



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

Seventeenth Congress  
First Regular Session

HOUSE BILL NO. **3736**



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**Introduced by Honorable Rodante D. Marcoleta**

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#### **EXPLANATORY NOTE**

Section 9, Article XIII of the 1987 Constitution provides: "The State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas. x x x"

Republic Act (RA) No. 7279, otherwise known as the "Urban Development and Housing Act of 1992" was enacted primarily to uplift the conditions of the underprivileged and homeless citizens in urban areas and in resettlement areas by making available to them decent housing at affordable cost, basic services, and employment opportunities. Section 28 of RA 7279 provides for the situations when eviction and demolition shall be allowed. Among others, eviction and demolition shall be allowed "when there is a court order."

This bill seeks to amend Section 28 (c) of RA No 7279 by emphasizing that the "court order" referred to therein shall apply only to final and executory judgments. Likewise, the proposed measure modifies said provision to the effect that no execution pending appeal shall be granted or allowed by the courts in cases involving underprivileged and homeless citizens who are beneficiaries under RA No. 7279. This implies that these individuals have no money to pay appeal fees or the supersedeas bond necessary to stay the execution of an ejectment case pending appeal. Hence, this bill.

In view of the foregoing, approval of this bill is earnestly sought.

  
**RODANTE D. MARCOLETA**



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**AN ACT**  
**ALLOWING THE ORDER OF EVICTION OR DEMOLITION BY THE**  
**COURTS ONLY WHEN JUDGMENT BECOMES FINAL AND EXECUTORY**  
**AMENDING FOR THE PURPOSE REPUBLIC ACT NUMBER SEVENTY-**  
**TWO HUNDRED AND SEVENTY-NINE OTHERWISE KNOWN AS THE**  
**URBAN DEVELOPMENT HOUSING ACT**

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

SECTION 1. Paragraph (c) of Section 28 of Republic Act No. 7279 is hereby amended to read as follows:

“SEC. 28. *Eviction and Demolition* – Eviction or demolition as a practice shall be discouraged. Eviction or demolition, however, may be allowed under the following situations:

(a)	x	x	x
	xxx	xxx	xxx

“(c) When there is a court order for eviction and demolition [.]  
BASED ON A FINAL AND EXECUTORY JUDGMENT:  
*PROVIDED, HOWEVER, THAT, WHEN A JUDGMENT HAS*

BEEN RENDERED AND AN APPEAL HAS BEEN DULY PERFECTED BUT A PARTY WHO IS AN UNDERPRIVILEGED AND HOMELESS CITIZEN AS DEFINED IN THIS ACT FAILS TO FILE SUFFICIENT BOND, THE SAME SHALL NOT BE A CAUSE FOR COURTS TO ISSUE AN ORDER FOR EXECUTION OF JUDGMENT."

x                      x                      x

SEC. 2.        This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,