



OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD HELD ON THE 31ST DAY OF JANUARY 2019 AT 4:05 P.M. AT THE SP SESSION HALL, THIS CITY

PRESENT:

Hon. RENATO Y. GUSTILO,	City Vice Mayor/Presiding Officer
“ BENITO Y. GUSTILO, JR.,*	SP Member
“ CHRISTOPHER PAUL S. CARMONA,	SP Member
“ MARI-CAR O. QUISUMBING,	SP Member
“ JOSE CARLOS L. VILLARANTE,	SP Member
“ VICTORIANA C. CABILI,	SP Member
“ MARK E. CUI,	SP Member
“ CLINT S. MANSUETO,	SP Member
“ WILMER L. YAP,	SP Member
“ JONIE S. UY,	SP Member
“ ALEXANDER Y. ONGTIAOBOK*,	SP Member
“ ANTHONY S. WEE,	SP Member
“ JB SPRING C. BACURNAY,	SP Member (SK Representative)

* came late

ORDINANCE NO. 19-05

AN ORDINANCE PROVIDING FOR A SCHEME IN THE IMPLEMENTATION OF THE SOCIALIZED HOMELOT PROGRAM OF THE CITY OF SAN CARLOS, KNOWN AS HOMELOT PROGRAM PHASE VI, SITUATED AT BARANGAY RIZAL, SAN CARLOS CITY

Introduced by Hons. ONGTIAOBOK, CARMONA, YAP and UY

Be it ordained by the Sangguniang Panlungsod of the City of San Carlos, Negros Occidental in regular session assembled, that:

Section 1. – a) Title. This Ordinance shall be known as “Ordinance on Homelot Program, Phase VI”

b) Purpose. This Ordinance is enacted for the purpose of providing guidelines in the implementation of the Homelot Program of the City Government of San Carlos in Lot No. 6-B covered by TCT No. 098-2015000986 located at Barangay Rizal.

Section 2. Qualified Beneficiaries. The qualified beneficiaries under this program shall be as follows:

a) Underprivileged Filipino citizens and bonafide residents of San Carlos City for at least one (1) year as certified by Brgy. Captain of the barangay wherein the applicant resides. This shall be evidenced by his/her being a registered voter of this City in the immediately preceding election prior to his/her application as per official list of

- b) Squatters who are house owners on government lands in the poblacion or those affected by government improvement/infrastructure projects or by natural calamities.
- c) Only house owners whose houses are subject of an ejectment case filed in court or before the Barangay Lupon Tagapamayapa or as determined by the City Mayor are qualified as beneficiaries of this Socialized Housing Program.

Section 3. Application. Subject to approval or disapproval by the City Mayor, as the case may be, all applications by interested qualified beneficiaries shall be made in writing addressed to the City Mayor, and attached thereto the following:

- a) Certification from the San Carlos Integrated Housing Authority that neither the applicant nor his/her spouse availed of any lot under the City's Homelot Program.
- b) Certification from the City Assessor that neither the applicant nor his/her spouse owns land in the City of San Carlos.
- c) Statement of undertaking that the beneficiary is willing to comply with all the requirements and conditions that shall be included in this Program.

Section 4. Agreement/Term and Conditions. The qualified beneficiary under this ordinance shall sign a written agreement with the City Government, subject to the following terms and conditions:

- a) That each homelot shall contain a minimum area of fifty four (54) sq. m. more or less, which shall be sold at the price of FOUR HUNDRED FIFTY PESOS (₱450.00) per sq. m.
- b) That the cost of the homelot shall be paid by the beneficiary to collectors duly assigned for this program on a daily basis in the amount of eighteen pesos (₱18.00) per day for five days a week, until the total cost of the lot shall have been fully paid.
- c) That the awardee under this homelot program shall transfer to and occupy the said lot within six (6) months from approval of his/her application, and shall continue to occupy the homelot thereafter, otherwise the City Government shall cancel and/or revoke the award and the agreement shall be deemed cancelled and/or terminated as the case may be.

- d) That the beneficiary shall not assign, sell or transfer ownership of the homelot, including its improvement, to another person, except through:
 - 1. hereditary succession
 - 2. donation to the City Government
 - 3. selling to the City Government at the original acquisition cost

The foregoing limitation on disposition shall be duly annotated as encumbrance on the Certificate of Title of all homelots. Should the beneficiary violate this condition attached in this provision, the transaction shall be null and void, and shall disqualify the awardee to the right to the homelot. The total amortization paid by the beneficiary on the said lot shall be forfeited in favor of the City Government.

- e) Default of 40 accumulated daily installment shall be a ground for the cancellation and revocation of the agreement
- f) Termination/Waiver of Right/Forfeiture of Payment. Termination of this agreement without justifiable or valid reason shall be a ground for forfeiture of payments made in favor of the City Government.

All waiver of rights to this Homelot Program by the beneficiary, including the payment of its improvement, shall be valid only with the proper approval of the City Mayor

Section 5. Transfer of Ownership of the Homelot. The City Government shall cause the transfer of ownership of the lot to the beneficiary, and Transfer Certificate of Title shall be given to the beneficiary only upon full payment of the cost of the homelot, and after having complied with all the requirements and conditions of the program.

Section 6. Ten (10) Years Banning Period. Awardees who waived or whose award was cancelled or terminated cannot avail of any Homelot Program within ten (10) years from said waiver, termination or cancellation.

Section 7. Phase III Homelot Payment Privilege. Beneficiaries occupying Lots 1 to 11 of Block 11 of the Homelot Program Phase III and whose lots were affected by the construction of access roads within the area shall be relocated to Lots 1 to 11 respectively, of Block 13 Homelot Program Phase VI. Due to such displacement said beneficiaries shall have the privilege to pay the cost of the lot equivalent to the cost of the lot that they have been paying when they started occupying the homelot at Phase III in the amount of ONE HUNDRED TWENTY FIVE PESOS (P125.00) per square meter.

Section 8. General Provision

- a) All collections and payments under this homelot program shall be deposited in the City Government "TRUST FUND"
- b) The trust fund generated from the sale of homelots maybe used in any homelot projects of the City Government subject to the approval by the Sangguniang Panlungsod of the City.

Section 9. Separability Clause –If for any reason, any provision, section or part of this Ordinance is declared not valid by any competent bodies or court of competent jurisdiction, such judgment shall not affect or impair the remaining provision, section or part which shall continue to be in force and effect.

Section 10. Repealing Clause – All ordinances, rules and regulations, or part thereof, in conflict or inconsistent with any provision of this Ordinance are hereby repealed or modified accordingly.

Section 11. Effectivity. This ordinance shall take effect in accordance with the provisions of R.A. 7160, otherwise known as "The Local Government Code of 1991."

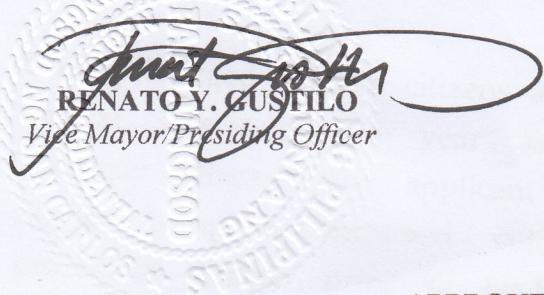
ENACTED JANUARY 31, 2019 by the affirmative votes of Hons. GUSTILO, JR., CARMONA, QUISUMBING, VILLARANTE, CABILL, CUI, MANSUETO, YAP, UY, ONGTIAOBOK, WEE and BACURNAY.

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I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly enacted by the Sangguniang Panlungsod during its regular session held at the SP Session Hall, this city on January 31, 2019.

MA. CECILIA SUZETTE C. BINGHAY
Secretary to the Sangguniang Panlungsod

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:



RENATO Y. GUSTILO
Vice Mayor/Presiding Officer

APPROVED on 08 FEB 2019, 2019

GERARDO P. VALMAYOR, JR.
City Mayor