



Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

(P)
ADMINISTRATIVE ORDER NO. 5^{'88}
Series of 1988

Subject: SIMPLIFIED GUIDELINES IN THE PROCESSING
OF VOLUNTARY OFFER TO SELL INVOLVING
LANDHOLDINGS COVERED BY EXECUTIVE
ORDER NO. 229

In order to ensure the smooth and expeditious compensation, acquisition and distribution of lands voluntarily offered by landowners pursuant to Executive Order No. 229 dated July 22, 1987, the following policy guidelines and operating procedures are hereby prescribed.

I. POLICY GUIDELINES

1. Any landowner may opt to offer his agricultural land to the government for redistribution under the Comprehensive Agrarian Reform Program (CARP) pursuant to Section 9, Executive Order No. 229.
2. The offer shall be evaluated by the DAR as to the land's suitability and productivity.
3. The landowner may quote the land valuation desired, subject to DAR approval pursuant to Section 6 of Executive Order No. 229.
4. The DAR, through DENR, shall assist the landowner by:
 - a. Preparing the necessary documentation;
 - b. Defraying the cost of subdivision survey; and
 - c. Undertaking the subdivision survey of the land, including the preparation of the plan.
5. In cases where the landholding has no occupants, DAR shall assume the responsibility for the screening, selection and institution of the qualified farmer-beneficiaries (FBs) thereon.
6. The Land Bank of the Philippines (LBP) shall compensate the landowner within 15 days after submission of the owner's certificate of Title and other relevant documents as required by DAR and LBP.

II. OPERATING PROCEDURES

A. LANDOWNERS' COMPENSATION

1. Landowner

1.1 Submit voluntary offer to sell to any DAR unit (MARO, PARO, RARO and DARCO) anytime using CARP VOS Form No. 1. The basic ownership documents to be submitted are as follows:

1.1.1 For Titled Property

1.1.1.1 Certified xerox copy of title of the land offered for sale

1.1.1.2 Tax Declaration

1.1.1.3 Survey Plan

1.1.1.4 Xerox copy of sworn statement on landholders registration

1.1.2 For untitled property, ownership documents such as:

1.1.2.1 Deed of Sale/Transfer

1.1.2.2 Tax Declaration

1.1.2.3 Survey Plan

1.1.2.4 Other documents required for payment which may be submitted later

All VOS letters and documents submitted by landowners must be forwarded to MARO thru channel.

2. MARO

2.1 Upon receipt of the duly accomplished VOS Form No. 1 and supporting documents, prepares two (2) separate folders:

2.1.1 Voluntary Offer Claim Folder (VOCF)

2.1.2 Voluntary Offer Distribution Folder (VODF)

2.2 Notify LBP, BARC and DENR/LMB of the schedule/dates for the investigation and invite prospective beneficiaries for a conference at the site of the land being offered for sale.

- 2.3 At the conference site, identify the land, the landowner and start the screening of prospective beneficiaries based on the Information Sheet (CARP VOS Form No. 3).
 - 2.4 Determine the suitability/productivity of the land with the assistance of BARC and prepare investigation report using CARP VOS Form No. 2.
 - 2.5 Determine the land value with the assistance of LBP and BARC representatives in accordance with the formula on recommended value (CARP VOS Form No. 2).
 - 2.6 Prepare Land Valuation Summary (LVS) using CARP VOS Form No. 4.
 - 2.7 Cause the signing by the beneficiaries of the Application to Purchase and Farmers' Undertaking (CARP VOS Form No. 5).
 - 2.8 Assist LMB survey party in the conduct of perimeter survey only if necessary, and final survey for titling purposes. (Final subdivision survey not necessary for land compensation.)
 - 2.9 Consolidate all reports and documents in a VOCF.
 - 2.10 Prepare CARP VOS Form No. 6 and forward VOCF to PARO.
3. PARO
- 3.1 Review and evaluate MARO reports and documents relative to landowners compensation attached to the VOCF.
 - 3.2 Notify landowner of the recommended value of the land being offered for sale. Refer to CARP VOS Form No. 7.
 - 3.3 Determine the completeness of the required documents and if found to be in order, accomplish CARP VOS Form No. 8 and forward VOCF to RARO. Otherwise, gather additional necessary documents.
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4. RARO

4.1 Review and evaluate VOCF and supporting documents.

4.2 Refer VOCF to LBP-FLO (Field Attorney).

5. LBP-FLO (Field Attorney)

5.1 Examine documents in VOCF for legal sufficiency and negotiate with mortgagee creditor for the settlement of loan obligation in case the property is mortgaged or encumbered by offering payment in LB bonds not exceeding the land valuation.

5.2 Return VOCF to RARO together with comment/recommendation.

6. RARO

6.1 Prepare Resolution using CARP VOS Form No. 9.

6.2 Prepare Deed of Absolute Sale (DAS) CARP VOS Form No. 10, and request landowner to sign the same, if feasible.

6.3 Forward VOCF together with the Regional Resolution to acquire subject property and DAS to BLAD-DARCO. (CARP VOS Form No. 8)

7. BLAD

7.1 Review and evaluate VOCF submitted by RARO.

7.2 Prepare Order for the acquisition (CARP VOS Form No. 11).

7.3 Forward VOCF together with Order and DAS to the Office of the Secretary for his approval and signature.

8. OSAR

8.1 Approve and sign the Order for the acquisition of the land and DAS.

8.2 Notify landowner, copy furnished LBP and RARO of the Secretary's decision. Refer to CARP VOS Form No. 12.

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8.3 Transmit VOCF to LBP Manila through BLAD utilizing CARP VOS Form No. 13.

9. LBP Manila

9.1 Review/evaluate documents and sign DAS.

9.2 Forward DAS to LBP-FOM.

10. LBP-FOM

10.1 Transmit DAS to ROD for registration.

11. ROD

11.1 Register DAS and issue TCT in the name of RP and return to LBP-FOM.

12. LBP-FOM

12.1 Transmit TCT and copy of DAS to LBP Manila together with recommendation for payment.

13. LBP Manila

13.1 Pay landowner or establish Trust Fund in the name of landowner.

13.2 In case land is encumbered, pay mortgagee creditor or establish Trust Fund in its name.

B. LAND DISTRIBUTION

Certificate of Landownership Award (CLA)

1. MARO

1.1 Prepare VODF after the activities mentioned in No. 2.2 to 2.9 have been completed.

1.2 Secure from PARO the advance copy of the unapproved final survey plan.

1.3 Determine the beneficiaries and identify the lot to be awarded to each beneficiary.

1.4 Consolidate necessary documents/papers in a VODF and forward same to PARO together with list of beneficiaries and the corresponding lots to be awarded to them.

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2. DENR/LMB

- 2.1 Prepare the advance copy of the unapproved final survey plan indicating therein the name of each beneficiary and the corresponding lot number and area in hectares, and
- 2.2 Furnish PARO a copy of the above.

3. PARO

- 3.1 Review and evaluate VODF.
- 3.2 Generate CLA based on the advance copy of the unapproved final survey plan.
- 3.3 Transmit generated CLA to RARO.

4. RARO

- 4.1 Review and evaluate VODF.
- 4.2 Regional Director affixes initial on the CLA.
- 4.3 Transmit CLA together with a listing to BLAD-DARCO for approval and signature of the Secretary.

5. BLAD-DARCO

- 5.1 Review and evaluate CLA.
- 5.2 Cause the approval and signature of the Secretary on the CLA.
- 5.3 Transmit approved CLA and/or unsigned CLA for correction/replacement to RARO.

6. RARO

- 6.1 Record approved CLA.
- 6.2 Transmit approved CLA and/or unsigned CLA for correction/replacement to MARO through PARO.

7. MARO

- 7.1 Record approved CLA and distribute to beneficiary.
- 7.2 Effect appropriate action for the returned CLA not signed by the Secretary.

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C. LAND DISTRIBUTION
Emancipation Patent (EP)

1. DENR/LMB

- 1.1 Conduct final survey in coordination with DAR MARO.
- 1.2 Verify survey returns.
- 1.3 Approve the final survey plan.
- 1.4 Transmit certified copies of approved survey plan with corresponding technical descriptions to RARO and LBP.

2. RARO

- 2.1 Record approved survey plan with corresponding technical descriptions received.
- 2.2 Transmit copies of approved survey plan and technical descriptions to PARO.

3. PARO

- 3.1 Generate EP based on approved final survey plan.
- 3.2 Transmit EP together with the EP Worksheet to RARO.

4. RARO

- 4.1 Review and affix initial on the EP.
- 4.2 Transmit generated EP together with EP Worksheet to BLAD-DARCO.

5. BLAD-DARCO

- 5.1 Review and evaluate EP.
- 5.2 Cause the approval and signature of the Secretary and affix DAR seal on the EP, otherwise, return EP to RARO for proper action.
- 5.3 Transmit approved EP and/or unsigned EP for correction/replacement to RARO.

6. RARO

- 6.1 Record approved EP separate from EPs under PD 27 on EP Registry Book.
- 6.2 Transmit approved EP and/or unsigned EP for correction/replacement to PARO.

7. PARO

- 7.1 Record approved EP separate from EPs under PD 27 on EP Registry Book.
- 7.2 Request and secure from Assessor's Office Tax Declaration covering the EP signed by the Secretary of Agrarian Reform.
- 7.3 Transmit approved EP and corresponding Tax Declaration to ROD for registration through a transmittal letter (CARP VOS Form No. 15).
- 7.4 Effect appropriate action for the returned EP not signed by the Secretary.

8. ROD/NALTDRA

- 8.1 Receive the transmittal letter (CARP VOS Form No. 15) from PARO together with the following:
 - a. Original, duplicate and one carbon copy of the EP.
 - b. Tax Declaration covering the EP.
- 8.2 Register the EP.
- 8.3 Forward duly registered duplicate and carbon copies of the EP to PARO.

9. PARO

- 9.1 Record and transmit registered EP to MARO for distribution to beneficiary.
- 9.2 Update EP Registry Book and EP Reports.

10. MARO

- 10.1 Record registered EP.
- 10.2 Distribute EP to beneficiary.

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III. FORMS

To simplify the entire voluntary offer process, the following forms are hereby prescribed for use by the landowner and DAR units concerned:

<u>Form No.</u>	<u>Title/Description</u>
1	Voluntary Offer to Sell (Letter)
2	MARO Investigation Report
2.1	Summary Investigation Report
3	Beneficiary's Information Sheet
4	Land Valuation Summary (LVS)
5	Application to Purchase and Farmer's Undertaking
6	VOCF Transmittal Memo (MARO)
7	Letter to Landowner on Land Value
8	VOCF Indorsement (PARO/RARO)
9	Resolution to Acquire (RARO)
10	Deed of Absolute Sale (DAS)
11	Decision/Order to Acquire (OSAR)
12	Notice to Landowner
13	Transmittal Letter to LBP
14	Request to Establish Trust Fund
15	Transmittal Letter to ROD

The forms are hereby appended and form part of this Order.

This Order amends, supersedes all previous Orders, Memoranda and Issuances inconsistent herewith.

This Order is effective upon approval and shall remain in force until revoked.

Diliman, Quezon City, May 9, 1988


PHILIP ELLA JUICO
Secretary