



REPUBLIC OF THE PHILIPPINES
Department of Human Settlements and Urban Development
Kagawaran ng Pananahanang Pantao at Pagpapaunlad ng Kalunsuran

MEMORANDUM CIRCULAR NO. 2020-007
Series of 2020 (September 18, 2020)

TO : ALL CONCERNED

FROM : THE SECRETARY

SUBJECT : PROVIDING FOR ALTERNATIVE PROCEDURE FOR INSPECTION OF PROJECTS FOR THE PURPOSE OF DETERMINING MINIMUM DEVELOPMENT AND COMPUTING THE REQUIRED PERFORMANCE BOND

Pursuant to the Housing and Land Use Regulatory Board (HLURB) Resolution No. 699, Series of 2001 entitled "Amending the Rules and Regulations Implementing the Subdivision and Condominium Buyers' Protective Decree and Other Related Laws", in relation to Board Resolutions No. 830-A, Series of 2009 entitled "Amending the Minimum Level of Development Requirement in the Issuance of License to Sell for Subdivision and Condominium Projects Under Board Resolution No. 830, Series of 2008" and No. 763, Series of 2004, entitled "Amending Sections 9, 10 and 11 of the Revised Implementing Rules and Regulations (IRR) for Presidential Decree No. 957", the following Guidelines is hereby issued:

Section 1. Application. This Guidelines shall apply whenever the physical inspection of projects to determine the level of development and compute the required performance bond is prevented by lawful orders or issuances or rendered difficult or impracticable due to fortuitous events or by reason or causes outside the control or without the fault or negligence of the owner or developer, including therewith the imposition of quarantine measures, lockdowns and other emergency measures arising from the COVID 19 Pandemic.

Section 2. Alternative Procedure. As provided under Section 1 hereof, the owner or developer applying for the issuance of the Certificate of Registration and License to Sell (CR/LS) of a project may submit photographs and/or video as proof of the project's level of development at the time of filing of the application for the purpose of determining compliance with the required minimum level of development and computing the remaining cost of completion as basis for the required performance bond in accordance with existing rules and regulations.

Video conferencing may likewise be resorted to in order to conduct the necessary inspection. The digital file of such photographs, videos, or of the video conferencing shall form part of the project's docket or records.

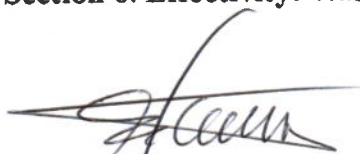


Section 3. Additional Statement in the Notarized Fact Sheet. The Notarized Fact Sheet shall include therein a statement authenticating the photograph and/or video submitted therewith by identifying that they are the pictures and/or video of the specific project applying for its CR/LS, and indicating therein the date the same were taken. The Regional Office may require the submission of additional pictures and/or video if what were submitted shall prove insufficient to determine the project's level of development.

Section 4. Actual Ocular Inspection. At the earliest possible time actual inspection is already allowed or made practicable, the Regional Office where the project is registered and licensed shall immediately conduct the actual inspection in accordance with existing rules and regulations to verify and validate the degree of completion of the project as well as the declared remaining cost of completion. Additional performance bond shall subsequently be required if what was previously declared in the Notarized Fact Sheet is found deficient.

Section 5. Applicability for Regular Monitoring. The alternative substituted procedure herein provided may similarly be adopted or resorted to by the Regional Offices for regular monitoring in case the same is prevented or rendered difficult or impracticable under the circumstances provided in Section 1 hereof.

Section 6. Effectivity. This Memorandum Circular shall take effect immediately.



EDUARDO D. DEL ROSARIO
Secretary

(September 18, 2020)