AMENDMENTS TO THE IMPLEMENTING RULES AND STANDARDS OF PD 957 AND BP 220 (BOARD RESOLUTION NO. R-578 AND R-579, S. 1995)

HLURB ADMINISTRATIVE ORDER NO. 03, S. 1996, March 05, 1996

Read online (full-text search, related cases, audio case brief): https://batas.org/library/d92b2c8e62e6/

Please be advised that pertinent portions of:

1. Resolution No. R-578, dated 09 October 1995, Amending the Rules Implementing the Subdivision Buyer's Protective Decree and Other Related Laws (Annex A[**]), were published in Today on 20, 22 and 24 February 1996 and in Malaya on 26 and 28 February and 01 March 1996. In accordance with PD No. 957, said amendments shall take effect immediately after the last publication on 01 March 1996.

2. Resolution No. R-579, dated 09 October 1995, Amending the Rules and Standards for Economic and Socialized Housing Projects to Implement Batas Pambansa Blg. 220 (Annex B), were likewise published on the above dates and in said newspapers. Pursuant to BP Blg. 220, the amendments shall take effect thirty (30) days after the last publication or on 31 March 1996.

The amended rules shall apply to all applications filed and received on said effectivity date and thereafter.

For your guidance and information.

Adopted: 05 March 1996

(SGD.) ERNESTO C. MENDIOLA
Commissioner and Chief Executive Officer

ANNEX "B"

BOARD RESOLUTION NO. 579
SERIES OF 1995

AMENDING THE RULES AND STANDARDS FOR ECONOMIC AND SOCIALIZED HOUSING PROJECTS TO IMPLEMENT BATAS PAMBANSA BLG. 220

WHEREAS, the Housing and Land Use Regulatory Board is vested with rule-making and standard setting functions under Executive Order No. 648 series of 1981 as amended by Executive Order No. 90 series of 1986;

WHEREAS, the powers of the Housing and Land Use Regulatory Board to approve subdivision plans has been devolved to cities and municipalities pursuant to RA 7160 yet EO 71, series of 1993 stipulates that the exercise of such devolved power shall be in accordance with the implementing rules and standards of BP 220 and other related laws as promulgated by HLRB;

WHEREAS, there is an apparent need to simplify the existing rules and standards to provide an easier reference for Local Government Units in processing subdivision plans and encourage more active participation from the private sector; and

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

WHEREAS, there is an urgency to harmonize certain rules and standards with emergent development needs and trends and concomitant policies and programs;

WHEREFORE, be it RESOLVED as it is hereby RESOLVED that the Rules and Standards for Economic and Socialized Housing Projects and other Related Laws be revised as follows:

REVISED RULES AND STANDARDS FOR ECONOMIC AND SOCIALIZED HOUSING PROJECTS TO IMPLEMENT BATAS PAMBANSA BLG. 220

RULE I
GENERAL PROVISIONS

SECTION 1. Scope of Application — These rules and standards shall apply to the development of economic and socialized housing projects in urban and rural areas as defined in Section 2 of BP Blg. 220. They shall apply to the development of either a house and lot or a house or lot only. IF THE PROJECT DOES NOT INCLUDE HOUSING COMPONENT, SALEABLE LOTS SHALL BE FOR SINGLE DETACHED ONLY WITH MINIMUM LOT SIZE OF 72 SQ.M. AND ITS COST IS 40% OF ALLOWABLE MAXIMUM SELLING PRICE PER THE UNIFIED HOME LENDING PROGRAM [UHLP].

These rules and standards shall also apply in the case of individual lot owner who belong to the category of average or low income earners as defined in BP Blg. 220 and who shall cause the construction of their houses after the effectivity of these Rules.

SECTION 2. Declaration of Policies — It is a policy of the government to promote and encourage the development of economic and socialized housing projects, primarily by the private sector in order to make available adequate economic and socialized housing units for average and low-income earners in urban and rural areas.

RULE II
DEFINITION OF TERMS

SECTION 3. As used in these rules, the following words and phrases are defined and understood to have the meaning correspondingly indicated therein.

a. ALLEY — A public way intended to break a block and to serve both pedestrian and emergency vehicles, both ends always connecting to streets.

b. BLOCK — A parcel of land bounded on the sides by streets or alleys or pathways or other natural or man-made features, and occupied by or intended for buildings.

c. BOARD — shall mean the HOUSING AND LAND USE REGULATORY BOARD (formerly the HUMAN SETTLEMENTS REGULATORY COMMISSION).

d. CLUSTER HOUSING — A single-family detached dwelling containing three or more separate living units grouped closely together to form relatively compact structures.

e. COMMUNITY — Facilities or structures intended to FACILITIES serve common needs and for the benefit of the community, such as: neighborhood/multi-purpose center, drugstore, school, livelihood center, AND THE LIKE.

f. DWELLING — A building designed or used as residence for one or more families.

1. DWELLING TYPES

SINGLE DETACHED — a dwelling for one family which is completely surrounded by permanent open spaces,

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

with independent access, services, and use of land.

SINGLE ATTACHED/SEMI-DETACHED/DUPLEX — a dwelling containing two or more separate living units each of which is separated from another by party or lot lines walls and provided with independent access, services, and use of land. Such dwelling shall include duplexes, quadruplex or terraces, and cluster housing.

ROW HOUSE — A single-attached dwelling containing three or more separate living units designed in such a way that they abut each other at the sides, as in a row, and are separated from each other by party walls; provided with independent access, and use of land. THERE SHALL BE A MAXIMUM OF TWENTY (20) UNITS BUT IN NO CASE SHALL THIS BE BEYOND ONE HUNDRED (100) METERS IN LENGTH.

MULTI-FAMILY DWELLING — a dwelling on one lot containing separate living units for 3 or more families, usually provided with common access, services, and use of land.

2. LEVEL OF COMPLETION

SANITARY CORE — A BASIC MINIMUM SANITARY FACILITY WHICH MAY OR MAY NOT INCLUDE WALL ENCLOSURES BUT SHOULD INCLUDE THE FOLLOWING FEATURES:
a. A SYSTEM OF HUMAN WASTE DISPOSAL ACCEPTABLE TO THE DEPARTMENT OF HEALTH OR OTHER PROPER REGULATORY ENTITY

b. ROUGHING-INS FOR SANITARY AND WATER LINES

c. SLAB FOR TOILET AND BATH

COMPLETION OF THE SANITARY CORE AND CONSTRUCTION OF THE DWELLING UNIT MAY BE DONE THROUGH SELF-HELP BY THE BENEFICIARY.

HOUSING CORE — A RIGID AND STURDY SKELETAL STRUCTURE THAT IS DESIGNED TO BE IMPROVED AND COMPLETED INTO A HABITABLE DWELLING UNIT BY THE OWNER USUALLY THROUGH SELF-HELP.

STRUCTURAL OR ARCHITECTURAL DESIGNS MAY VARY IN EACH REGION OWING TO PHYSICAL, CLIMATIC AND CULTURAL DIFFERENCES BUT FOR THE PURPOSE OF STANDARDIZING THE MINIMUM PROVISIONS FOR A HOUSING CORE, THE FOLLOWING COMPONENTS SHALL BE INCLUDED AS PART THEREOF, IN ADDITION TO THE PROVISIONS OF THE SANITARY CORE:

a. STRUCTURAL FRAMEWORK AND SUPPORTS

b. ROOFING

c. PARTY WALLS FOR DUPLEX (SEMI-DETACHED) AND ROW HOUSE (ATTACHED) TYPES OF UNIT

SHELL HOUSE — A HABITABLE DWELLING UNIT WHICH MET THE MINIMUM REQUIREMENTS FOR A HOUSING CORE WITH THE FOLLOWING ADDITIONAL COMPONENTS BEING INCLUDED AS PART THEREOF:

a. ALL EXTERIOR WALLS TO ENCLOSE THE UNIT

b. OPENINGS FOR DOORS AND WINDOWS

c. PLUMBING FIXTURES TSDHCc

d. ELECTRICAL WIRING WITHIN THE UNIT

e. FLOOR

COMPLETE HOUSE — A HABITABLE DWELLING UNIT WHICH MET THE MINIMUM REQUIREMENTS FOR A SHELL HOUSE WITH THE FOLLOWING ADDITIONAL COMPONENTS BEING INCLUDED AS PART THEREOF:

a. ALL WINDOWS AND DOORS

b. PARTITION WALLS FOR SEPARATING FUNCTIONAL AREAS

g. ECONOMIC AND SOCIALIZED HOUSING — A type of housing project provided to moderately low income families with lower interest rates and longer amortization periods.

h. FIREBLOCK — Any wall which separates two abutting living units so as to resist the spread of fire. Such wall shall be of masonry construction e.g., cement hollow blocks, bricks, reinforced concrete, etc. at least 4" thick, and shall extend throughout the whole length of the living units and from the lowest portion of the wall adjoining the living units up to the point just below the roof covering or purlins. IT SHALL HAVE A MINIMUM FIRE RESISTIVE TIME RATING OF ONE (1) HOUR.

i. FIRE RESISTIVE TIME PERIOD RATING — Fire resistive time period is the length of time a material can withstand being burned which may be one-hour, 2-hours, 3-hours, 4-hours, OR MORE.

j. FIREWALL — A fireblock which extends vertically from the lowest portion of the wall which adjoins the 2 living units up to a minimum height of 0.30 meter above the highest portion of the roof attached to it; the firewall shall also extend horizontally up to a minimum distance of 0.30 meter beyond the outermost edge of the abutting living units.

k. FRONTAGE — That part or end of a lot which abuts a street.

l. LIVING UNIT — A dwelling, or portion thereof, providing complete living facilities for one family, including provisions for living, sleeping, cooking, eating, bathing and toilet facilities and laundry facilities, the same as a single family-dwelling.

m. LOT — A portion of a subdivision or any parcel of land intended as a unit for transfer of ownership or for building development.

n. LOT LINE WALL — A wall used only by the party upon whose lot the wall is located, erected at a line separating two parcels of land each of which is a separate real estate entity.

o. OCCUPANCY — The purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use. Change of occupancy is not intended to include change of tenants or proprietors.

p. OPEN SPACE — Shall refer to areas allocated for the following purpose:

— Circulation

— Community facilities

— Park/Playground

— Easements

— Courts

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

q. PARTY WALL — A wall used jointly by two parties under easement agreement, erected upon a line separating two parcels of land each of which is a separate real estate.

r. PARK/PLAYGROUND — That portion of the subdivision which is generally not built on and intended for passive or active recreation.

s. PATHWALK/FOOT PATH — A public way intended for pedestrian to provide access to adjacent streets or property with maximum length of 50 meters.

t. TECHNICAL REQUIREMENTS — Shall refer to the set of documents required by the BOARD for the processing and approval of economic and socialized housing projects including systems and procedures for the implementation and enforcement of BP 220.

RULE III
MINIMUM DESIGN STANDARDS AND REQUIREMENTS FOR ECONOMIC AND SOCIALIZED HOUSING

SECTION 4. Compliance with standards required — Development of economic and socialized housing project shall be in accordance with the minimum design standards herein set forth.

SECTION 5. Basis and objectives of the minimum design standards — The minimum design standards set forth herein are intended to provide minimum requirements within the generally accepted levels of safety, health and ecological considerations. Variations, however are also possible, as may be based on some specific regional, cultural and economic setting, e.g., building materials, space requirement and usage. This minimum design standards encourages the use of duly accredited indigenous materials and technology such as innovative design and systems, modular systems and components among others. The parameters used in formulating these Design Standards are:

A. PROTECTION AND SAFETY OF LIFE, LIMB, PROPERTY AND GENERAL PUBLIC WELFARE.

B. BASIC NEEDS OF HUMAN SETTLEMENTS, ENUMERATED IN DESCENDING ORDER AS FOLLOWS:

1) Water

2) Movement and Circulation

3) Storm drainage

4) Solid and Liquid Waste Disposal

5) Power

6) Park/playground

The provision of these basic needs shall be based on the actual setting within which the project site is located.

C. AFFORDABILITY LEVELS OF TARGET MARKET

AFFORDABLE COST — REFERS TO THE MOST REASONABLE PRICE OF LAND AND SHELTER BASED ON THE NEEDS AND FINANCIAL CAPABILITY OF PROGRAM BENEFICIARIES AND APPROPRIATE FINANCING SCHEMES (RA 7279).

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

D. LOCATION

The actual setting of project site shall determine the type and degree of development AS BASIS FOR DETERMINING ELECTRICITY AND WATER SUPPLY to be required in a subdivision/housing project regardless of political boundaries. With respect to this, the degree or level of development shall be defined as follows:

1) Underdeveloped Area — characterized by the predominant absence of utility systems or networks, especially water supply, roads and power.

2) Developed Area — characterized by the predominant presence of utility systems or network, especially water supply, roads and power.

SECTION 6. Technical Guidelines — In determining whether an economic and socialized housing shall be allowed, the following guidelines shall be considered.

A. SUITABILITY OF SITE (APPLICABLE FOR BOTH ECONOMIC AND SOCIALIZED HOUSING)

1. Physical Suitability

A potential site must have characteristics assuring healthful, safe and environmentally sound community life. It shall be stable enough to accommodate foundation load without excessive site works. Critical areas (e.g., areas subject to flooding, land slides and stress) must be avoided.

2. Slope

THE FINISHED GRADE SHALL HAVE A DESIRED SLOPE TO ALLOW RAIN WATER TO BE CHANNELED INTO STREET DRAINS. WHERE CUT AND FILL IS NECESSARY AN APPROPRIATE GRADE SHALL BE ATTAINED TO PREVENT ANY DEPRESSION IN THE AREA.

GRADING AND DITCHING SHALL BE EXECUTED IN A MANNER THAT WILL PREVENT EROSION OR FLOODING OF ADJOINING PROPERTIES.

3. Availability of basic needs

The prioritized basic needs cited earlier shall preferably be available with reasonable distance from the project site, but where these are not available, the same shall be provided for by the developer.

4. Conformity with the Zoning Ordinance or Land Use Plan of the City/Municipality.

Generally, housing projects should conform with the Zoning Ordinance of the city/municipality where they are located SHALL THUS BE IN SUITABLE SITES FOR HOUSING. However, where there is no Zoning Ordinance or Land Use Plan, the predominant land use principle and site suitability factors cited herein shall be used in determining suitability of a project to a site.

Furthermore, if the project is undoubtedly supportive of other land uses and activities (e.g., housing for industrial workers) said project shall be allowed.

B. ALLOWANCE FOR FUTURE DEVELOPMENT (APPLICABLE FOR BOTH ECONOMIC AND SOCIALIZED HOUSING)

Project design should consider not only the reduction of cost of development to a minimum but also provision for possible future improvement or expansion, as in the prescription of lot sizes, right-of-way of roads, open space, allocation of areas for common uses and facilities.

Study hands-free: podcast-style lessons with read-along highlighting - batas.org

Land allocation and alignment of the various utilities (roads, drainage, power and water) of the subdivision should align and be integrated with those of existing networks as well as projects outside the boundaries of the project site, e.g., access roads (road connecting project site to the nearest public road) should follow the standard specification of the DPWH [MPWH].

Hierarchy of roads (with respect to function and dimensions) shall be observed when planning the road network within the project site such that no major or minor road align with an alley or foothpath.

RIGHT-OF-WAY OF MAJOR ROADS SHALL BE INCREASED AS THE PROJECT SIZE INCREASES, RIGHT-OF-WAY SHALL NOT BE LOWER THAN ROW OF PUBLIC ROAD.

C. LAND ALLOCATION (APPLICABLE FOR BOTH ECONOMIC AND SOCIALIZED HOUSING)

1. Saleable and non-saleable area

There shall be no fixed ratio between saleable portion and non-saleable portion of a subdivision project. ON-SALEABLE SHALL CONFORM WITH THE MINIMUM REQUIREMENTS FOR OPEN SPACE COMPRISING THOSE ALLOTTED FOR CIRCULATION SYSTEM, COMMUNITY FACILITIES AND PARKS/PLAYGROUNDS.

2. Area allocated for Circulation System

2.a The area allocated for circulation system shall not be fixed, as long as the prescribed dimension and requirement for access (both project site and to dwelling units) specified in these Design Standards are complied with.

2.b LAND CIRCULATION SYSTEM SHALL COMPLY WITH THE PERTINENT OF BP 344 OTHERWISE KNOWN AS THE ACCESSIBILITY LAW.

3. Area allocated for community facilities

Sites for community facilities shall be reserved or allocated by the developer, where such facilities may be constructed/put up by the Homeowners Association as the need arises. Said sites shall be used exclusively for these facilities as defined in Rule II, and the area shall be exclusive of that area intended for park/playground.

The area allocated for community facilities shall vary with the density of the subdivision, i.e., number of lots and/or living units whichever is applicable, as shown in Table 1.

TABLE 1. REQUIRED AREA FOR COMMUNITY FACILITIES ACCORDING TO DENSITY (APPLICABLE FOR BOTH ECONOMIC AND SOCIALIZED HOUSING)

DENSITY

AREAS FOR COMMUNITY

No. of Lots and/or living

FACILITIES

units per ha

% of gross area of subdivision

150 and below

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

1%

151 to 225

1.5%

above 225

2.0%

Community facilities shall be STRATEGICALLY [centrally] located AND EASILY ACCESSIBLE where they can serve a maximum number of population, preferably near or side by side by park/playground.

4. Area Allocated for Park/Playground

SUBDIVISION PROJECTS WITH AN AREA OF 1 HECTARE OR MORE SHALL PROVIDE FOR PARKS/PLAYGROUND AREAS.

Allocation of areas for parks and playgrounds shall be NON-ALIENABLE AND NON-BUILDABLE FOR COMMUNITY HALL BUT BUILDABLE FOR BASKETBALL COURT. IT SHALL BE exclusive of those allocated for community facilities and shall vary according to the density of lots and/or living units in the subdivision, whichever is applicable, as shown in Table 2.

THE SITE SHALL NOT BE SUBJECT TO FLOODING NOR SITUATED IN STEEP SLOPES. SITES POTENTIALLY HAZARDOUS OR DANGEROUS TO THE HEALTH AND SAFETY OF USERS ESPECIALLY CHILDREN SHOULD BE AVOIDED [E.G. ALONG RIVERS, NEAR DUMPING SITE, ETC.]

PROVISIONS FOR PARKS AND PLAYGROUNDS SHALL COMPLY WITH THE REQUIREMENTS OF PRESIDENTIAL DECREE NO. 1216 AND ITS IMPLEMENTING RULES AS PER CPR NO. R-347 DATED 08 OCTOBER 1986.

TABLE 2 REQUIRED AREA FOR PARK/PLAYGROUND ACCORDING TO DENSITY (FOR BOTH ECONOMIC AND SOCIALIZED HOUSING)

DENSITY

AREAS FOR PARK

No. of lots and/or living

PLAYGROUND

units per hectare

% of gross area of subdivision

150 and below

3.5%

151 to 160

4%

161-175

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

5%

176 - 200

6%

201 - 225

7%

Above 225

9%

AN ADDITIONAL OF 1% INCREMENT FOR EVERY 10 UNITS OR FRACTION THEREOF BEYOND 225

NOTE: IN NO CASE SHALL THE AREA BE LESS THAN 100 SQ.M:

Location of parks shall be based on hierarchy, accessibility and shall be free from hazard, risks, barriers, etc.

Minimum size for a pocket park is 100 square meters.

D. INTEGRATION OF PROJECT SITE WITH ADJACENT PROPERTY AND TO THE TOTAL DEVELOPMENT CONTEXT OF THE CITY/MUNICIPALITY (APPLICABLE FOR BOTH ECONOMIC AND SOCIALIZED HOUSING)

Land allocation and alignment of the various utilities (roads, drainage, power and water) of the subdivision should align and be integrated with those of existing networks as well as projects outside the boundaries of the projects site, e.g. access roads, (road connecting project site to the nearest public road) should follow the standard specification of the DPWH.

Hierarchy of roads (with respect to function and dimensions) shall be observed when planning the road network within the project site such that no major or minor road align with an alley or footpath.

SECTION 7. Design Standards and Planning Considerations — The following standards and planning considerations shall be observed by all projects covered by these Rules.

A. WATER SUPPLY

A.1 For Both Economic and Socialized Housing

Underdeveloped Area

Minimum requirement shall be provision of communal wells. AT LEAST 1 COMMUNAL WELL STRATEGICALLY LOCATED SHALL BE PROVIDED FOR EVERY 25 DWELLING UNITS.

Water supply must be potable and adequate at least 43 liters per HAND PUMP PER capita per day. Supply source shall be identified and developed by the project developer/owner.

Whenever a body of water shall be utilized for community water supply, permits from the National Water Resource Board (NWRB) shall be obtained. Standards set by the Regional Water Resource Board (RWRB) on water source development shall be complied with. Each well shall be allocated approximately four (4) square meters area which shall form part of the area for community facilities (as defined in Rule II) and shall not encroach on any saleable lot or right of way.

Study hands-free: podcast-style lessons with read-along highlighting - batas.org

Developed Area

Whenever a public water supply system exists, connection to it by the subdivision is mandatory.

Each lot and/or living unit shall be served with water connection (regardless of the type of distribution system). Water supply provided by the local water district shall be complemented/supplemented by other sources, when necessary, such as communal well which may be located strategically for ease and convenience in fetching water by residents and at the same time not closer than 300 meters from each other.

If public water supply system is not available, the developer shall provide for an independent water supply system within the subdivision project. Minimum quantity requirement shall be 150 [75] liters per capita per day. PER BOARD RESOLUTION NO. 506 SERIES OF 1992.

EACH SUBDIVISION MUST HAVE AT LEAST AN OPERATIONAL DEEP WELL AND PUMP SETS WITH SUFFICIENT CAPACITY TO PROVIDE AVERAGE DAILY DEMAND (ADD) PROVIDED A SPARE PUMP AND MOTOR SET IS RESERVED.

Likewise, required permits from the NWRB shall be obtained and standards of the Local Water Utilities Administration shall be complied with.

If ground reservoir is to be put up, an area shall be allocated for this purposes (part of allocation for community facilities). The size shall depend on volume of water intended to be stored. Provide for protection from pollution namely, buffer of at least 25 meters from sources of pollution/contamination.

For elevated reservoir, structural design shall comply with accepted structural standards OR THE NATIONAL BUILDING CODE. THE ELEVATED RESERVOIR OR WATER TANK CAPACITY MUST BE 20% AVERAGE DAILY DEMAND PLUS FIRE RESERVE.

ALTERNATIVE SOURCES OF WATER SUPPLY MAY BE AVAILED OF SUCH AS COLLECTED RAIN WATER AND OTHER DEVICES WITH WATER IMPOUNDING CAPACITY.

A.2 Fire Protection Demand (Applicable for Both Economic and Socialized Housing)

PROVISION FOR FIRE PROTECTION SHALL COMPLY WITH THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION CODE. WHENEVER APPLICABLE, EACH COMMUNITY SHOULD BE EQUIPPED WITH FIRE HYDRANTS AND A CISTERN THAT ARE OPERATIONAL AT ALL TIMES.

A.3 Reservoir/Water Tank (Applicable for both Economic and Socialized Housing) For Multi-Storey Building

IF THE HEIGHT OF THE BUILDING REQUIRES WATER PRESSURE IN EXCESS OF THAT IN THE MAIN WATER LINE, A WATER TANK SHALL BE PROVIDED.

TANK SHALL ALSO BE REQUIRED IF THE PEAK DRAWN SHOULD REDUCE THE PRESSURE ON THE HIGHEST USABLE FLOOR TO LESS THAN 10 PSI (POUNDS PER SQUARE INCH) THE MINIMUM PRESSURE REQUIRED FOR SATISFACTORY OPERATION OF FIXTURE, PARTICULARLY THOSE WITH FLUSH VALVES.

CAPACITY SHOULD BE 20% AVERAGE DAILY DEMAND PLUS FIRE RESERVE.

B. CIRCULATION SYSTEM (APPLICABLE FOR BOTH ECONOMIC AND SOCIALIZED HOUSING)

1. DEPENDING ON THE CLASSIFICATION OF ROADS ADJACENT TO THE SUBDIVISION AND THE SIZE OF THE PROJECT SITE, ROAD NETWORK SHOULD RESULT INTO A HIERARCHY OF

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

FUNCTIONS AND SHOULD DEFINE AND SERVE THE SUBDIVISIONS AS ONE INTEGRATED UNIT.

- ROADS COMPLEMENTED WITH FOOTPATHS/PATHWAYS WITHIN THE SUBDIVISION MUST BE SO ALIGNED TO FACILITATE MOVEMENT WITHIN AND IN LINKING THE SUBDIVISION TO THE NEAREST MAJOR TRANSPORTATION ROUTE AND ADJACENT PROPERTY.

WHENEVER THERE IS/ARE EXISTING ROADS WITHIN THE PROJECT SITE WHICH SHALL BE MADE PART OF THE SUBDIVISION PLAN THESE SHALL BE IMPROVED IN ACCORDANCE WITH THE STANDARDS SET FORTH HEREIN.

- STREETS SHOULD CONFORM TO THE CONTOURS OF THE LAND AS PRACTICABLE.

- PROVISIONS OF MAJOR STREET EXTENSION FOR FUTURE CONNECTION TO ADJOINING DEVELOPED AND/OR UNDERDEVELOPED PROPERTIES SHALL BE MANDATORY AND INTEGRATED OR ALIGNED WITH EXISTING ONES, IF ANY.

- STREETS SHALL BE SO LAID OUT TO MINIMIZE CRITICAL INTERSECTIONS SUCH AS BLIND CORNERS, ESKEW JUNCTION, ETC.

- ROADS SHALL CONFORM WITH CIVIL WORK DESIGN CRITERIA AS PER SEC. 14B.2 OF THIS RULES AND SOUND ENGINEERING PRACTICES PURSUANT TO BOARD RESOLUTION NO. 176, SERIES OF 1984.

TABLE 3 HIERARCHY OF ROADS

TYPE OF ROADS (ROW)[*]

ECONOMIC HOUSING

SOCIALIZED HOUSING

ROW

CARRIAGE WAY

ROW

CARRIAGE WAY

Major

10.0 m.

6.0 m.

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

10.0 m.

6.0 m.

Minor

8.0 m.

5.0 m.

8.0 m.

5.0 m.

6.5 m.

5.0 m.

6.5 m.

5.0 m.

MOTOR COURT

6.0 m.

6.0 m.

(CUL-DE-SAC, BRANCH, LOOP, “TEE”)

Alley

3.0 m.

3.0 m.

Foothpath/

3.0 m.

3.0 m.

Study hands-free: podcast-style lessons with read-along highlighting - batas.org

PATHWALK

ROW OF ACCESS

3.0 m.

3.0 m.

TO INTERIOR LOT

RIGHT-OF-WAY [ROW] OF MAJOR ROADS SHALL BE INCREASED AS PROJECT SIZE INCREASES. ROW SHALL BE LOWER THAN ROW OF PUBLIC ROAD.

NOTE: 1. INTERIOR SUBDIVISION MUST PROVIDE EASEMENT OF RIGHT-OF-WAY TO THE NEAREST PUBLIC ROAD.

2. SUBDIVISION PROJECTS WITH DIRECT ACCESS TO A MAIN PUBLIC ROAD MUST PROVIDE SUFFICIENT SETBACK TO ACCOMMODATE LOADING AND UNLOADING OF PASSENGERS.

TABLE 4 MAXIMUM SIZES OF PROJECTS PER HIERARCHY OF ROAD (APPLICABLE FOR BOTH ECONOMIC & SOCIALIZED HOUSING)

Above 0 - 2.5 has. major road, MOTOR COURT, alley, footpath, minor road

Above 2.5 - 5 has. major road, MOTOR COURT, alley, footpath, minor road

Above 5 - 10 has. major road, MINOR ROAD, MOTOR COURT, alley, footpath

Above 15- 30 has. major road, MINOR ROAD, MOTOR COURT, ALLEY, FOOTPATH

Above 30 has. major road, MINOR ROAD, MOTOR COURT, ALLEY, FOOTPATH

TABLE 5 PAVING MATERIAL SPECIFICATION PER TYPE OF ROAD

TYPE OF ROAD

ECONOMIC HOUSING

SOCIALIZED HOUSING

UNDER-DEVELOPED

DEVELOPED

UNDER-DEVELOPED

DEVELOPED

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

Major macadam concrete/asphalt macadam concrete/asphalt

Minor macadam - do macadam macadam

Motor Court macadam asphalt macadam macadam

Sidewalks aggregates asphalt aggregates aggregates

MAJOR ROADS SHALL HAVE A RIGHT-OF-WAY OF 10.00 METERS AND A CARRIAGE WAY OF 6.00 METERS WITH A 15 CENTIMETER MIX GRAVEL (PIT RUN) BASE COURSE ON WELL COMPACTED SUBGRADE. THE ENDS OF ROADS SHALL NOT CONNECT TO ALLEYS OR PATHWALKS. DEAD END ROADS SHALL BE PROVIDED WITH A CUL-DE-SAC OR OTHER APPROPRIATE TURN AROUND SPACE AND SHALL HAVE A MAXIMUM LENGTH OF 60 METERS.

MAJOR ROADS SHALL MAINTAIN A UNIFORM WIDTH OF ROAD RIGHT-OF-WAY. TAPERING OF ROAD WIDTH SHALL BE ALLOWED.

MINOR ROADS SHALL BE ESTABLISHED WITH A RIGHT-OF-WAY OF 8.00 M. WIDE AND 6.5 M. WIDE. AN 8.00 M. WIDE MINOR ROAD SHALL BE MANDATORY BEFORE A 6.5 M. WIDE MINOR ROAD SHALL BE INTRODUCED.

ALLEYS AND PATHWALKS SHALL HAVE A RIGHT-OF-WAY OF 3.00 METERS AND 3.00 METERS RESPECTIVELY. THEY SHALL BE LEVELED AND GRADED. PAVING SHALL BE OPTIONAL. ALLEYS AND PATHWALKS SHALL HAVE A MAXIMUM LENGTH OF 60 METERS AND THE ENDS OF ALLEYS SHALL CONNECT TO A ROAD.

CONTIGUOUS PROJECTS OR PROJECTS TO BE DEVELOPED BY PHASES SHALL BE PROVIDED WITH INTER CONNECTION ROADS WITH A MINIMUM RIGHT-OF-WAY OF TEN (10) METERS. (Approved as per Resolution No. R-374 dated 03 March 1987)

2. Planning Considerations on Circulation Layout (Applicable for Both Economic and Socialized Housing)

a) Observance of the hierarchy of roads within the subdivision.

b) Conformance to natural topography.

c) Consideration for access and safety e.g. adequate radius, minimum number of roads at intersections, moderate slope/grade, adequate sight distance, no blind corners, etc.

d) Optimization as to number of lots to lessen area for roads, at the same time enhance community interaction.

e) There shall be no duplications of street names and such names shall not bear any similarity to existing street names in adjacent subdivision, except when they are in continuation of existing ones. Street names shall be recognizable and readable.

The developer shall bear the cost of purchase and installation of street names/signs coincident with the construction of streets and utilities.

f) Sidewalks shall not be required when drainage system is through open canals; when drainage canals are covered or underground, the space above the canals shall be utilized as sidewalk.

3. TREE PLANTING (APPLICABLE FOR BOTH ECONOMIC AND SOCIALIZED HOUSING)

EVERY OWNER OF EXISTING SUBDIVISION IS REQUIRED AMONG OTHERS TO PLANT TREES IN DESIGNATED AREA AS PER RESOLUTION NO. R-532, SERIES OF 1993. (APPROVING THE RULES

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

AND REGULATIONS IMPLEMENTING PD 953 “REQUIRING THE PLANTING OF TREES IN CERTAIN PLACES AND PENALIZING UNAUTHORIZED CUTTING, DESTRUCTION, DAMAGING AND INJURING OF CERTAIN TREES, PLANTS AND VEGETATION”).

ECONOMIC HOUSING SOCIALIZED HOUSING

PLANTING (PS) (SW) (PS) (SW)

STRIP (PS)

SIDEWALK (SW)

MAJOR ROAD 1 m. 1 m. 1 m. 1 m.

(EACH SIDE)

MINOR ROAD .5 m. .5 m. .5 m. .5 m.

NOTE: REFER TO SUPPLEMENTAL RULES AND REGULATIONS TO IMPLEMENT PD 953 [HLRB A.O. NO. 02, SERIES OF 1994] (12 APRIL)

C. DRAINAGE SYSTEM (APPLICABLE FOR ECONOMIC AND SOCIALIZED HOUSING)

THE DESIGN OF THE DRAINAGE SYSTEM OF THE SUBDIVISION SHALL TAKE INTO CONSIDERATION EXISTING DEVELOPMENT OF ADJACENT AREAS RELATIVE TO THEIR IMPACT/EFFECT ON ITS DRAINAGE SYSTEM IF ANY. FURTHER IT [must] SHALL CONFORM WITH THE NATURAL DRAINAGE PATTERN OF THE SUBDIVISION SITE, AND SHALL DRAIN INTO APPROPRIATE WATER BODIES OR PUBLIC DRAINAGE SYSTEM OR NATURAL OUTFALLS. IN NO CASE SHALL DRAINAGE OUTFALLS DRAIN INTO A PRIVATE LOT. ITS LAYOUT SHALL CONFORM WITH SOUND ENGINEERING DESIGN PRINCIPLES CERTIFIED BY A DULY LICENSED CIVIL/SANITARY ENGINEER. DRAIN LINES SHALL BE OF DURABLE MATERIALS AND APPROVED INSTALLATION PRACTICES. (See Fig. 1 [*] Open Canal)

THE DRAINAGE SYSTEM FOR ECONOMIC HOUSING SHALL BE AN UNDERGROUND SYSTEM FOR MAJOR ROADS AND LINED OPEN CANAL (FOR OTHER ROADS). UNDERGROUND DRAINAGE SYSTEM SHALL BE PROVIDED WITH ADEQUATE MANHOLES FOR EFFICIENT MAINTENANCE.

FOR SOCIALIZED HOUSING IT MUST BE A LINED OPEN CANAL (SIDES OF OPEN CANAL SHALL BE LINED WITH GRASS OR STONE).

In case of non-existence of drainage system in the locality catchment area for drainage discharge shall be provided for and developed by the developer/owner in consultation with local authorities or private entities concerned, to prevent flooding of adjacent property. Moreover, said catchment area shall be made safe and maintained and shall form part of the park/playground requirement.

D. SEWAGE DISPOSAL SYSTEM (APPLICABLE FOR ECONOMIC AND SOCIALIZED HOUSING)

D.1 SEPTIC TANK

THE SEWAGE DISPOSAL SYSTEM SHALL BE COMMUNAL OR INDIVIDUAL SEPTIC TANK

CONFORMING TO THE DESIGN STANDARD OF THE SANITATION CODE.

D.2 CONNECTION TO COMMUNITY SEWER SYSTEM

WHENEVER APPLICABLE CONNECTIONS SHALL BE MADE TO AN APPROVED PUBLIC OR COMMUNITY SEWER SYSTEM, SUBJECT TO THE REQUIREMENTS AND PROVISIONS OF THE SANITATION CODE AND OTHER APPLICABLE RULES AND REGULATIONS WITH REGARD TO MATERIALS AND INSTALLATION PRACTICES.

E. ELECTRICAL POWER SUPPLY (APPLICABLE FOR BOTH ECONOMIC AND SOCIALIZED HOUSING)

1. Underdeveloped Area

Electrical power supply is optional. However, the developer shall allocate sufficient land area for easements for power supply facilities based on existing laws and regulations.

2. Developed Area

When power is available within the locality of the project site, its connection to the subdivision is required. Actual connection, however, may depend on the minimum number of users as required by the power supplier. Installation practices, materials and fixtures used, shall be in accordance with the provisions of the existing rules and regulations of the NATIONAL Electrical Code or the LOCAL ELECTRIC FRANCHISE HOLDER/LOCAL ELECTRIC COOPERATIVE OR THE local utility company. MAXIMUM DISTANCE BETWEEN STREET LIGHTS SHALL BE FIFTY (50) METERS.

F. LOT SIZES

1. Minimum lot area requirement shall be as follows:

	ECONOMIC	SOCIALIZED
a. Single detached	72 sq. m.	72 sq.m.
b. Single attached/ duplex	54 sq. m.	54 sq.m./unit

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

c. Rowhouse

35 sq. m.

32 sq.m.

NOTE: (1) SALEABLE LOTS DESIGNATED AS DUPLEX AND OR ROWHOUSE LOTS SHALL BE PROVIDED WITH HOUSING COMPONENTS.

(2) MAINTAIN A 60:40 RATIO FOR HOUSE AND LOT WHERE 60% OF THE SELLING PRICE FOR A HOUSE AND LOT PACKAGE IS ALLOTTED FOR THE HOUSE AND 40% IS FOR THE LOT.

(See Fig. 2a[*] Minimum Lot Size for Single-Family Detached)

2. Lot Planning Consideration (APPLICABLE TO BOTH UNDERDEVELOPED AREA AND DEVELOPED AREA PROJECTS).

a) A lot shall be served by AN INDEPENDENT ACCESS EITHER BY a road, motor court, an alley or a pathwalk.

b) Deep lots and irregularly shaped lots shall be avoided.

c) WHENEVER POSSIBLE LOT FRONTAGE ELEVATION SHALL BE AT STREET LEVEL.

d) LOTS SHALL BE PROTECTED AGAINST RISKS OR NO LOT SHALL BE LAID OUT WHERE POTENTIAL RISKS EXIST (E.G. EROSION, SLIDES, FLOODING, FAULTLINES, ETC.)

e) Lot shall be protected against non-conforming uses and/or other risks through the provision of adequate buffer strip, protective walls, and roads or other similar devices.

On the other hand, lot shall be laid out that the front desirable views, such as parks, lagoon, etc.

f) Lot shall be so laid out that ADMINISTRATIVE BOUNDARIES, water courses/drainage ways UTILITY LINES do not bisect the lots.

g) Minimum lot frontages: (APPLICABLE FOR BOTH ECONOMIC AND SOCIALIZED HOUSING)

g.1 Single Detached

a. corner lot 10.0 m.

b. regular lot 8.0 m.

c. irregular lot 4.0 m.

g.2 Single Attached/Duplex/Semi-Detached 6.0 m.

g.3 Rowhouse 3.5 m.

G. SETBACK (Applicable for Economic and Socialized Housing)

Minimum Setback Requirements

a. Single detached (See Fig. 2a[*])

Front 1.5 m.

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

Sides 2.0 m.

Rear 2.0 m.

b. Single attached/duplex/semi-detached (See Fig. 2b[*])

Front 1.5 m.

Side (one) 2.0 m.

Rear 2.0 m.

c. Rowhouse (See Fig. 2c[*])

Front 1.5 m.

Rear 2.0 m.

Approved per Board Resolution No. R-395 series of 1987

H. BLOCK LENGTH (Applicable for both Economic and Socialized Housing)

Maximum block length is 400 meters. Block length exceeding 250 meters, shall be provided by an alley, [at midlength.] (See Fig. 3a [*] Blocks Bounded by Roads)

Maximum block length bounded by alley is 250 meters. Maximum block length bounded by pathwalks is 100 meters. (See Fig. 3b[*] Blocks Bounded by Alley/Footpath)

NOTE: FOR ROWHOUSE, THERE SHALL BE A MAXIMUM OF 20 UNITS BUT IN NO CASE SHALL THIS BE BEYOND 100 METERS IN LENGTH.

I. EASEMENTS (Applicable to both Economic and Socialized Housing)

SUBDIVISION PROJECTS SHALL OBSERVE AND CONFORM WITH THE PROVISIONS OF EASEMENTS AS MAY BE REQUIRED BY:

1. CHAPTER IV ARTICLE 51 OF WATER CODE

2. NATIONAL POWER CORPORATION

3. FAULT TRACES AS MAY BE IDENTIFIED BY PHIVOLCS (APPROVED AS PER BOARD RESOLUTION NO. 515 SERIES OF 1992)

4. RIGHT-OF-WAY OF OTHER PUBLIC UTILITY COMPANIES AND OTHER ENTITIES

5. FOR PROJECTS ABUTTING NATIONAL ROAD (PRIMARY ROADS) ADEQUATE EASEMENT SHALL BE PROVIDED FOR ROADS INCLUDING LOADING AND UNLOADING AREAS AS MAY BE REQUIRED BY NATIONAL/LOCAL GOVERNMENT UNITS

J. OTHER FACILITIES (APPLICABLE FOR BOTH ECONOMIC AND SOCIALIZED HOUSING)

1. Garbage Disposal System

Garbage disposal shall be undertaken by the local government or in the absence thereof by individual lot owners, with proper observance of sanitary practices and methods.

2. Firefighting

The Homeowners Association shall form fire brigade in collaboration with the barangay fire brigade. Water for

fire fighting shall be part of the water supply requirement and shall comply with the requirements of the local/district fire unit of the Integrated National Police.

SECTION 8. Building Design Standards and Guidelines — Projects incorporating housing components shall comply with the following design standards and guidelines.

A. SINGLE-FAMILY DWELLING (APPLICABLE FOR BOTH ECONOMIC AND SOCIALIZED HOUSING)

1. Height Limitation — The maximum number of storey is two (2)

2. Lot Planning

a. Access to the Property. Direct access to the single-family dwelling shall be provided by means of an abutting public street, alley or pathway.

b. Access to the dwelling unit. An independent means of access to the dwelling unit shall be provided without trespassing adjoining properties. Acceptable means of access to the rear yard of the dwelling unit shall be provided without passing through any other dwelling unit or any other yard.

c. Open space requirements. Open spaces shall be located totally or distributed anywhere within the lot in such a manner as to provide maximum light and ventilation into the building.

TABLE 6 PRIVATE OPEN SPACE REQUIREMENT

TYPE OF LOT

PERCENT OF OPEN SPACE

Residential

All Others

a) Interior lot (lot located in the interior of a block made accessible from a public street or alley by means of a private access road)

50%

25%

b) Inside lot (non-corner or single frontage lot)

20%

15%

c) Corner and/or through lot

10%.

15%

d) Lots bounded on three (3) or more sides by public open spaces such as streets, easement of seashores, rivers, esteros, etc.

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

5%

5%

d. Sizes and Dimensions of Courts and Yards. The minimum horizontal dimension of courts and yards shall not be less than 2.0 meters. All inner courts shall be connected to a street or yard, either by a passageway with a minimum width of 1.20 meters or by a door through a room or rooms.

Every court shall have a width of not less than 2.0 meters for one and two storey buildings. However, this may be reduced to not less than 1.50 meters in cluster living units such as quadruplexes, rowhouses and the like one or two stories in height with adjacent courts with an area of not less than 3.00 square meters. Provided, further, that the separation walls or fences, if any, shall be not higher than 2.00 meters. Irregularly shaped lots such as triangular lots and the like whose courts may be also triangular in shape may be exempted from having a minimum width of 2.0 meters, provided that no side thereof shall be less than 3.0 meters.

e. Abutments. Abutments ON THE FRONT, SIDE AND REAR PROPERTY LINES may be allowed provided THE FOLLOWING REQUIREMENTS SHALL BE COMPLIED WITH:

a) OPEN SPACE AS PRESCRIBED IN TABLE 6

b) WINDOW OPENING AS PRESCRIBED IN SECTION 3 D 2.

c) Firewall shall have a minimum or one-hour fire resistive rating.

d) THERE SHALL BE NO OPENING ON THE FIREWALL

3. Building Design Standards (APPLICABLE FOR BOTH ECONOMIC AND SOCIALIZED HOUSING)

a. Space Standards. Spaces within the dwelling structure shall be distributed in an economical, efficient and practical manner so as to afford the maximum living comfort and convenience and to insure health and safety among the occupants. It shall provide complete living facilities for one family including provisions for living, sleeping, laundry, cooking, eating, bathing and toilet facilities.

b. Floor Area Requirement. The minimum floor area requirement for single-family dwelling shall be 22.00 [20.00] sq. meters FOR ECONOMIC HOUSING AND 18.00 SQ. METERS FOR SOCIALIZED HOUSING.

c. MINIMUM LEVEL OF COMPLETION. THE MINIMUM LEVEL OF COMPLETION SHALL BE COMPLETE HOUSE FOR ECONOMIC HOUSING AND SHELL HOUSE FOR SOCIALIZED HOUSING.

d. Ceiling Heights

1) Minimum ceiling height for habitable rooms shall be measured from the finished floor line to the ceiling line. Where ceilings are not provided, a minimum headroom clearance of 2.00 meters shall be provided. (See Fig. 4[*] — Minimum Ceiling Heights)

2) Mezzanine floors shall have a clear ceiling height of not less than 1.80 meters above and below it, provided that it shall not cover 50% of the floor area below it. (See Fig. 5 [*] — Mezzanine Floor)

e. Openings

1) Doors

a) A minimum of one entrance/exit shall be provided where the number of occupants is not more than 10; two (2) entrance/exits where the number of occupants is greater than 10.

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

b) Doors shall have a minimum clear height of 2.00 meters. Except for bathroom doors and doors in the mezzanine which shall have a minimum clear height of 1.80 meters.

c) Minimum clear widths shall be the following:

Main Door 0.80 m.

Service Door/Bedroom Door 0.70 m.

Bathroom Door 0.60 m.

(See Fig. 6[*] — Door Opening)

2) Windows

a) Rooms for habitable use shall be provided with windows with a total free area of openings equal to at least 10% of the floor area of the room.

b) Bathrooms shall be provided with window/s with an area not less than 1/20 of its floor area.

c) Required windows may open into a roofed porch where the porch:

(a) abuts court, yard, public street or alley, or open water course and other public open spaces;

(b) has a ceiling height of not less than 2.00 m.

e. Interior Stairs. The stairs shall ensure structural safety for ascent and descent, even in extreme cases of emergency. It shall afford adequate headroom and space for the passage of furniture.

1) Width. Stairways shall have a minimum clear width of 0.60 meters.

2) Riser and Run. Stairs shall have a maximum riser height of 0.25 meter and a minimum tread width of 0.20 meter. Stair treads shall be exclusive of nosing and/or other projections.

3) Headroom Clearance. Stairs shall have a minimum headroom clearance of 2.00 meters. Such clearance shall be established by measuring vertically from a place parallel and tangent to the stairway tread moving to the soffit above all points.

4) Landings. Every landing shall have a dimension measured in the direction of travel equal to the width of the stairway. Maximum height between landing shall be 3.60 meters.

5) Handrails. Stairways shall have at least one handrail on one side provided there is a guard or wall on the other side. However, stairways with less than four (4) risers need not have handrails, and stairs with either a guard or wall on one end need not be provided with a handrail on that end.

6) Guard and Handrail Details. The design of guards and handrails and hardware for attaching handrails to guards, balusters of masonry walls shall be such that these are made safe and convenient.

> a. Handrails on stairs shall not be less than 0.80 meter nor more than 1.20 meter above the upper surface of the tread, measured vertically to the top of the rail from the leading edge of the tread. (See Fig. 7[*] Stairway Design)
>
> b. Handrails shall be so designed as to permit continuous sliding of hands on them and shall be provided with a minimum clearance of 38 mm. from the wall to which they are fastened. (See Fig. 7[*] Stairway Design).
>
> c. The height of guards shall be measured vertically to the top guard from the leading edge of the tread or from the floor of landings. It shall not be less than 0.80 meter and no more than 1.20 meters. Masonry walls may be

used for any portion of the guard.

7) Winding and Circular Stairways. Winding and circular stairways may be used if the required width of run is provided at a point not more than 300 millimeters from the side of the stairway where the treads are narrower but in no case shall any width of run be less than 150 mm. at any point. The maximum variation in the height of risers and the width of treads in any one flight shall be 5 mm. (See Fig. 8[*] Winding and Circular Stairways)

8) Ladders. The use of ladders may be allowed provided that the maximum distance between landings shall be 1.80 meter.

f. Roofing. Roofing material that is impervious to water shall be provided.

g. Electrical Requirements. There shall be provided at least one light outlet and one convenience outlet per activity area.

h. Fireblocks. When any two (2) living units abut each other, a fireblock shall be required in which case the fireblock shall be the masonry construction (e.g., cement, hollow blocks, bricks, reinforced concrete, etc.), at least 4" thick, and shall extend from the lowest portion of the wall adjoining the 2 living units up to the point just below the roof covering or purlins. (See Fig. 9[*] Fireblocks for Dwelling Units That Abut Each Other)

i. Abutments. Whenever a dwelling abuts on a property line a firewall shall be required. The firewall shall be of masonry construction, at least 4" thick, and extend vertically from the lowest portion of the wall adjoining the living units up to a minimum height of 0.30 meter above the highest point of the roof attached to it the firewall shall also extend horizontally up to a minimum distance of 0.30 m. beyond the outermost edge of the abutting living units.

No openings whatsoever shall be allowed except when the two abutting spaces of two (2) adjacent living units are unenclosed or partially open, e.g. carports, terraces, patios, etc.; instead a separation wall shall be required. (See Fig. 10[*] Firewall for Dwelling Units on Property Line)

B. MULTI-FAMILY DWELLINGS (APPLICABLE FOR BOTH ECONOMIC AND SOCIALIZED HOUSING)

1. Lot Planning

a. Access to the Property. Direct vehicular access to the property shall be provided by means of an abutting improved public street or alley.

b. Access to the dwelling. An independent means of access shall be provided to each dwelling, or group of dwellings in a single plot, without trespassing adjoining properties. Each dwelling must be capable of maintenance without trespassing adjoining properties. Utilities and service facilities must be independent for each dwelling unit. Each dwelling unit shall be provided with a sanitary means for the removal of garbage and trash.

c. Access to living units. An independent means of access to each living units shall be provided without passing through any yard of a living unit or any other yard.

d. Non-residential use. Portions of the property may be designed or used for non-residential use provided the type of non-residential use is harmonious or compatible with the residential character of the property. Some examples of allowable non-residential uses are PRIVATE CLINIC/OFFICE, garages, carports, cooperative store, and structures for the homeowners' association.

Any no-residential use of any portion of the property shall be subordinate to the residential use and character of the property. The floor area authorized for non-residential use, whether in the principal dwelling structure or in

any accessory building, shall not exceed 25% of the total residential area.

The computation of the non-residential area shall include hallways, corridors or similar spaces which serve both residential and non-residential areas. (See Fig. 11[*] Non-Residential Use)

e. Open Space Requirements. Portions of the property shall be devoted to open space to provide for adequate light, ventilation and fire safety.

1. Setbacks from the property line shall be maintained, the minimum of which shall be the following:

TABLE 7 OPEN SPACE REQUIREMENTS, MINIMUM SETBACKS PER STOREY

KINDS OF LOT

TOTAL OPEN
SPACE REQ'D.

1% 2 3 4 5 6 7 8 9 10 11 12

Interior

50%

Inside

20%

Corner/Through

10%

2.0 2.3 2.6 2.9 3.2 3.5 3.8 4.1 4.4 4.7 5.0

Lot abutting 3 or more streets, alleys, rivers, esteros

5%

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

2. Distance between building shall also be adequately maintained to ensure light and ventilation.

In general, the minimum distance between 2 buildings in which the taller buildings DOES NOT EXCEED two (2) storeys shall be 4.00 meters. And the minimum horizontal clearance between the two roof eaves shall be 1.50 meter. (See Fig. 12[*] Distance Between 2 Storey Building)

The minimum distance between two buildings wherein the taller building has three (3) or four (4) storeys, shall be 6.00 meters. And the minimum horizontal clearance between the two roof eaves shall be 2.00 meters. (See Fig. 13[*] Distance Between 3 Storey Building)

The minimum distance between buildings with more than four (4) storeys shall be 10 meters. The minimum horizontal clearance shall be 6 meters.

Except, however, in cases when the two sides of the buildings facing each other are blank walls, i.e., either there are no openings or only minimal openings for comfort rooms, the minimum distance between the buildings shall be 2.00 meters. And the horizontal clearance between the roof eaves shall be 1.00 meter. (See Fig. 14[*] Distance Between Blank Walls of Two Buildings)

In the measurement of distance between two buildings, measurement shall be made where the distance between the two buildings is shortest. (See Fig. 15 [*] Measurement of Distance Between Buildings)

f. Parking Requirements. For multi-family dwellings, a minimum of one (1) parking space for every twenty (20) living units shall be provided.

2. Building Design Standards

a. Living Units. In general, all building design standards for the single-family dwelling shall apply for all living units of multi-family dwellings, except that, the minimum floor area of a living unit in multi-family dwellings shall be 22.00 [36.00] square meters FOR ECONOMIC HOUSING AND 18.00 SQUARE METERS FOR SOCIALIZED HOUSING. MINIMUM FLOOR AREA SHALL BE IN ONE FLOOR LEVEL EXCLUSIVE OF MEZZANINE, IF ANY.

b. Exits. Exit requirements of a building or portion thereof shall be determined by the occupant load — which gives the largest number of persons. No obstruction shall be placed in the required width of an exit except projections permitted by these implementing rules and regulations.

The occupant load in any building or portion thereof shall be determined by multiplying the number of living units by six (6).

(1) No. of Exits. Every multi-family dwelling or usable portion thereof, shall have at least one exit. Floors above the first storey shall have at least two exits, which shall be remote from each other, irrespective of the occupant load in the same storey.

The number of exits required from any storey of a building shall be determined by using the occupants loads of floors which exit through the level under consideration as follows: 50% of the first adjacent storey above (and the first adjacent storey below, when a storey below exits through the level under considerations) and 25% of the occupant load in the storey immediately beyond the first adjacent storey. The maximum number of exits required for any storey shall be maintained until egress is provided from the structures. For purposes of this Section basement or cellars and occupied roofs shall be provided with exits as required for storeys.

(2) Width. Exits serving living units with occupant load of 50 or less shall have a minimum width of 0.80 meter. For every additional occupant load of 25 or fractions thereof, an additional width of 0.15 meter shall be provided.

The total exit width required from any storey of a building may be divided approximately equally among the separate exits, provided the minimum width of 0.80 meter is maintained.

The total exit width required from any storey of a building shall be determined by using the occupant load of that storey plus the percentage of the occupant loads of floors which exit through the level under consideration as follows: fifty (50) percent of the occupant load in the first adjacent storey above and the first adjacent storey below when a storey below exits through the level under consideration and twenty-five (25) percent of occupant load in the storey immediately beyond the first adjacent storey. The maximum exit width from any storey of a building shall be maintained.

(3) Arrangement of Exits. Distance between any two exits shall be such that they shall be remote from each other and as arranged and constructed to minimize any possibility that both may be blocked by any one fire or other emergency condition, provided that it shall not be less than one fifth the perimeter of the area served, measured in a straight line between the exits.

(4) Distance to Exits. No point in a building shall be more than 45.00 meters from an exterior exit door, a horizontal exit, exit passageway, or an enclosed stairway, measured along the line of travel. In a building equipped with the complete automatic fire extinguishing system the distance from exits may be increased to 60.00 meters.

(5) Automatic Smoke Detection Alarm Initiating Device. Automatic smoke detection alarm initiating devices shall be installed in every family dwelling unit located and adjusted to operate reliably in case of abnormal accumulation of smoke in any part of the protected area. Installation of smoke detection alarm initiating device shall be approved for the particular application, location and spacings.

c. Corridors and Exterior Exit Balconies

The provisions herein shall apply to every corridor and exterior exit balcony serving as a required exit for an occupant load of more than fifty (50).

(1) Width. Every corridor or exit balcony shall not be less than 1.20 meter in width. (See Fig. 16[*] Minimum Width of Corridor)

(2) Projections. The required width of corridors and exit balconies shall be unobstructed. Doors in any position shall not reduce the required width of the corridor by more than one-half. (See Fig. 17[*] Projections into Corridors)

(3) Access to Exits. When more than one exit is required, they shall be so arranged to allow going to either direction from any dead end point.

(4) Dead Ends. Corridors and exterior exit balconies with dead ends are permitted when the dead end not exceed 12.00 meters in length.

(5) Construction. Walls of corridors above the first storey shall be of masonry (e.g. CHB, bricks, tiles, etc.). Ceilings shall likewise be fire-resistive. Provided, however, that this requirement shall not apply to corridors formed by temporary partitions.

Exterior exit balconies shall not project into an area where protected openings are required.

(6) Openings. Where corridor walls are required to be fire-resistive, every interior door opening shall be protected as set forth in generally recognized and accepted requirements for dual purpose fire exit doors. The total area of all openings other than doors, in any portion of an interior corridor wall shall not exceed twenty-five (25) percent

of the area of the corridor wall of the room being separated from the corridor. (See Fig. 18[*] Allowed Openings Along Corridors)

(7) Ramps. Changes in floor elevation of less than 300 meters along any exit serving a tributary occupant load of 10 or more shall be by means of ramps. The maximum allowable slope of ramps is fifteen (15) percent.

d. Common Stairways. Except for stairs or ladders used only to serve as access to equipment, every stairway inside a multifamily dwelling serving two or more living units shall conform to the following design requirements:

(1) Width. Stairways serving two or more living units with an occupant load of 50 or less shall have a minimum clear width of 0.90 meter. Stairways serving living units with an occupant load more than 50 shall not be less than 1.00 meter in width.

(2) Rise and Run. Stairs shall have a maximum riser height of 0.20 m. and minimum tread width of 0.25 m. Stairs shall be exclusive of nosing and/or other projections. The maximum variation in the height of risers and the width of treads in any one flight shall be 5 mm.

(3) Landings. Every landing shall have a dimension measured in the direction of travel equal to the width of the stairway, however, such dimension need not exceed 1.20 meter when the stair has a straight run. Landings shall not be reduced in width by more than 100 millimeters by a door when fully opened.

(4) Basement Stairways. When a basement stairway to an upper storey terminate in the same exit enclosure, an approved barrier shall be provided to prevent persons from continuing on the basement. Directional exit signs shall be provided.

(5) Distance between Landings. There shall not be more than 3.60 meters vertical distance between landings. (See Fig. 19[*] Distance Between Landing)

(6) Handrails. Stairways less than 3.00 m. in width shall have at least one handrail on one side, provided there is a guard or wall on the other side. Stairways measuring 3.00 m. to 33.50 m. in width shall have two handrails. Stairways more than 3.50 m. wide shall have at least one intermediate handrail for every 3.00 m. of required width. Intermediate handrails shall be spaced approximately equal within the entire width of stairway. Except that stairways having less than four (4) risers need not have handrails and stairs with either a guard or wall on one end need not be provided with a handrail on that end.

(7) Handrail Details. Handrails shall be placed not less than 0.80 nor more than 1.00 m. above the nosing or treads. Each of handrails shall terminate in newel pests or safety terminals. (See Fig. 20[*] Handrails)

(8) Distance to Stairs. Per floors above the first storey, the maximum travel distance from the exit door of a living unit to the stairway shall be 24.00 meters. (See Fig. 21[*] Distance to Stairs)

(9) Stairway to Roof. In every building four or more storeys in height, one stairway shall extend to the roof unless the roof has a slope greater than 1 in 3.

(10) Headroom. Every common stairway shall have a headroom clearance of not less than 2.00 meters. Such clearance shall be established by measuring vertically from a plane parallel and tangent to the stairway tread nosing to the soffit above all points. (See Fig. 22[*] Headroom for Stairways)

e. Utilities and Services

To ensure healthful and livable conditions in the project, basic utilities and services shall be provided, the minimum requirements of which shall be:

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

(1) Water Supply. Water supply shall be adequate in amount and reasonably free from chemical and physical impurities; a main service connection and a piping system with communal faucets to serve the common areas like the garden, driveways, etc. shall be provided. Pipes branching out from the main water line shall service the individual units which shall be provided with individual water meters.

(2) Power Supply/Electrical Service. If available in the vicinity, a main power service shall be provided with a main circuit to service common lighting as well as common power beeds of the dwelling. Like the water system, however, branch circuits with separate meters shall service the individual living units.

(3) Drainage System. Surface run-offs shall be channeled to appropriate repositories.

(4) Sewage Disposal System. Sewage disposal may be accomplished by any of the following means:

a) discharge to an existing public sewerage system.

b) treatment in a community disposal plant, or communal septic tank.

c) treatment in individual septic tanks with disposal by absorption field or leaching pit.

(5) Garbage Disposal System. There shall be provided adequate services for the regular collection and disposal of garbage and rubbish.

(6) ELEVATOR REQUIREMENTS. (IF APPLICABLE)

PROVISION OF ELEVATORS SHALL CONFORM WITH THE PLANS AND SPECIFICATIONS OF THE DULY LICENSED DESIGN ARCHITECT/ENGINEER WHO SHALL DETERMINE THE REQUIREMENT FOR ELEVATORS INCLUDING THE NUMBER OF CARS, CAPACITY, SAFETY FEATURES AND STANDARDS, ELEVATOR TYPE, SPEED AND LOCATION IN RELATION TO THE OVER-ALL DESIGN AND USE OF THE BUILDING; THE DESIGN ARCHITECT/ENGINEER SHALL CERTIFY UNDER OATH THAT ALL THE COMPONENTS THEREOF ARE IN ACCORDANCE WITH THE NATIONAL BUILDING CODE, THE ACCESSIBILITY LAW, AND NATIONAL AND INTERNATIONAL INDUSTRY STANDARDS AND OTHER PERTINENT LAWS. (APPROVED AS PER RES. NO. 554, SERIES OF 1994). PROVIDED FURTHER THAT IT SHALL CONFORM WITH THE RELEVANT PROVISIONS OF THE NATIONAL BUILDING CODE.

COMPLIANCE TO THE PROVISIONS OF THE FIRE CODE SHALL BE MANDATORY.

C. GENERAL CONSTRUCTION REQUIREMENTS

1. Structural Requirements

All construction shall conform with the provisions of the latest edition of the Philippine Structural Code.

2. Electrical Requirements

All electric systems, equipment and installation shall conform with the provisions of the latest edition of the Philippine Electrical Code and the requirements of the electric utility that serves the locality.

3. Sanitary Requirements

All sanitary systems, equipment and installation shall conform with the provisions of the latest edition of SANITATION CODE/National Plumbing Code.

4. Construction Materials

The use of indigenous materials for site development and construction of dwellings shall be encouraged, as long as these are in conformity with the requirements of these Rules and ensures a building life span of at least 25 years, or in correspondence to loan terms payment.

SECTION 9. Variances/Exemptions

Variances from these standards and requirements may be granted PURSUANT TO THE CONDITIONS STIPULATED IN BOARD RESOLUTION NO. R-97, SERIES OF 1982 UNDER STRICT OBSERVANCE HEREOF WILL CAUSE unnecessary hardship to the owner/developer or prejudice intended beneficiaries such as in the case of regional considerations/characteristics, peculiarities of the location and other relevant factors.

REVISED MINIMUM DESIGN STANDARDS FOR BP 220 [*]

RULE IV
APPLICATION AND APPROVAL OF PLANS AND BUILDING DESIGNS

SECTION 10. Approval Required — No development of economic and socialized housing projects shall be allowed without having complied with the standards and approval procedures set forth in these rules.

SECTION 11. Approval of Proposed Residential Houses of Average and Low-Income Earners — Individual lot owners who are average and low-income earners as defined by BP 220 may construct their individual residential houses in the manner provided by these Rules, provided that:

1. they secure DEVELOPMENT APPROVAL FROM LOCAL GOVERNMENT UNIT THRU THE SANGGUNIANG BAYAN prior to their construction; and

2. they SUBMIT THEIR PROPOSED BUILDING PLANS TO THE CITY/MUNICIPAL ENGINEER FOR APPROVAL.

Whenever applicable, the procedures and documents required under this Rules in the case of other housing projects shall also be observed in case of individual residential projects.

SECTION 12. Establishment of an Integrated Approval System — There is hereby established an INTEGRATED APPROVAL SYSTEM which shall be applicable exclusively to the evaluation and approval of all proposed economic and socialized housing projects whether the development is for a house and lot or for a house or lot only.

Upon the effectivity of these Rules, all proposed economic and socialized housing projects shall be required to secure only the INTEGRATED APPROVAL set forth herein which shall take the place of permits and clearances required under Presidential Decree Numbers 957, 1216, 1096 and 1185 and their implementing rules and regulations.

SECTION 13. Where Application for Integrated Approval is Made — Applications for integrated approval shall be made with the HOUSING AND LAND USE REGULATORY BOARD/OR LOCAL GOVERNMENT UNIT CONCERNED which is hereby authorized to prescribe application requirements and impose the necessary conditions on approvals and applications.

SECTION 14. How Application is Made — Application for Integrated Approval shall be made by accomplishing in duplicate copies an application form duly prescribed by the BOARD.

The application form shall be accomplished by the following documents:

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

A. Approval of Preliminary Development Plan

1. AT LEAST TWO (2) SETS OF THE FOLLOWING DOCUMENTS DULY SIGNED BY LICENSED ARCHITECT/ENGINEER/ENVIRONMENTAL PLANNER

a) Site Development Plan (SCHEMATIC PLAN) [signed by a licensed architect/planner, engineer planner/environmental planner] at a scale ranging from one is to one thousand (1:1,000) to one is to five thousand (1:5,000) showing the proposed layout of streets, lots and other features in relation to existing conditions.

b) [Vicinity Map within a radius of two (2) kilometers from the periphery of the project or as may be required by the [Commission] BOARD, showing the relationship of the proposed subdivision to existing community facilities which serve or may directly or indirectly influence it, main traffic arteries, public transportation lines; shopping centers; elementary, high school and other educational institutions; and other community facilities; titles, scale, north arrow and date.]

VICINITY MAP INDICATING THE ADJOINING LAND USES, ACCESS AS WELL AS EXISTING FACILITIES AND UTILITIES AT LEAST WITHIN ONE HUNDRED (100) METERS FROM THE PROPERTY BOUNDARIES OF THE PROJECT, DRAWN TO SCALE.

c) SURVEY PLAN OF THE LOT(S) AS DESCRIBED IN TCT(S).

2. AT LEAST TWO (2) COPIES OF CERTIFIED TRUE COPY OF TITLE(S) AND CURRENT TAX RECEIPT.

3. IF THE LAND IS AN AGRICULTURAL LAND, SECURE CONVERSION AND/OR EXEMPTION CLEARANCE FROM THE DEPARTMENT OF AGRARIAN REFORM (DAR).

4. RIGHT TO USE OR DEED OF SALE OF RIGHT-OF-WAY FOR ACCESS ROAD AND OTHER UTILITIES WHEN APPLICABLE.

Approval of preliminary subdivision plan will be valid only for a period of one hundred eighty (180) days from date of approval.

B. Approval of Final Subdivision Plan

1. [Final] APPROVED Subdivision Plan BY THE LOCAL GOVERNMENT UNIT (LGU) [duly signed by a licensed architect planner engineer planner/environmental planner] consisting of the site development plan at any of the following scales: one is to one thousand (1:1,000); one is to two thousand (1:2,000); or any scale not exceeding one is to five thousand (1:5,000); showing all proposals including the following:

a) Roads, easements or right-of-way and roadway width, alignment, gradient, and similar data for alleys, if any.

b) Lot numbers, lines and areas and block numbers.

c) Site data SUCH AS number of residential [or] AND saleable lots, typical lot size and open spaces; and

d) A SCHEME FOR TREE PLANTING

2. CIVIL WORKS DESIGN

ENGINEERING PLANS/CONSTRUCTION DRAWINGS BASED ON APPLICABLE ENGINEERING CODE AND DESIGN CRITERIA IN ACCORDANCE WITH THE FOLLOWING:

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

a) AT LEAST TWO (2) COPIES OF ROAD (GEOMETRIC AND STRUCTURAL DESIGN/PLAN.

(1) PROFILE SHOWING THE VERTICAL CONTROL, DESIGNED GRADE, CURVE ELEMENTS AND ALL INFORMATION NEEDED FOR CONSTRUCTION.

(2) TYPICAL ROADWAY SECTIONS SHOWING RELATIVE DIMENSIONS AND SLOPES OF PAVEMENT, GUTTERS, SIDEWALKS, SHOULDERS, BENCHING AND OTHERS.

(3) DETAILS OF ROADWAY SHOWING THE REQUIRED THICKNESS OF PAVEMENT, SUB-GRADE TREATMENT AND SUB-BASED ON THE DESIGN ANALYSIS.

(4) DETAILS OF ROADWAY AND MISCELLANEOUS STRUCTURE SUCH AS CURB AND GUTTER (BARRIER, MOUNTABLE AND DROP), SLOPE PROTECTION WALL AND RETAINING WALL.

b) AT LEAST TWO (2) COPIES OF STORM DRAINAGE AND SEWER SYSTEM

(1) PROFILE SHOWING THE HYDRAULIC GRADIENTS AND PROPERTIES OF THE MAIN LINES INCLUDING STRUCTURES IN RELATION WITH THE ROAD GRADE LINE.

(2) DETAILS OF DRAINAGE AND MISCELLANEOUS STRUCTURES SUCH AS VARIOUS TYPES OF MANHOLES, CATCH BASINS, INLETS (CURB, GUTTER, AND DROP), CULVERTS AND CHANNEL LININGS.

c) AT LEAST TWO (2) COPIES OF SITE GRADING

PLANS WITH THE FINISHED CONTOUR LINES SUPERIMPOSED ON THE EXISTING GROUND THE LIMITS OF EARTH WORK EMBANKMENT SLOPES, CUT SLOPES, SURFACE DRAINAGE, DRAINAGE OUTFALLS AND OTHERS.

d) AT LEAST TWO (2) COPIES OF WATER SYSTEM LAYOUT AND DETAILS

3. Topographic Plan to include existing conditions as follows:

a) Boundary Lines: bearings and distances;

b) Streets and easements, right of way width and elevation on and adjacent to the subdivision;

c) Utilities on and adjacent to the subdivision location, size and invert elevation of sanitary storm and combined sewers; location of gas lines, fire hydrants, electric and telephone poles and street lights. If water mains and sewers are not on/adjacent to the subdivision, indicate the direction and distance, to and size of nearest one, showing invert elevation of sewers.

d) Ground elevation of the subdivision: for ground that slopes less than two percent (2%), indicate spot elevations at all breaks in grade, along all drainage channels and at selected points not more than thirty (30) meters apart in all directions: for ground that slopes more than two percent (2%), either indicate contours with an interval of not more than one half (0.5) meter if necessary due to irregular land or need for more detailed preparation of plans and construction drawings.

e) Other conditions on the land: water courses, marshes, rock and wooded areas, isolated preservable trees 0.3 meter or more in diameter, houses, barns, shacks, and other significant features.

f) Proposed public improvements: highways or other major improvements planned by public authorities for future construction on or near the subdivision.

g) Department of Agrarian Reform conversion [approval] CLEARANCE AUTHORIZING A CHANGE IN USE [of tenanted rice and corn lands] from agricultural to [residential use] NON-AGRICULTURAL, WHERE APPLICABLE.

Study hands-free: podcast-style lessons with read-along highlighting - batas.org

4. TWO (2) COPIES OF PROJECT STUDY FOR PROJECTS HAVING AN AREA OF ONE (1) HECTARE AND ABOVE WITH THE FOLLOWING FINANCIAL ATTACHMENTS:

a) AUDITED ASSETS AND LIABILITIES/INCOME STATEMENT

b) INCOME TAX RETURN (FOR AT LEAST 3 YEARS)

c) CERTIFICATE OF REGISTRATION WITH SECURITIES AND EXCHANGE COMMISSION (SEC)

d) ARTICLES OF INCORPORATION OR PARTNERSHIP

e) CORPORATION BY-LAWS AND ALL IMPLEMENTING AMENDMENTS

5. SPECIFICATION, BILL OF MATERIALS AND COST ESTIMATE

6. Project [Study] PROFILE indicating raw lands and development costs, total project costs, amortization schedule, sources of financing, marketability, cash flow, housing scheme, if any, and work program.

7. Certified true copy of [Title and] Tax Declaration COVERING THE PROPERTY(TIES) SUBJECT OF THE APPLICATION FOR THE YEAR IMMEDIATELY PRECEDING. [or other evidence of ownership or intent to sell and authority to develop signed by the owner.]

8. Permit [for operation] TO OPERATE [of] A deepwell FROM NATIONAL WATER RESOURCES BOARD (NWRB) and a water RESISTIVITY test [if] and when necessary, from the appropriate government agency.] (THIS APPLY ONLY TO INSTANCES WHEN THE SUBDIVISION APPROVAL INCLUDES THE PROVISION OF WATER SUPPLY BY THE OWNER-DEVELOPER.) WATER POTABILITY TEST RESULTS.

SECTION 15. Evaluation of Land Development and Structural Design Components of Project — Should the project be found locationally viable, the BOARD shall proceed to determine whether the land development scheme and building design is in accordance with the standards set forth in these Rules.

Where the developer or applicant has opted to avail of the pre-approved plans of the BOARD there shall be no necessity for evaluating building design except with respect to the suitability thereof to project site and its harmony/compatibility with the land development scheme. Should the design be found unsuitable/incompatible, the developer may be asked to alter/revise his choice. The BOARD may extend technical assistance in the choice of the appropriate model.

Where the developer does not avail of said plans and presents his own designs and specifications, the BOARD shall evaluate the building component of the project as to structural, fire safety and functionality. The review of such building plans and specifications shall be in accordance with standards set forth in these Rules.

SECTION 16. Pre-approval of Building Plans — The BOARD shall formulate model building plans and designs or may approve plans submitted by duly qualified professionals which plans shall be considered pre-approved and maybe utilized by the developer/proponent.

SECTION 17. Validity of Development Approval — Development permits shall be valid for a period of one (1) year WITH A STIPULATED CONDITION THAT AN ECC SHALL BE SECURED PRIOR TO ACTUAL DEVELOPMENT and should activity be not commenced within said period, the grantee of the permit may apply for its revalidation within the next succeeding year.

Thereafter, no development shall be allowed unless a new application for approval is filed.

SECTION 18. Survey and Approval of Subdivision Plan — Upon the issuance of Integrated Approval to an economic and socialized housing project, the developer shall refer the final subdivision plan together with the parcellary map to the LAND MANAGEMENT BUREAU for the conduct of verification survey and approval of the subdivision scheme. Upon accomplishment thereof, the Bureau shall submit its findings to the BOARD.

RULE V
REGISTRATION AND LICENSING OF ECONOMIC AND SOCIALIZED HOUSING PROJECTS

SECTION 19. Registration of Project — No subdivision or condominium intended for economic and socialized housing shall be sold unless it has been registered and issued a license to sell in accordance with these Rules.

Upon receipt of the Survey Returns and Approval of Subdivision Plan from the LAND MANAGEMENT BUREAU, the BOARD shall notify the developer of economic and socialized housing project which have been granted Integrated Approval to submit the following documents to have his project registered under these Rules.

1. SWORN REGISTRATION STATEMENT

2. TITLE CERTIFIED AS TRUE COPY OF THE REGISTER OF DEEDS SHOWING NO LIENS AND ENCUMBRANCES

3. DULY AUDITED BALANCE SHEET

4. EXISTING ARTICLES OF INCORPORATION FOR PARTNERSHIP OR ASSOCIATION AND BY-LAWS (OR EQUIVALENT INSTRUMENT) AND A COPY OF THE LATEST ANNUAL CORPORATE REPORT TO SEC

5. COPY OF ANY CIRCULAR, PROSPECTUS, BROCHURE, ADVERTISEMENT OR COMMUNICATION USED OR TO BE USED FOR THE PUBLIC OFFERING OF LOTS OR UNITS THCSAE

6. COPY OF ANY CONTRACT USED OR TO BE USED IN THE SALE OF LOTS OR UNITS

7. AFFIDAVIT SIGNIFYING WILLINGNESS TO CHANGE NAME

8. A CERTIFIED TRUE COPY OF THE ENVIRONMENTAL COMPLIANCE CERTIFICATE OR THE CERTIFICATE OF EXEMPTION THEREFROM ISSUED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

9. PROOF OF COMPLIANCE TO SEC. 18 OF RA 7279 (FOR BP 220 PROJECT WHOSE SELLING PRICE IS ABOVE THE MAXIMUM SELLING PRICE OF SOCIALIZED HOUSING PROJECT)

10. SPECIAL REQUIREMENT

10.1 FOR SUBDIVISION PROJECTS ONLY

SURVEY PLAN VERIFIED AND APPROVED BY THE LAND MANAGEMENT BUREAU DULY RECEIVED BY SAID OFFICE.

11. ADDITIONAL REQUIREMENTS (ORIGINAL OR CERTIFIED TRUE COPY) IN CASE THE SUBDIVISION APPROVAL IS MADE BY A LOCAL GOVERNMENT

11.1 SANGGUNIAN RESOLUTION OR ORDINANCE APPROVING SUBDIVISION PLAN FOR THE PROJECT AND/OR THE DEVELOPMENT PERMIT OR ITS EQUIVALENT

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

11.2 SUBDIVISION PLAN APPROVED BY THE LOCAL GOVERNMENT UNIT SHOWING ALL PROPOSALS (ROADS AND ALLEYS AND DATA PERTINENT THERETO, LOT AND BLOCK NUMBERS AND AREAS AND SITE DATA) INCLUDING TREE PLANTING

11.3 ENGINEERING PLANS (ALIGNMENT, ELEVATIONS, TYPICAL CROSS SECTIONS AND DETAILS OF SYSTEMS FOR ROAD, WATER, DRAINAGE AND SEWAGE DISPOSAL, POWER DISTRIBUTION AND STREET LIGHTING

11.4 TOPOGRAPHIC PLAN

11.5 PROJECT STUDY

11.6 RECENT Tax Declaration

11.7 PERMIT TO OPERATE A DEEPWELL AND A WATER RESISTIVITY TEST, IF NECESSARY

11.8 IN CASE THE APPROVAL IS WITH HOUSING, ALL HOUSING MODELS, BILL OF MATERIALS AND COST ESTIMATES

SECTION 20. Notice of Publication — Upon evaluation of the completeness and veracity of the documents submitted, this Office shall cause the publication at the expense of the applicant a Notice of Pending Application for Registration and License to Sell in one newspaper of general circulation in English or in Pilipino reciting therein that an application for registration and License to Sell for the sale of subdivision lots and condominium units has been filed with the BOARD and that the aforesaid application papers as well as the documents attached thereto are open to inspection during business hours by interested parties. In addition, a 3 x 6 billboard notice of the project shall be posted on the project site until the issuance of the License to Sell.

Upon completion of the publication, the proponent shall submit Proof of Publication executed by the Publisher and an affidavit attesting to the posting of the Billboard Notice on the site.

SECTION 21. Registration of Project — Ten days from the completion of the publication and submission of the proof of publication, the BOARD shall, in the absence of an opposition to the Registration of the Project, issue a Certificate of Registration. No opposition shall be entertained after the above period.

SECTION 22. Opposition to Registration — Complaints and opposition to the registration shall be filed with the BOARD within ten (10) days from the date of publication. Proceedings for registration and license to sell shall be, in the meantime, suspended upon an initial findings that the same is meritorious.

SECTION 23. License to Sell — No owner or developer shall sell any disposable subdivision lot or condominium unit in a registered property without a license to sell issued by the BOARD.

Upon submission of a Performance Bond in the form of a Surety Bond to the amount of Ten Percent (10%) of the total estimated development cost of the project issued by a duly accredited bonding company and acceptable to the BOARD, or a certificate of guarantee from any bank or financing institution of good standing addressed to the Board for the total development cost, the BOARD shall cause the issuance of a License to Sell for the project.

Whenever it shall appear that the Performance Bond is, or for any causes has become worthless, inadequate or insufficient after the License to Sell has been issued, the owner/developer shall, after due notice, be required to give an additional performance bond or replace the worthless bond within ten days from the receipt of such notice. Meanwhile, the License to Sell has been deemed suspended or revoked.

SECTION 24. Monitoring of Project — The BOARD shall have the power to monitor projects granted Integrated Approval and License to Sell under these Rules to ensure faithful compliance with the terms, standards and

conditions thereof. It may exercise visitorial powers and in case of violation or non-compliance with the terms, standards and conditions thereof. It may exercise visitorial powers and in case of violation or non-compliance of the terms, standards and conditions set forth in the approval and the license issued, it may institute revocation proceedings and impose appropriate fines and penalties.

RULE VI
COMPLAINTS, HEARINGS AND PENALTIES

SECTION 25. Authority to Issue Rules and Procedures — The BOARD is hereby authorized to issue Rules of Procedure to Govern the conduct of Hearings before it can act on complaints or proceedings against owners, developers, dealers, brokers and salesmen arising under these Rules. Until the issuance of such Rules, the present Rules of Procedure to Govern the conduct of Hearings before the HOUSING AND LAND USE REGULATORY BOARD shall apply.

SECTION 26. Mediation/Conciliation of Complaints — It shall be mandatory on the part of the BOARD to conduct mediation or conciliation on complaints or opposition filed with it before the same could be subjected to a formal hearing.

SECTION 27. Suspension of License to Sell/Cease and Desist Order — The BOARD may, in its discretion or upon notice and hearing immediately suspend the owner's license to sell and issue a Cease and Desist Order pending investigation and hearing of the case for the following reasons:

a. Upon verified complaint filed by a buyer of a subdivision lot/house or any interested party;

b. In its opinion, any information in the registration statement filed by the owner/dealer is or has become misleading, incorrect, inadequate or incomplete or the sale or offering for sale of the project may work or tend to work a fraud upon prospective buyers;

c. When it appears to the BOARD that the owner/dealer is engaged in any act or practice which constitute or shall constitute a violation of the provisions of these Rules.

The suspension order/cease and desist order may be lifted if, after notice and hearing, the BOARD is convinced that any deficiency in the sworn registration statement has been corrected or supplemented, or that the sale to the public of the subdivision project shall neither be fraudulent nor result in fraud. It shall also be lifted upon dismissal of the complaint.

Until the final entry of an order of suspension, the suspension of the right to sell the project, though binding upon all persons notified thereof, shall be deemed confidential unless it shall appear that the order of suspension has in the meantime been violated.

SECTION 28. Revocation of the Registration Certificate and License to Sell — The BOARD may, motu propio, or upon verified complaint filed by a buyer revoke the registration and license to sell of any subdivision project or subdivision lot/house in said project or condominium unit if upon examination of the affairs of the owner or dealer, during a hearing conducted it shall appear there is prima facie evidence that the said owner or dealer.

a. Is insolvent; or

b. Has violated any of the provisions of the law and its rules and regulations or any undertaking of his/its performance bond; or

c. Has been or engaged in fraudulent transaction.

SECTION 29. Administrative Fines and Penalties — Violation of any of the provision of these Rules and

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

Standards shall be subject to the Fines and Penalties as provided under PD's 957, 1216, 1096 and 1185.

RULE VII
MISCELLANEOUS PROVISIONS

SECTION 30. Conformance to the Requirements of other pertinent laws, Rules and Regulations — Unless otherwise amended or expressly provided, the provisions of Presidential Decree 957 and its implementing Rules on the following Sections are hereby adopted in these Rules;

a. Submission of Semestral Reports on Operations

b. Display of Certificate of Registration and License to Sell

c. Lost or Destroyed Certificate of Registration or License to Sell

d. Advertisement

e. Time of Completion

f. Extension of Time for Completion

g. Alteration of Plans

h. Non-Forfeiture of Payments

i. Registration of Conveyances

j. Mortgages

k. Take-over development

l. Phases of Subdivision

m. Realty Tax and Other Charges

SECTION 31. Non-Development — Failure on the part of the owner or developer to develop the project in accordance with the approved project plans and within the time herein specified shall subject the owner/developer to administrative sanctions and penalties.

SECTION 32. Organization and Registration of Homeowners — The owner or developer of a socialized and economic housing project shall initiate the organization of a homeowners association among the buyers and residents of the project for the purpose of promoting and protecting their mutual interest. Said home owners association shall register with the BOARD and the latter is hereby authorized to accredit and determine the legitimate homeowners association of the housing project for purposes of applying the pertinent provisions of these Rules.

SECTION 33. Donations of Roads, Open Spaces and Water Supply — The owner or project developer shall donate the roads and open spaces found in the project to the local government of the area after their completion had been certified to by the BOARD and it shall be mandatory for the said local government to accept such donations. Parks and playgrounds maybe donated to the duly accredited Homeowners Association of the project with the consent of the city or municipality concerned under PD 1216.

The water supply system of the project may likewise be donated to the duly accredited homeowners association after certification by the BOARD of its completion and of its being operational. Should the homeowners not accept the donation, the owner or developer of the project shall collect reasonable rates to be determined by the

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

BOARD in consultation with the National Water Resources Board or the Local Water Works and Utilities Administration. The proceeds thereof shall be used exclusively for the maintenance and operation of the water system by the developer.

SECTION 34. Fees — THE BOARD SHALL COLLECT THE FOLLOWING FEES:

I. SUBDIVISION AND TOWNHOUSE PROJECT UNDER BP 220

1. PRELIMINARY APPROVAL AND LICENSE TO SELL

a. FOR THE FIRST 10 HECTARES P70.00
b. FOR EVERY ADD'L. OR A FRACTION THEREOF 20.00

2. FINAL APPROVAL (PER HECTARE) 200.00

3. INSPECTION FEE

a. SOCIALIZED 110.00
b. ECONOMIC 170.00

4. ALTERATION OF PLAN (AFFECTED AREAS ONLY) 200.00

5. BUILDING PERMIT (PER SQ.M. OF THE FLOOR AREA OF HOUSING UNIT) 2.00

6. CERTIFICATE OF REGISTRATION AND LICENSE TO SELL (PER LOT OR UNIT) 7.00

7. CERTIFICATE OF COMPLETION (PER HECTARE OR FRACTION OF LAND AREA) 150.00

8. CERTIFICATE OF OCCUPANCY (PER SQ.M. OF THE FLOOR AREA OF HOUSING UNIT) 2.00

II. OTHER CERTIFICATIONS

A. APPLICATION FOR THE FOLLOWING

1. ADVERTISEMENT APPROVAL 200.00

2. CANCELLATION/REDUCTION OF PERFORMANCE BOND 350.00

3. LIFTING OF SUSPENSION OF LICENSE TO SELL 350.00

4. EXTENSION OF TIME TO COMPLETE DEVELOPMENT 350.00

5. EXEMPTION FROM CEASE AND DESIST ORDER 50.00

6. CLEARANCE TO MORTGAGE 350.00

7. LIFTING OF CEASE AND DESIST ORDER 350.00

8. CHANGE OF NAME/OWNERSHIP 350.00

9. VOLUNTARY CANCELLATION OF CRLS 350.00

10. ZONING CERTIFICATION 75.00

11. CERTIFICATION NEW RIGHTS/SALES 75.00

12. CERTIFICATE OF LOCATIONAL VIABILITY 75.00

Study hands-free: podcast-style lessons with read-along highlighting - batas.org

13. OTHER TYPES TO INCLUDE:

a. AVAILABILITY OF RECORDS/PUBLIC REQUEST OF COPIES/RESEARCH WORK 75.00

b. CERTIFICATION OF NO RECORDS ON FILE 75.00

c. CERTIFICATION OF WITH OR WITHOUT CRLS 75.00

14. REVALIDATION/RENEWAL OF PERMIT -CONDOMINIUM 50% OF THE ORIGINAL FEE

15. CERTIFICATE OF REGISTRATION & LICENSE TO SELL (FORM) 75.00

16. CERTIFIED TRUE COPY OF DOCUMENTS

a. DOCUMENTS OFF 5 PAGES OR LESS 20.00
b. EVERY ADDITIONAL PAGES 2.00

III. REGISTRATION OF DEALERS/BROKERS/SALESMEN

1. DEALERS/BROKERS 200.00

2. SALESMEN 120.00

IV. LEGAL FEES (INCORPORATED IN THE HLRB RULES OF PROCEDURES; APPROVED UNDER RESOLUTION NO. R-576, DATED 09 OCTOBER 1995)

A. COMPLAINT/OPPOSITION FEE. FOR FILING A COMPLAINT/PETITION OR A COMPLAINT IN INTERVENTION, OR A PERMISSIVE COUNTER-CLAIM, OR FOR FILING A THIRD-PARTY, FOURTH-PARTY, ETC. COMPLAINT BEFORE THE REGIONAL OFFICES, IF THE TOTAL SUM CLAIMED OR THE STATED VALUE OF THE PROPERTY IN LITIGATION IS:

1. NOT MORE THAN P 20,000.00 120.00

2. MORE THAN P 20,000.00 BUT LESS THAN P 40,000.00 150.00

3. P 40,000.00 OR MORE BUT LESS THAN P 60,000.00 200.00

4. P 60,000.00 OR MORE BUT LESS THAN P 80,000.00 250.00

5. P 80,000.00 OR MORE BUT LESS THAN P 100,000.00 400.00

6. P 100,000.00 OR MORE BUT LESS THAN P 150,000.00 600.00

7. FOR EACH 1,000 IN EXCESS OF P 150,000.00 5.00

B. PETITION FOR REVIEW FEE — FOR FILING A PETITION FOR REVIEW WITH THE BOARD OF COMMISSIONERS, ONE THOUSAND (P1,000.00) PESOS.

C. PAUPER-LITIGANTS EXEMPT FROM PAYMENT OF LEGAL FEES--PAUPER LITIGANTS (A) WHOSE GROSS INCOME AND THAT OF THEIR IMMEDIATE FAMILY DO NOT EXCEED FOUR THOUSAND PESOS (P4,000.00) A MONTH IF RESIDING METROPOLITAN MANILA, AND (B) WHO DO NOT OWN REAL PROPERTY WITH AN ASSESSED VALUE OF MORE THAN FIFTY THOUSAND PESOS (50,000) SHALL BE EXEMPT FROM THE PAYMENT OF LEGAL FEES.

D. GOVERNMENT EXEMPT — THE REPUBLIC OF THE PHILIPPINES, ITS AGENCIES AND INSTRUMENTALITIES, ARE EXEMPT FROM PAYING THE LEGAL FEES PROVIDED THEREIN.

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

LOCAL GOVERNMENT AND GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS WITH OR WITHOUT INDEPENDENT CHARTERS ARE NOT EXEMPT FROM PAYING SUCH FEES. ITS AGENCIES AND INSTRUMENTALITIES, ARE EXEMPT FROM PAYING SUCH FEES.

* INCORPORATED IN THE HLRB RULES OF PROCEDURES; APPROVED UNDER RES. NO. R-576, DATED 09 OCTOBER 1995

SECTION 35. Authority to Issue Supplemental Rules, Directives and Interpretative Memorandum and Circular — In the implementation of Batas Pambansa Blg. 220 and these Rules and Standards, the BOARD, through its Chief Executive Officer, is hereby authorized to issue supplemental rules, directives and interpretative memorandum and circulars.

SECTION 36. Separability Clause — The provision of these Rules are hereby declared separable, and in the event any of such provisions are declared null and void, the validity of all other provisions shall be affected thereby.

SECTION 37. Effectivity — These Rules shall take effect thirty days after its last publication in two newspapers of general circulation in the Philippines for at least once a week for two consecutive weeks.

Adopted: 09 October 1995

(SGD.) DIONISIO C. DELA SERNA

Chairman, HUDCC

Ex-Officio Chairman

ISAGANI B. VALDELLON

(SGD.) ERNESTO C. MENDIOLA

Dep. Director-General, NEDA

Commissioner and Chief Executive Officer

Ex-Officio Commissioner

(SGD.) PRESBITERO VELASCO, JR.

(SGD.) ROMULO Q. FABUL

Undersecretary, DOJ

Commissioner

Ex-Officio Commissioner

SIMEON M. VENTURA

(SGD.) LUIS T. TUNGPALAN

Undersecretary, DILG

Commissioner

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

Ex-Officio Commissioner

JOEL L. ALTEA

(SGD.) TERESITA A. DESIERTO

Asst. Secretary, DPWH

Commissioner

Ex-Officio Commissioner

Attested By:

CAROLINA A. CASAJE

Officer-in-Charge, Board Secretariat

[**] Text available at the Office of the National Administrative Register (ONAR), U.P. Law Center, Diliman, Quezon City.

[*] Figure available at the Office of the National Administrative Register (ONAR), U.P. Law Center, Diliman, Quezon City.

[*] See Appendix 3.

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.