

LETTER OF INSTRUCTIONS NO. 705, June 10, 1978

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TO:

Secretary of Agrarian Reform
President, Land Bank of the Philippines
All Concerned

WHEREAS, the homelot actually occupied by the tenant-farmer beneficiary is considered under Section 24 of Republic Act No. 3844, as amended, included in the leasehold and, therefore, is an integral part of his farm and is an indispensable factor in his farm operation;

WHEREAS, the farms transferred or to be transferred to tenant-farmer beneficiaries of the Land Transfer Program under Presidential Decree No. 27 usually do not include homelots occupied or used by said beneficiaries for residential purposes; and

WHEREAS, there is now a necessity to issue guidelines for the acquisition and transfer of homelots to the tenant-farmer beneficiaries of Presidential Decree No. 27;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby order and direct the transfer of the homelots actually occupied by tenant-farmers who are, or may be, beneficiaries of the Land Transfer Program under Presidential Decree No. 27 subject to the following guidelines:

- If the homelot is located inside or outside the farmlot of the tenant-farmer beneficiary but on the same landholding of the landowner, the price of the homelot shall be computed on the basis of the price of the farm-lot transferred or to be transferred to such tenant-farmer under the provisions of Presidential Decree No. 27. The same rule shall apply if the homelot is located in another parcel of land belonging to the same landowner, or in which the same landowner has an interest in fee simple, but within reasonable distance or in the vicinity of the farmlot transferred to the tenant-farmer beneficiary.
- If the homelot occupied, by the tenant-farmer beneficiary is far from his farmlot, although owned by the same landowner, or even if within the same vicinity of the farmlot but owned by another person, the price of the homelot shall be agreed upon between the tenant-farmer and the landowner: Provided, That the price shall not be more than the valuation under the pertinent provisions of Presidential Decree No. 76, as amended.
- In case of disagreement, the Department of Agrarian Reform may, upon written request of the tenant-farmer beneficiary, acquire or expropriate said homelot for resale at cost to the latter in accordance with, the provisions of Republic Act No. 3844, as amended, Presidential Decree No. 76, Presidential Decree No. 251, as amended, and other applicable pertinent laws.
- Pending the acquisition of the homelot, the tenant-farmer shall not be removed, ejected or ousted therefrom and his peaceful possession thereof shall be preserved and maintained at all times.

Done in the City of Manila, this 10th day of June in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS

President of the Philippines

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