more or less long-term basis and offering basic services to its tenants, similar to hotels.
- b. Tourist Inn. A lodging establishment catering to transients, which does not meet the minimum requirements of an economy hotel.
- c. Tenant. Any tourist or traveller , including members of his family and domestic helpers, who are registered as paying occupants in an apartment-hotel.
- d. Hotel. Any lodging place as defined and classified in the Hotel Code of 1987.
- e. Department. The Department of Tourism
- f. Secretary. Secretary of Tourism

CHAPTER II

Basic Requirements for Apartment-Hotel (Apartel)

SECTION 2. Requirements for Apartels — For purposes of registration and licensing, the following are the basic requirements for the establishment, operation and maintenance of apartel:

- a. Size: The Apartel shall have at least a minimum of TWENTY FIVE (25) lettable apartments.
- b. Apartment — Each apartment of the apartel shall be provided with living and dining areas, kitchen, and bedroom with attached toilet and bath.
- c. Living Area — The living area shall be provided with essential and reasonably comfortable furniture.
- d. Kitchen — The kitchen shall be spacious, clean, hygienic and adequately equipped with cooking utensils. It shall also be provided with facilities for storage and refrigeration of foods, for disposal of garbage and for

cleaning of dishes and cooking utensils.

e. Dining Area — The dining area shall be spacious and provided with dining table and chairs, including all essential dining facilities, such as, but not limited to plates, spoons and forks, drinking glasses, etc.

f. Toilet and Bathroom — The bathroom shall always be clean and have adequate sanitation and running water.

g. Bedroom — The bedroom shall be spacious and provided with comfortable bed. There must also be provided a closet and a mirror.

h. Linen — The apartel shall have sufficient number of good, clean linen. The linen should be changed regularly.

i. Ventilation — The apartment shall be sufficiently ventilated, and if possible, each bedroom shall be air-conditioned or provided with an electric fan. This requirement shall not be applicable in high altitude areas.

j. Lighting — Lighting arrangements and fixtures in all rooms shall be adequate.

k. Telephone — There shall be a telephone or a “call bell” button.

l. Elevators — An elevator shall be provided for a building of more than three (3) storeys whenever possible.

m. Staff and Services — The staff shall be trained, experienced, courteous and efficient. They shall be provided with smart and clean uniform.

n. Medical Facilities — An emergency clinic stocked with emergency medicines and drugs, to service employees and guests shall be provided. Apartel with more than 100 apartments shall secure the regular services of a house physician.

o. Fire-fighting facilities — An apartel shall provide fire-fighting facilities in accordance with the Fire Code of the Philippines.

p. Lounge and Reception Counter — There shall be a reasonably furnished lounge commensurate with the size of the apartel. The reception counter shall be attended by trained and experienced staff and shall also be provided with a telephone.

q. Security — Adequate security on a 24-hour basis shall be provided on all entrances and exits of the apartel premises.

SECTION 3. Contract of Lease . — Before receiving, harbouring or accepting for lodging any tenant, the apartel shall require the execution of a written Contract of Lease, for the use and occupancy of the apartment. The written contract shall state the length of occupancy which shall not, however, be less than ONE-HALF (1/2) MONTH.

SECTION 4. Rental — The rental agreed upon shall not be increased during the effectivity of the lease contract.

SECTION 5. Water, Electric, Telephone, and Other Services. — Unless otherwise provided in the Lease Contract, water, electric, telephone, gas and other services supplied to the apartment shall be for the account of the tenant. A flat rate shall be charged to tenants staying for less than one (1) month. However, tenants staying for a month or more shall be charged according to their monthly consumption.

SECTION 6. Right of the Tenants — The tenant shall enjoy the peaceful and uninterrupted possession of the apartment during the effectivity of the Contract of Lease. He shall be secured of his person and personal belongings which may have been entrusted to the apartel, during his stay in the apartel.

SECTION 7. Duty and Obligation of the Tenant — The tenant shall strictly comply with the provisions of his Contract of Lease and such reasonable house rules and regulations issued by the apartel and approved by the

Department which shall form part of the Contract of Lease.

SECTION 8. Rights and Obligations of the Apartel — Independently of the rights and obligations of the lessor under the provisions of the Civil Code of the Philippines, the rights of the apartel shall be limited to the enforcement of the Contract of Lease.

The apartel shall have the right to eject the tenant for non-payment of rental and/or repeated violations of the Department's Rules and/or the Lease Contract, and/or House Rules by preventing the tenant to enter his apartment, or using the apartel's facilities, and by refusing to render any services.

Upon prior notice to the tenant concerned, the apartel shall have the right to appropriate for its own use and benefits personal belongings left by the tenants as payments for rental in arrears and/or loss for damages suffered by the apartments provided that proper inventory be made in the presence of local police authorities.

The apartel shall see to it that the tenants shall have a good, peaceful and comfortable lodging during his stay in the apartel.

SECTION 9. House Rules and Regulations — The apartel shall prescribe reasonable house rules and regulations to govern the use of apartment and other facilities of the apartel. Such house rules and regulations, and any amendments thereof, shall be effective upon the approval by the Department.

CHAPTER III

Basic Requirements for Tourist Inns

SECTION 10. Requirements for Tourist Inn — For purposes of registration and licensing, the following are the basic requirements for the establishment, operation and maintenance of a tourist inn:

a. Location — The tourist inn, except those already existing and licensed by the Department of Tourism, shall be located along the principal highways or transportation routes and open to business on a twenty-four hour basis.

b. Bedroom Facilities and Furnishings — All bedrooms shall have attached toilet and bath equipped with 24-hour service of running water. They shall have adequate natural as well as artificial light and ventilation and shall be furnished with comfortable beds and quality furniture (mirror, writing table, chair, closet, dresser per room).

Walls shall be painted, wall papered or architecturally designed, clean and pleasing to the eye. Windows shall be furnished with clean and appropriate draperies. Floor shall be of good flooring materials.

All single bedrooms shall have a floor area of not less than nine (9) square meters and all twin-rooms or double-rooms shall have a floor area of not less than sixteen (16) square meters.

There shall be vacuum jugs or thermos flasks with drinking water with glasses in each bedroom. There shall be adequate supply of good clean, linen, blankets and towels that shall be changed regularly in each occupied room.

c. Facilities — There shall be adequate parking space for vehicles proportionate to the number of lettable rooms and other public facilities of the inn.

There shall be a reception and information counter attended by qualified, trained and experienced staff. There shall be a lobby and a well-appointed lounge for seating and/or reading purposes.

There shall be adequate telephone facilities for the use of all guests at least in all public areas. Services for long distance telephone calls or overseas shall be made available to guests.

There shall be provisions for radios and/or TV sets for the use of guests upon request.

There shall be well-equipped, well-furnished and well-maintained dining room/restaurant for its guests as well as the public in general. A kitchen, pantry and cold storage shall be designed and organized to ensure efficiency of operation and should be well-maintained, clean and hygienic. Washing of cooking utensils, crockery, cutlery, glassware, etc. should be sanitarily done.

Adequate security shall be provided to all guests and their belongings.

Inns with more than fifty (50) lettable rooms shall have emergency power facilities to light the common areas and emergency exits in case of "brown-outs" or power failure.

Adequate fire-fighting facilities shall be available as required and specified by the local fire department in the locality and/or the Fire Code of the Philippines.

CHAPTER IV

Registration and Licensing of Apartment-Hotels (Apartels) and Tourist Inn

SECTION 11. Registration and Licensing Mandatory — No person, natural or juridical, shall keep, manage, or operate any building, edifice or premises, or a completely independent part thereof, for the purpose of an apartel/tourist inn, or engage in the apartel/tourist inn business, without having first secured from the Department a certificate of registration of the establishment, and a valid license to operate the same. Any person, natural or juridical, who, being the owner or occupant of any building, edifice, premises, or a completely independent part thereof, allows the premises to be used as an apartel/tourist inn, without the requisite certificate of registration and license to operate as such from the Department, shall also be guilty of an offense under these Rules.

SECTION 12. Application for Registration and License — Any person, partnership, corporation or other entity desiring to establish, maintain and/or operate an apartel/tourist inn shall accomplish in duplicate and file with the Department the application for registration and license prescribed for such purpose.

SECTION 13. Supporting Documents to be Submitted with Application — Unless otherwise indicated in the form, the application shall be accompanied by two copies of the following documents:

a. In the case of corporation or partnership, a certified true copy of the Articles of Incorporation, its by-laws, or Articles of Partnership and amendments thereof, duly registered with the Securities and Exchange Commission, and Business Name Certificate.

In case of single proprietorship, Business Name Certificate and amendments thereof, if any;

b. Applicant's latest income tax return and audited financial statements, such as profit and loss statements and balance sheets for the preceding year of its operation (not applicable for new apartels and tourist inns);

c. A list of the names of all officials and employees and their respective designations, nationalities, and their home address; and for alien personnel — valid visa, from Commission on Immigration and Deportation and the proper permit from the Department of Labor and Employment;

d. Annual General Liability Insurance for guests in the amount of not less than the following:

Apartel

P 10,000.00

Tourist Inn

10,000.00

e. Schedule of current room rates; and

g. Proof of prior approval from the Philippine Tourism Authority or the Department as the case may be for apartel/tourist inn constructed or established after the effectivity of Presidential Decree No. 381 on January 24, 1974.

SECTION 14. Creation of an Inspection Committee — After the application form has been filed with the Licensing and Accreditation Division, the Department shall create an inspection committee composed of two (2) members from the Department.

SECTION 15. Ocular Inspection of the Apartel/Tourist Inn and its Immediate Premises — Upon receipt of its mission order, the inspection committee shall conduct an ocular inspection of the apartel/tourist inn and its immediate premises for the purpose of determining whether it meets the standards set by the Department for an apartel/tourist inn.

SECTION 16. Validity of Certificate of Registration and License — The certificate of registration of the apartel/tourist inn shall be applied with the Department only once at the start of operation of the apartel/tourist inn. It should only be reapplied for if the apartel/tourist inn has ceased operations for at least six (6) months or if its license has been revoked for some reason or the other. The apartel/tourist inn shall only pay the registration fee once unless it has filed for a reapplication for reasons cited above.

The license to operate the apartel/tourist inn shall be good and valid for a period of one (1) year or until the 30th of September of the year of issuance of license unless sooner revoked by the Department.

SECTION 17. Registration and License Fees — The following schedule of registration and license fees shall be collected from applicants that have complied with the pertinent requirements for registration and licensing:

Registration

License

Tourist Inn

Fee

Fee

With 50 or less lettable rooms

P 500.00

P 300.00

With 51 units but not exceeding 100

750.00

500.00

With more than 100 units

1,000.00

700.00

Apartelle

With 75 or less apartments

P 350.00

P 180.00

With more than 100 to 125 units

1,350.00

180.00

SECTION 18. Renewal of License — Application for renewal of license shall start on September 1 extending up to September 30 of the year of expiry. A surcharge of fifty percent (50%) of the license fees dues shall be imposed upon those who fail to file on time their application for renewal of license; Provided, that upon showing that the failure to file the application on time was due to fraud, accident or excusable neglect, the delay may be excused; Provided, further, that failure to file the application for renewal without just cause may be a sufficient ground for the cancellation of the license; Provided, finally, that failure to submit all the requirements within sixty (60) days from the date of filing may be a ground for imposition of fine and/or non-renewal of license.

SECTION 19. Documents to be Submitted for the Renewal of the License — The application for the renewal of license shall be supported by the following documents:

1. A copy of the amended Articles of Incorporation or Articles of Partnership and By-laws, if applicable;
2. The list and information sheets of additional personnel, if any and any change in the manpower complement;
3. Latest Income Tax Return and Audited Financial Statements; and
4. Proof of renewal of General Liability Insurance.

CHAPTER V

Imposition of Fine, Suspension, Cancellation and/or Non-Renewal of License

SECTION 20. Grounds for the Imposition of Fine, Suspension/Cancellation of License and/or Non-renewal of License — Any of the following acts, omissions or offenses shall be a sufficient ground for the imposition of fine, cancellation of license and/or non-renewal of license:

- a. Making any false declaration or statement or making use of any such declaration or statement or any document containing the same or committing fraud or any act of misrepresentation for the purpose of obtaining the issuance, grant or renewal of any certificate of registration or license;
- b. Failure to comply with or contravene any of the conditions set forth in license;
- c. Failure to meet the standards and requirements for the operation of an apartel/tourist inn, as prescribed in these Rules;
- d. Serious physical injury or loss of life of any guest due to the fault or negligence of any official or employee of the apartel/tourist inn;
- e. Allowing or permitting the apartel/tourist inn, including any of its facilities, to be used for illegal, immoral or illicit activities; and
- f. Violation of or non-compliance with any of the provisions of these Rules, promulgated orders, decisions and circular issued by the Department.

CHAPTER VI

Regulation, Control and Supervision of the Operation of Apartels/Tourist Inns

A. TRANSFER OF LICENSE, CONDITIONS, ETC.

SECTION 21. Transfer of License; Prior Approval of the Department Required — The issuance of license is a matter of privilege and may be issued only to qualified applicants. Accordingly, no apartel/tourist inn owner or operator shall transfer or alienate in any other manner the license of the apartel/tourist inn without the prior approval of the Department.

SECTION 22. Transfer of Ownership — Any transfer of shares in the apartel/tourist inn shall be reported to the Department within ten (10) working days.

SECTION 23. Display of Certificate of Registration and License — The certificate of registration and license shall be displayed in a conspicuous place in the apartel/tourist inn.

SECTION 24. Registry — All apartels/tourist inns shall keep a Registry Book. All guests seeking accommodation in the apartel/tourist inn shall be required to register the following particulars in the Registry Book:

- a. Full name;
- b. Address;
- c. Residence certificate or driver's license or passport indicating the number, date and place of issue.

SECTION 25 Request for Department's Identification Card — The Department Identification Cards shall be issued to employees of apartels/tourist inn's upon request subject to payment of a nominal fee; Provided, That said employees are included in the list of personnel of the apartel/tourist inn concerned.

SECTION 26. Surrender of ID Card — Apartel/tourist inn managers/officers and the other members of the staff

who have ceased to be such shall immediately surrender their ID card to the Department.

B. PERIODIC INSPECTION OF THE APARTEL/TOURIST INN AND ITS IMMEDIATE PREMISES.

SECTION 27. Periodic Inspection of Apartel/Tourist Inn — The Department shall assign two (2) inspectors to conduct periodic inspection of apartels/tourist inns and their immediate premises for the purpose of determining whether they are being kept and/or managed in accordance with the standards set by the Department for the establishment; or whether they are complying with these Rules and circulars issued by the Department.

All inspections shall be covered by mission orders stating therein the scope of authority and such other matters necessary for the purpose.

SECTION 28. Inspection Made at Reasonable Hours of the Day — The inspection shall be conducted at a reasonable time of the day with due regard and respect to the right of privacy of the guests.

SECTION 29. Access of Inspectors to Records and Premises — The inspection team shall have access to the apartel's/tourist inn's records and premises, and the right to copy therefrom, to question any employee and investigate any fact, condition or matter which may be necessary to determine compliance with, or in aid of the enforcement of, any provision of these Rules and circulars issued by the Department.

SECTION 30. Defects and Deficiencies Found during the Inspection — When certain defects or deficiencies have been found in the course of the periodic inspection, the Department shall give directions to the apartel/tourist inn operator or manager to rectify the defects or complete the deficiencies within a period of one (1) week from notice.

SECTION 31. Extension of the Period — The Department may, for just cause, extend the period within which to remedy the defects and deficiencies noted, but in no case shall such period exceed two (2) months.

SECTION 32. Penalty for Failure to Remedy the Defects, etc. — If the apartel/tourist inn management fails to remedy the defects or deficiencies noted, the Department shall impose on the apartel/tourist inn a fine of Fifty Pesos (P50.00) for every delay in complying with his directions, but in no case shall the fine exceed the sum of One Thousand Pesos (P1,000.00); Provided, that where the maximum fine imposable under this Section has been reached and the apartel/tourist inn management has continuously failed to rectify the defects or complete the deficiencies noted, the Department may revoke or suspend the certificate of registration and license of the apartel/tourist inn for such period as may be justified under the circumstances.

C. DISCIPLINE AND TRAINING OF APARTEL/TOURIST INN STAFF; CODE OF ETHICS AND CONDUCT.

SECTION 33. Liability of Apartel/Tourist Inn Keepers/Managers for Acts or Omissions of Apartel/Tourist Inn Employees — Without prejudice to the provisions of existing laws, apartel/tourist inn keepers/managers and their assistants shall be administratively liable for the acts or omissions of any member of the apartel/tourist inn staff committed against any guest of the apartel/tourist inn. They may, however, be exempt from liability if they could establish that they have exercised the diligence of a good father of the family in the supervision of the erring employees, or where the acts or omissions complained of are beyond the control of the apartel/tourist inn keepers/managers or their assistants due to fortuitous event or force majeure.

SECTION 34. Commission of Acts Inimical to the Tourism Industry — Commission by the apartel/tourist inn manager/operator or any member of the apartel/tourist inn staff of any act which works against the interest of the tourism industry shall be sufficient ground for taking disciplinary and/or administrative or legal action against him.

SECTION 35. Code of Ethics and/or Conduct — Apartel/tourist inn owners/keepers/managers and/or associations, if any, shall draft, with the assistance of the Department their respective Code of Ethics and/or Conduct which shall govern their conduct in their dealings with one another and the conduct to be observed by the staff or employee towards each other and/or the guests or tenants of establishment. Such Code of Ethics and/or Conduct shall include the administrative penalties that may be imposed for their violation, such as fine, suspension or dismissal from the services, suspension or revocation of the license of the establishment and other related sanctions. The said Code of Ethics and/or Conduct, once promulgated by the Department, shall become part of these Rules: Provided, that in case of conflict between any provision of these Rules and said Code of Ethics and/or Conduct, the former shall prevail.

SECTION 36. Quasi-Judicial Powers — The Department shall exercise quasi-judicial powers in the resolution of cases filed against apartels/tourist inns and/or their employees in accordance with the Department's rules and procedures governing complaints.

CHAPTER VII

Miscellaneous Provisions

SECTION 37. Confidential Character of Certain Data — Information and documents received by or filed with the Department in pursuance of the requirements of these Rules shall be treated as confidential and shall not be divulged to any private party without the consent of the party concerned or upon the order of the Secretary. Any official or employee of the Department including those that are temporarily assigned therewith who shall violate the provisions of this Section shall be guilty of an offense under these rules.

SECTION 38. Penalties for Violation —

- a. Violation by a Licensee or Holder of Authority. Any person, whether natural or juridical, licensed by the Department to engage in apartel/tourist inn operation, who shall violate or cause another to violate any of the provisions of these Rules, shall, upon conviction by a competent court, suffer the penalty of imprisonment of not less than six (6) months nor more than two (2) years or a fine of not less than TWO THOUSAND PESOS (P2,000.00) nor more than TEN THOUSAND PESOS (P10,000.00), or both, at the discretion of the court. In addition thereto, the license issued by the Department shall be deemed automatically withdrawn and revoked and the surety bond of the offender shall be forfeited in favor of the Department.
- b. Violation by a Non-Holder of Authority. Any person who is not a holder of a license from the Department who shall violate any of the provisions of these Rules or circulars promulgated by the Department shall, upon conviction by a competent court, suffer the penalty of imprisonment of not less than one (1) year nor more than four (4) years or a fine of not less than FOUR THOUSAND PESOS (P4,000.00) nor more than TWENTY THOUSAND PESOS (P20,000.00), or both, at the discretion of the court.
- c. Penalty Imposed upon Officers of Juridical Persons. If the offender is a corporation, partnership, firm or association, the penalty shall be imposed upon the officer or officers who have been responsible for the violation; and if such officer is an alien, he may, in addition, be subject to deportation.

SECTION 39. Administrative Penalties — Without prejudice to the application of penal sanctions provided under Section 38 of these Rules, the Department may impose an administrative fine of not less than ONE THOUSAND PESOS (P1,000.00) nor more than TEN THOUSAND PESOS (P10,000.00) against any person who shall violate or cause another to violate any provision of these Rules or circulars, or suspend or revoke the license of any such person subject to the Department's regulatory jurisdiction.

SECTION 40. Means to Carry into Effect the Purpose, Intent and Spirit of these Rules — If the procedure to be followed in a given situation is not specifically provided for by these Rules, any suitable procedure and mode of

proceeding which appears conformable to the purposes, intent and spirit of these Rules shall be adopted.

SECTION 41. Enlistment of Aid, Assistance and Support of Other Government Agencies — In the implementation of the provisions of these Rules, circulars and enforcement of orders or decisions, the Department may enlist the aid, assistance and support of any and all government agencies, whether civil or military.

SECTION 42. Copy of Rules made Available for Inspection — Every apartel/tourist inn shall keep a copy of these Rules open to inspection whenever any of its guests or employees shall request to be shown a copy thereof.

SECTION 43. Effectivity — These Rules shall take effect fifteen (15) days after their publication in the Official Gazette or in a national newspaper of general circulation.

SECTION 44. Separability Clause — The provisions of these Rules are hereby declared separable, and in the event that anyone or more of such provisions are declared invalid, the validity of all other provisions shall not be affected thereby.

SECTION 45. Repeal — All existing Rules and Regulations or circulars issued by the defunct Board of Travel and Tourist Industry or previously issued by the Department and other government agencies or entities on the operation of apartment-hotels and tourist inns, as well as municipal or city ordinances or part or parts thereof which are inconsistent with the provisions of these Rules are hereby repealed and or modified accordingly.

Adopted: 1 March 1989

Re-Issued: 9 Jan. 1991

(SGD.) JOSE ANTONIO U. GONZALEZ

Secretary

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.