



DAR ADMINISTRATIVE ORDER)
NO. 02)
SERIES OF 2000)

SUBJECT: MODIFIED GUIDELINES ON THE
CONVERSION OF AGRICULTURAL LANDS
FOR SOCIALIZED AND LOW-COST HOUSING
PURPOSES

In support of the government's mass housing program, and pursuant to Executive Order (EO) No. 258 of the Office of the President, dated June 28, 2000, prescribing time standards in the issuance of permits for housing projects, the guidelines in the processing of applications for conversion of agricultural lands for socialized and low-cost housing, as provided for in DAR Administrative Order No. 1, Series of 1999, and DAR Memorandum Circular No. 9, Series of 1999, are hereby modified or revised as follows:

SECTION 1. *Coverage and Objective.* These modified guidelines shall apply only to applications for conversion involving socialized and low-cost housing projects, as defined or construed under relevant laws and regulations, duly certified to or indorsed by the Housing and Land Use Regulatory Board (HLURB). They are intended to expedite the processing of such conversion applications while ensuring the protection of prime agricultural lands.

SEC. 2. *Creation of Mass Housing Desks.* Mass Housing Desks shall be created in the Center for Land Use Policy, Planning and Implementation (CLUPPI) at the DAR Central Office as well as in the Regional Centers for Policy, Planning and Implementation (RCLUPPIs). These Mass Housing Desks shall be responsible for the receipt, processing and disposition of all applications for conversion for socialized and low-cost housing.

The Secretary shall designate the personnel who will be assigned to the Mass Housing Desks at CLUPPI 1 and 2, while the

Regional Directors shall designate such personnel in their respective regions.

SEC. 3. *Exemption from Certain Requirements.* The following requirements shall not be required of applicants for conversion involving socialized and low-cost housing projects:

a) Cash bond prescribed under Sec. 15 of DAR Administrative Order No. 1, Series of 1999. In lieu thereof, the applicant shall submit a sworn undertaking to pay to the DAR, upon demand, the amount equivalent to the cash bond in the event it is discovered that the applicant has undertaken premature development pending consideration of the application for conversion;

b) Certification of Eligibility for Conversion from the Department of Agriculture prescribed under Sec. 10 (a) (9) of DAR Administrative Order No. 1, Series of 1999, in line with Section 3 (b) of the "Implementing Rules and Regulations Governing the Operationalization of a Socialized Housing One-Stop Processing Center" (hereafter, "SHOPC Implementing Rules"), approved on August 23, 1994;

c) Environmental Compliance Certificate (ECC) from the Department of Environment and Natural Resources prescribed under Section 10 (b) (6) of DAR Administrative Order No. 1, Series of 1999, in line with Section 3(b) of the aforesaid SHOPC Implementing Rules. However, in cases where the project is located within environmentally critical areas (ECAs), an ECC shall be required prior to undertaking actual development in accordance with the DENR rules and regulations, but not as a pre-requisite to the processing and approval by the DAR of the application for conversion.

The rest of the documentary requirements, provided for under Section 10 of DAR Administrative Order No. 1, Series of 1999, shall continue to apply as may be appropriate.

SEC. 4. *Simplified Procedures.* Applications for conversion involving socialized and low-cost housing projects shall be processed for a period of thirteen (13) working days upon receipt of the completed application pursuant to Sec. 1 of EO 258 (2000). In this



regard, the procedures for the processing of such applications for conversion are likewise modified as follows:

- a) Applications shall be filed either with CLUPPI or RCLUPPI depending on the area. Those involving less than 5 hectares shall be filed with the RCLUPPIs, except those within CALABARZON which shall continue to be filed with CLUPPI-2, while those covering 5 hectares or more should be filed with the CLUPPI-1;

- b) The Mass Housing Desks at the CLUPPI 1 and 2/RCLUPPIs shall immediately prepare the notice on the same day the application is received and transmit the same to the DAR Municipal Office for posting;

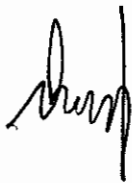
- c) The MARO shall post the notice of application within one (1) day from receipt thereof in two (2) conspicuous places in the municipality, the barangay(s) where the property is located, and the property itself, for a period of three (3) days;

- d) The CLUPPI 1 and 2/RCLUPPI shall conduct ocular inspection within three (3) days from receipt of the application and complete the same within three (3) days. The inspection team shall verify, among others, whether the property is not among those considered non-negotiable for conversion pursuant to Sec. 4 of DAR Administrative Order No. 1, Series of 1999;

- e) Within three (3) days from completion of the inspection, the team shall submit its report, together with a draft order resolving the application, to the CLUPPI Executive Director or the RCLUPPI Chairman, as may be appropriate;

- f) The CLUPPI Executive Director or the RCLUPPI Chairman shall review the draft and finalize the same within three (3) days from receipt thereof, and transmit the same to the approving authority. The application shall no longer be subjected to deliberation by the CLUPPI Executive Committee;

- g) The approving authority shall act on the application within two (2) days from receipt of the draft order.



SEC. 5. *Approving Authority.* Sec. 22 of DAR Administrative Order No. 1, Series of 1999 which identifies the DAR officials authorized to approve or disapprove conversion of agricultural lands to non-agricultural uses shall apply to applications for conversion involving socialized and low-cost housing projects.

SEC. 6. *Participation of Civil Society Organizations.* To encourage greater civil society participation in the process of deciding whether to allow the development of agricultural areas for socialized and low-cost housing, the DAR, through the Secretary, may enter into appropriate arrangements with organizations or associations involved in socialized and low-cost housing, consistent with laws, rules and regulations, to ensure that applicants undertake proper due diligence in selecting areas for mass housing development, facilitate inspection of areas applied for conversion, expedite processing of applications, and monitor compliance by developers of the terms and conditions of conversion orders.

SEC. 7. *Repealing Clause.* The provisions of Sec. 10 (a) (9) and (b) (6), 14 and 15 of DAR Administrative Order No. 1, Series of 1999, Item 1.6 and 5.3 of DAR Memorandum Circular No. 9, Series of 1999, in so far as they pertain to socialized and low-cost housing projects, as well as all issuances or provisions thereof inconsistent with this Order are hereby repealed or modified accordingly.

SEC. 8. *Effectivity.* This Order shall take effect ten (10) days after its publication in two (2) newspapers of general circulation.

August 29, 2000
Diliman, Quezon City,



HORACIO R. MORALES JR.

Secretary

Published in two (2) newspapers
of general circulation:

1. THE PHILIPPINE DAILY INQUIRER

2. MALAYA

Date of Publication - September 4, 2000