

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3386



Introduced by Rep. Precious Hipolito Castelo

EXPLANATORY NOTE

Laws regulating the entry and presence of foreign nationals and immigrants here in our country exist, just like in any other country.

Specifically, foreign nationals who are in the Philippines for gainful employment should have secured either a Special Work Permit (SWP) or an Alien Employment Permit (AEP) from the Department of Labor and Employment (DOLE), depending on the duration of their stay here. Also, a Pre-Arranged Working Visa or the "9(G)" Visa shall also be secured from the Bureau of Immigration (BI).

Under Article 40 of the Labor Code of the Philippines, AEPs shall be issued only to foreign nationals after a determination of the non-availability of a Filipino national who is competent, able, and willing at the time of application to perform the services for which the foreign national is desired.

Nonetheless, despite these requirements, it seems that the presence of illegal immigrants here in the country continues to be unrestrained and unchecked. For instance, several Chinese manual laborers were recently spotted at a construction site in Parañaque City.¹ It is hard to believe there is no Filipino that is competent, able, and willing to perform the services of a construction worker.

The proliferation of illegal immigrants here in our country not only deprives Filipinos of employment opportunities that would have been available to them. Often, these illegal immigrants stay here for as long as they can, before they are caught and/or deported. Naturally, if they are going to stay here long-term, they need to find places that they can rent.

Currently, it appears that they have found business districts such as Makati and Manila as their havens. One spillover effect of this touches upon the pricing of leasing residential units. According to Colliers International, a real estate consultancy firm, rental rates of residential units near offices of offshore gaming firms in Makati and Manila have been driven up by the rising demand of leasable areas where foreign nationals can reside during the period of their employment.²

It is quite unfortunate that presently, we are lacking effective mechanisms to monitor the presence of illegal immigrants in our country, especially after they have already successfully entered here legally. It is worth noting that Visas and work permits expire. As such, there needs to be an added layer of protection to effectively curb the rising population of illegal

¹ <https://news.abs-cbn.com/news/03/28/19/filipinos-not-fit-for-work-chinese-manual-laborers-seen-in-ph-construction-site>

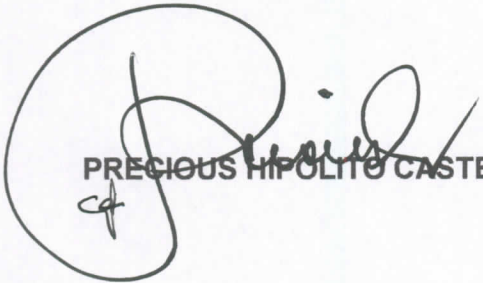
² <https://www.bworldonline.com/demand-from-chinese-drives-up-rental-rates-in-makati-bay-area/>

immigrants. While it is important to maintain good relations with other countries by being hospitable and welcoming to foreign nationals, it is equally imperative to enhance the effectiveness of our existing laws, rules, and regulations.

As such, this humble measure seeks to curtail the presence of illegal immigrants by requiring foreign nationals to present to lessors their respective valid travel documents and permits according to the purpose of their stay here, before they can lease residential properties. For instance, a foreign national who intends to stay here for gainful employment for at least six (6) months shall present a "9(G)" Visa and a AEP to the lessor.

Those who do not have the necessary travel documents and permits shall not be allowed to lease any kind of real property here. It is the intention of this bill to not only penalize foreign nationals who will violate the spirit of this proposed measure, but also to impose fines to lessors, or to any person who will allow, assist, aid, or abet any violation of the provisions hereof.

In view of the foregoing, immediate consideration and passage of this bill is earnestly sought.



PRECIOUS HIPOLITO CASTELO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3386

Introduced by Rep. Precious Hipolito Castelo

AN ACT

MANDATING FOREIGN NATIONALS TO PRESENT VALID TRAVEL DOCUMENTS AND PERMITS CORRESPONDING TO THE PURPOSE OF THEIR STAY BEFORE THEY CAN LEASE RESIDENTIAL PROPERTIES IN THE PHILIPPINES, PRESCRIBING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES

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

SECTION 1. This Act shall be known as the "Alien Rent Control Act of 2019".

SEC. 2. All foreign nationals who intend to lease residential properties in the Philippines, regardless of the duration of the lease, shall be required to present valid travel documents and/or corresponding work permits to the lessor, depending on the purpose of their stay here, before the commencement of any contract of lease.

SEC. 3. A lessor shall exercise diligence of a good father of a family in determining whether an alien lessee has the necessary travel documents and/or permits before the commencement of any contract of lease between them.

SEC. 4. Any foreign national found guilty of violating Section 2 of this Act shall be penalized with a fine of not less than One Hundred Thousand Pesos (P100,000) to not more than One Million Pesos (P1,000,000) or imprisonment of not less than one (1) month but not more than six (6) months, or both, at the discretion of the court. The penalties provided herein shall be without prejudice to the institution of proper deportation proceedings against the foreign national.

SEC. 5. Any person found guilty of aiding, abetting, or assisting any foreign national in violating Section 2 of this Act shall be penalized with a fine of not less than Fifty Thousand Pesos (P50,000) to not more than Five Hundred Thousand Pesos (P500,000), at the discretion of the court.

SEC. 6. All issuances, laws, decrees, orders, rules and regulations or parts thereof not consistent with this Act are hereby repealed or modified accordingly.

SEC. 7. This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,