

AN ACT CREATING THE CEBU EMPLOYEES, LABORERS, FISHERMEN AND PEASANTS HOUSING CORPORATION.

REPUBLIC ACT NO. 2013, June 22, 1957

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. There is created a public corporation to be known as the Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation, which shall be a corporate body in deed and in law, and as such, is endowed with the attribute of perpetual succession and possessed of the powers which pertain to public corporations, to be exercised in conformity with the provisions hereof. It shall have its central office in the City of Cebu.

SEC. 2. The purposes for which the Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation is created are:

- The acquisition, development, improvement, construction, leasing and selling of lands and buildings or any interest therein in the City of Cebu and populous towns of said province, with the object of providing decent housing for those employees, laborers, fishermen and peasants, who may be found unable otherwise to provide themselves therewith;
- The promotion of the physical, social, and economic betterment of the inhabitants of the City of Cebu and populous towns of the Province of Cebu, by eliminating therefrom slums and by providing homes at low cost to replace those which may be so eliminated; and
- The provision of community and institutional housing for destitute individuals and families and for paupers.

SEC. 3. The Corporation shall have the power to adopt a common seal and alter the same at pleasure, to contract and be contracted with, to sue and be sued, and to prosecute and defend to final judgment and execution, in the exercise of its powers herein granted. The Corporation shall also own the real properties which, by virtue of this Act, will be conveyed to it.

SEC. 4. The Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation shall have the power to take, acquire, purchase, receive, and hold personal and real property by lease, purchase, expropriation, or otherwise, and to sell, mortgage, let, demise, convey, exchange, lend and otherwise dispose of real and personal property, for cash, by installment contract, or otherwise; to solicit, receive and disburse loans and grants of money and property from the Government or from private individuals; to apply any profit or capital recoveries which are created; to select after investigation the individuals and families who are to occupy or acquire lots and houses at the disposal of the Corporation; to enter into or execute contracts as may be considered convenient and advantageous to the Corporation and for the purpose of carrying on its business and of attaining or furthering any of its objects; to perform any and all acts which a co-partnership or natural person is authorized to perform under the laws existing or which may be hereafter enacted, and to adopt or promulgate such rules and regulations as may be necessary to carry out the purposes of this Act.

SEC. 5. The Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation shall exercise its corporate powers, perform its duties, and carry out its purposes through a Board of Directors and its executive officers

hereinafter specified and such additional officers, employees, and agents as may be authorized from time to time by the Board of Directors with the approval of the President. The Board of Directors of the Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation shall consist of a chairman, and four members to be appointed by the President of the Philippines, with the consent of the Commission on Appointments. The members of the Board of Directors shall hold office for five years. When the members of the Board of Directors first appointed hereunder shall have assumed office, the President shall designate in writing within thirty days of notification of their assumption of office the members who are to serve one, two, three, four and five years, respectively, and their terms shall expire in accordance with such designation. Thereafter, the person appointed to succeed a member of the Board of Directors whose term of office shall have expired by reason of such designation shall continue to serve for the full five-year term, and except in the case of vacancies caused otherwise than by the expiration of the term, only one member shall be appointed to the Board of Directors each year. In the event of a vacancy, the successor appointed to fill the same shall serve only the unexpired portion of the term of the member he succeeds.

Unless holding other office in the Government or a position with fixed compensation in any government corporation or instrumentality, the chairman of the Board of Directors shall receive, for each meeting of the Board which he attends, a per diem of fifteen pesos, and each member shall receive a per diem of ten pesos.

SEC. 6. The chairman shall preside over the meetings of the Board of Directors and perform such other duties as may be assigned to him by said Board. A vice-chairman may be designated by the President to act in case of the absence or disability of the chairman.

SEC. 7. The Board of Directors shall, with the approval of the President of the Philippines, appoint and fix the salary of a manager, who shall be the chief executive officer of the Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation, and under the direction of the Board of Directors, shall be responsible for carrying out the orders, resolutions, ordinances, rules and regulations of the Board. The Board may suspend, and, with the approval of the President, remove the manager.

The Board of Directors shall likewise appoint and fix the salary of a secretary-treasurer, and define his powers and duties.

The Board of Directors may adopt and publish, with the approval of the Economic Coordinator, such by-laws as it may deem convenient to regulate its procedure.

SEC. 8. The Board of Directors shall, with the approval of the Economic Coordinator, fix the compensation of all other officers, employees, and agents of the Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation. The manager shall appoint them in accordance with the Civil Service Law and the Salary Law: Provided, however, That agents, performing occasional services and handling commercial activities for the Corporation, and not regularly employed, shall not be subject to the limitations nor entitled to the benefits applicable to the Civil Service.

SEC. 9. If the volume of work of the Corporation shall require the assignment of one or more full-time representatives of the provincial auditor of Cebu to serve with the Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation, the compensation of such representative shall be paid by the Corporation.

SEC. 10. The provincial fiscal shall be the attorney for the Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation, and may designate or authorize any of his assistants to represent the Corporation in matters requiring the services of an attorney-at-law.

SEC. 11. Whenever the Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation shall certify to

the President of the Philippines that it is to the public interest to expropriate private lands in the city or populous towns of Cebu or adjacent thereto for the purpose of subdividing the same into small lots and leasing and selling the lots to individuals, the President may authorize the Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation to exercise the right of eminent domain, the land to be expropriated immediately, upon deposit with the court of an amount equal to the assessed value of such land, as declared by the owner and approved by the provincial assessor, in accordance with the provisions of laws.

SEC. 12. In computing the cost of the lots to be leased or sold to individuals under the authority of the next preceding section, the following expenditures may be taken into account:

- Aggregate cost of acquisition of the land from the private owner, including expenses of the expropriation proceedings and appraisals;
- Cost of subdivision survey;
- Cost of development expenses for filling, construction of streets, curves, and side-walks, drainage, clearing, and other public works which enhance the value of the land; and
- Cost of improvement acquired incidental to the acquisition of the land.

If the land acquired be of varying character and value, the aggregate cost of acquisition shall be distributed equitably by the Board of Directors among the various sections or lots. The cost of areas set aside for streets, parks, community centers, and other public uses primarily for the benefit of the individual lots shall likewise be equitably allotted to the cost of the lots.

SEC. 13. Pending the sale to individuals of land acquired by expropriation under authority hereof, the Board may dispose of unsold lots by lease.

SEC. 14. The Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation is empowered to take title to, develop, administer, and dispose of by sale or lease any portion or portions of the public domain designated for residential use, pursuant to the provisions of sections seventy-one to eighty-two, inclusive, of the Public Land Act, and other applicable provisions of said Act.

SEC. 15. When the Corporation shall have available and reasonable number of dwelling places under its control, it shall have the power from time to time, after due investigation, to declare specified area a slum area, and to take measures to eliminate or improve unsatisfactory conditions obtaining in such slum areas.

SEC. 16. The order of the Corporation declaring a slum area must be by virtue of a finding of facts that the living conditions prevailing in the specified slum area are unhygienic or unsanitary to a degree which renders same to the health and welfare of the inhabitants of such area and its environs, which finding of facts shall be recited in the order. The order shall specify the boundaries of the slum area by reference to known streets or public places, or by other metes and bounds, and shall annex thereto a plan clearly showing the location of the slum area. Said order shall be published twice in the Official Gazette for two consecutive weeks and copies thereof posted in four conspicuous places on or adjacent to the slum area and at the municipal building of the city or municipality in which the slum area is situated. Copies of the order shall also be left at each dwelling house in the slum area and an effort made to serve copies on the owners of the land embraced in the slum area. But failure to leave or serve such copies shall not vitiate the proceedings hereunder. For a period of thirty days after such posting and publication, any party may object to the order declaring a slum area, and shall be given an opportunity within a period specified in the order to be heard by the Corporation. The Corporation may eliminate a portion of the slum area or otherwise modify its order as a result of objections presented, or refuse to reconsider its order. In the latter case, the person objecting may appeal from the order of the Corporation to the President of the Philippines within

ten days of the date of the Corporation's decision, by filing his appeal with the Corporation. The Corporation shall forthwith transmit the appeal with its views to the President, whose decision thereon shall be final. An objection or appeal hereunder shall not stay the Corporation from proceeding under this Act with respect to the land or buildings of those not appealing.

SEC. 17. When an order declaring a slum area shall have become effective, the Corporation shall have concurrent jurisdiction with the government of the city or municipality in which the slum is situated to adopt building and sanitary regulations with the same powers as such city or municipality might have with respect thereto; but such regulations shall in general follow the existing ordinances if an adequate and sanitary building code or regulations be enforced, and shall not be less exacting than those of the municipalities concerned. In case of conflict, the President of the Philippines shall determine which regulations shall prevail.

SEC. 18. The Corporation may declare its jurisdiction over a slum area terminated, if in its opinion, its purposes have been accomplished therein, but may subsequently declare such area or portion thereof a slum area should conditions again justify the same.

SEC. 19. The Corporation shall exercise the following powers and authority over duly declared slum areas:

- To prohibit the owner or agent of a parcel of land to use, or to rent to, or permit its use by others, for any building which the Corporation may declare to be unfit for use or habitation because of being unhygienic, unsanitary, dangerous to life or property, or of a type or character prohibited by the sanitary or building regulations of the Corporation or of the city or municipality in which it is situated;
- To prohibit the owner or agent of a parcel of land to use, to rent to, or permit its use by others for more buildings or dwellings than permitted by ordinance or regulations, and to prohibit the owner or agent of a house abutting on a private alley to use, to rent to, or permit its use for a building, unless (1) the site is provided with adequate surface drainage by means of concrete, tile, metal or masonry canals, gutters, or pipes emptying into a public drain, estero or other suitable body of water so as to prevent the accumulation or stagnation of water on the site or lot and unless (2) each dwelling abuts upon a public interest of alley or on a private alley having the minimum width herein after prescribed, so constructed, and maintained with stone, gravel, cinders, bricks, cement, or other equally suitable materials, that surface water will flow there from and that garbage collectors and others rendering public service may conveniently pass thereon. The minimum width for public and private streets and alleys for the purpose of this Act shall be three meters when the length thereof does not exceed thirty meters or the length thereof between intersecting streets or alleys does not exceed fifty meters. In all other cases the minimum width shall be five meters;
- To cause any building deemed unfit for use or habitation for the causes stated in paragraphs (a) and (b) of this section to be demolished at the cost and expense of the owner, unless the same be brought in conformity with the requirements of the Corporation within a reasonable time, which shall be not less than fifteen days from the date of the order of the Corporation declaring said building to be unfit;
- To defray the cost of the demolition if the owner of the building fails or refuses to demolish the same or to bring it into such, conformity in due time, or to defray the cost of such demolition from the value of any salvaged materials resulting from the demolition of the building;
- To pay to the owner of a building demolished by virtue of this section such amount as the Corporation may determine to be just but not exceeding the assessed value of the building, when in the opinion of the Corporation, such payment will be less expensive and will be more apt promptly to accomplish the purposes of this Act than the withholding of such payment, and may stipulate how such payment shall be applied to further the purposes of this Act, including the application to arrears in rental due to the owner of the land when the building is owned by a tenant, when the Corporation is able to supply the dispossessed tenant with other housing suitable to his income and is satisfied that the owner

of the land is fully cooperating in the Corporation's program of slum clearance;

- When the owner or agent of a property or properties has been notified under this section to bring the same in conformity with the requirements of the Corporation and fails or neglects to do so within the time stipulated in the order of the Corporation, the Corporation may, in its discretion, cause the work to be done which it deems necessary to bring the property or properties in conformity with the requirements of the Corporation and the cost thereof plus a surcharge of not to exceed ten per centum for overhead expense, shall be lien against the property affected superior to all other liens except tax liens, and the Corporation may proceed against the owner or against the property or both simultaneously, to recover such cost and surcharge. The power of the Corporation to bring a property in conformity with its requirements includes the power to repair or remodel existing structures when the cost thereof does not exceed fifteen per centum of the assessed or reasonable market value, whichever is the lesser. Should the owner make a showing to the Corporation that his failure or neglect to bring the property in conformity with the requirements of the Corporation is due to his lack of means, the Corporation may, in its discretion, authorize reimbursement of the cost and surcharge incurred by it hereunder over a period of years, with interest not exceeding six per centum per annum;

- Should any person do or refrain from doing any act or thing in violation of any municipal or city ordinance or order of the Corporation, the Corporation may apply to the Court of First Instance for an order enjoining the person against doing or ordering him to do the act or thing complained of, and if upon due hearing order, and in such case the sheriff or any officer to be justified, it shall issue and enforce the corresponding order, and in such case the sheriff or any officer of the Corporation appointed by the Court in lieu of the sheriff shall enforce such order of the Court. In such cases the applicable provisions of the Rules of Court shall be availed of; and

- Should the order of the Corporation involve the filling of the lowlands in the city or any populous town of Cebu, the owner of the land or the Corporation may avail themselves of the provisions of Act Numbered Thirty-three hundred and fifty-two, as amended, known as the Lowland Improvement Act, and upon petition of the Corporation, or at the request of the owner made within fifteen days after receipt of an order of the Corporation requiring the filling of his land, the Mayor concerned shall, if there be sufficient money available for expenditure in the fund created by said Act, condemn the land complained of and require that it be filled pursuant to said Act.

SEC. 20. The officers and employees of the Corporation shall have the same right of entry into private premises and other police powers as officers and employees of the Bureau of Health, or of the Health Department of the City of Cebu.

SEC. 21. Any person who shall fail or neglect to carry out the lawful orders of the Corporation issued pursuant to section nineteen hereof, or who shall violate any sanitary or building regulation promulgated by the Corporation shall be punished for each offense by a fine of not more than two hundred pesos, or by imprisonment of not more than two months, or by both.

SEC. 22. The Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation may appropriate available funds under its control for the use of the city or municipal government whenever the local revenues are deemed insufficient to maintain the standard of public services deemed appropriate for the accomplishment of the purposes of this Act within the areas controlled by the Corporation. In the case of the lease of lots or houses in cities or towns which furnish suitable public services and assume the cost of maintaining streets and other public works, the Corporation may include in the rental rate an amount equal to the real estate taxes which would accrue were the property privately owned, and turn over the same to the local government concerned.

SEC. 23. The Corporation shall commence its activities under this Act in the City of Cebu and its environs, but shall promptly undertake technical investigations to determine the extent of slum conditions in other populous towns of Cebu and make an estimate of the cost of extending its activities thereto when funds and personnel are

made available therefor. Report of the Corporation's investigations and estimates shall forthwith be submitted to the President of the Philippines and to the Congress of the Philippines with its recommendations in the premises.

SEC. 24. There is appropriated out of any funds in the National Treasury, not otherwise appropriated, the sum of five million pesos in order to enable the Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation to accomplish its purposes and objects as set forth in this Act: Provided, That the sum herein appropriated shall not be paid to said Corporation except upon order of the President of the Philippines, who may require that such payment be made in full or in installments, in his discretion.

SEC. 25. All moneys received or collected by the Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation from its operations shall accrue to, and form part of, its fund and be available for appropriation by said Corporation.

SEC. 26. The corporate existence of the Cebu Employees, Laborers, Fishermen and Peasants Housing Corporation shall commence upon the date when a majority of the members of the Board of Directors shall have taken their oaths of office.

SEC. 27. This Act shall take effect upon its approval.

Approved, June 22, 1957.

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