

PROHIBITING THE EVICTION OF OCCUPANT FROM LAND IDENTIFIED AND PROCLAIMED AS AREAS FOR PRIORITY DEVELOPMENT (APD) OR AS URBAN LAND REFORM ZONES AND EXEMPTING SUCH LAND FROM PAYME...

PRESIDENTIAL DECREE NO. 2016, January 23, 1986

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WHEREAS, the Constitution of the Philippines provides that the "state shall undertake an urban land reform and social housing programs to provide deserving landless or inadequately-sheltered low-income resident citizens reasonable opportunity to acquire land and decent housing;"

WHEREAS, Presidential Decree No. 1517 dated 11 June 1978 instituted a nationwide urban land reform program and provided for the identification and proclamation of Urban Land Reform Zone;

WHEREAS, Proclamation No. 1810 dated 22 December provides that areas identified as projects for development under the Zonal Improvement Program for Metro Manila and the Slum Improvement and Resettlement Program for regional cities shall become Urban Land Reform Zones;

WHEREAS, Proclamation No. 1967 dated 14 May 1980 specify 244 sites in Metro Manila as Areas for Priority Development and Urban Land Reform Zones;

WHEREAS, notwithstanding the above-mentioned presidential issuances relating to the institution of urban land reform and its implementing machinery, resident families in Areas for Priority Development or Urban Land Reform Zones are being evicted from such land in violation of Section 6 of the Urban Land Reform Law which provides that qualified families within Urban Land Reform Zone "shall not be dispossessed of the land and shall be allowed the right of first refusal to purchase the same;"

WHEREAS, landowners of the above-cited land are able to go around Section 6 of the Urban Land Reform Law by offering to sell the land to occupant families at a very high price which is beyond the occupant's capacity to pay and subsequently evicting them for failure to exercise their option to buy the said land thus, rendering the Urban Land Reform Law inoperative and of no consequence.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order, decree and make as part of the law of the land:

SECTION 1. Any slum or similarly depressed community identified and proclaimed as an Area for Priority Development or an Urban Land Reform Zone or is a project for development under the Zonal Improvement Program (ZIP) in Metro Manila and the Slum Improvement and Resettlement (SIR) Program for regional cities shall be under the coverage of the Urban Land Reform Law and the land tenure and other tenancy issues in such areas shall be governed by the provisions of the said law.

SEC. 2. No tenant or occupant family, residing for ten years or more reckoned from the date of issuance of Presidential Decree No. 1517 otherwise known as the Urban Land Reform Law, in land proclaimed as Areas for Priority Development or Urban Land Reform Zones or is a project for development under the ZIP in Metro

Manila and the SIR Program in the regional cities shall be evicted from the land or otherwise dispossessed.

SEC. 3. Privately-owned land which has been identified and proclaimed as an Area for Priority Development or Urban Land Reform Zone or is a project for development under the ZIP in Metro Manila and SIR Program for the regional cities shall be exempt from the payment of real estate taxes.

SEC. 4. The National Housing Authority under the supervision of the Ministry of Human Settlements and in coordination with municipal or local governments shall review and invalidate the list of identified Areas for Priority Development or Urban Land Reform Zones in Metro Manila and other regional cities through actual physical and environmental survey of each identified site. The updated list of identified sites shall, with the concurrence of the municipal or city government, be submitted to the NHA Board of Directors or recommendation and proclamation as Areas for Priority Development for Urban Land Reform Zones. The National Housing Authority in coordination with the local government shall likewise constitute a list of slums or depressed communities which can be proclaimed as Areas for Priority Development or Urban Land Reform.

SEC. 5. The National Housing Authority, as lead agency of the national government in the implementation of housing developments for marginal and low income families, shall upon the identification and proclamation of a depressed community as an Area for Priority Development or an Urban Land Reform Zone, include the same in its list of pipeline projects for development under the Zonal Improvement Program for Metro Manila or the Slum Improvement and Resettlement Program for regional cities. The National Housing Authority shall likewise officially inform the owners of the land if it is privately-owned or the proclamation of the area as Area for Priority Development or Urban Land Reform Zone and initiate discussions on the programmed acquisition of the land in accordance with existing laws.

SEC. 6. Pending acquisition of the land by the National Housing Authority as provided in Section 5 above, each qualified occupant family shall pay the owners of the land a reasonable amount as occupancy fee, such amount to be determined through negotiations between the occupant families and the owner under the supervision of the National Housing Authority. For this purpose, the National Housing Authority shall be the designated representative or Administrator of the government for land owned by it or land classified as public.

SEC. 7. The National Housing Authority shall for the purposes of this Decree, conduct a census of all families residing in proclaimed Areas for Priority Development or Urban Land Reform Zones which census shall be the basis for determining the priority of award of homelots to occupant families.

SEC. 8. The General Manager of the National Housing Authority shall formulate the rules and regulations for the implementation of this Decree which rules and regulations shall be approved by the NHA Board of Directors.

SEC. 9. All laws, decrees, executive orders, rules and regulations inconsistent herewith are hereby repealed, amended or modified accordingly.

SEC. 10. If for any reason, any section or provisions of this Decree is declared to be unconstitutional or invalid, the other provisions hereof not affected shall continue in full force and effect.

SEC. 11. This Decree shall take effect immediately.

Done in the City of Manila this 23rd day of January in the Year of Our Lord, nineteen hundred and eighty-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA

Presidential Executive Assistant

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