

REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF AGRARIAN REFORM  
QUEZON CITY

Administrative Order No. 19  
Series of 1989

SUBJECT: REVISED RULES AND PROCEDURES GOVERNING  
VOLUNTARY OFFER TO SELL (VOS) TRANSACTIONS  
AND PROVIDING A DEADLINE FOR THE FILING  
THEREOF

I. In the light of the new thrust in the implementation of the Comprehensive Agrarian Reform Program (CARP), all landowners covered by Republic Act No. 6657, known as the Comprehensive Agrarian Reform Law (CARL), shall have four (4) years from the date of effectivity of the CARL on 15 June 1988, or until 15 June 1992 within which to voluntarily offer their lands for sale to the government; provided, that lands with respect to which notices of coverage for compulsory acquisition have already been sent by the government and received by the landowner, may no longer be voluntarily offered for sale.

II. All lands which are voluntarily offered for sale to the government may no longer be withdrawn and shall immediately fall under Phase One, as provided in the CARL, Section 7.

III. All VOS transactions which are now pending before the DAR and for which no payment has been made shall be subject to the notice and hearing requirements provided in Administrative Order No. 12, Series of 1989, dated 26 July

July 1989, Section II, Subsection A, paragraph 3.

All VOS filed before 15 June 1988, the date of the effectivity of the CARL, shall be heard and processed in accordance with the procedures provided for in Executive Order No. 229.

Those filed after said date shall be heard and processed in accordance with procedures provided herein, except that VOS folders that have been transmitted to the central office by the regional offices before the effectivity of this Administrative Order shall be processed in accordance with Administrative Order No. 12, Section II, subsection C, paragraphs 1, 2 and 3 and this Administrative Order, Section III, subsections F and G, insofar as applicable.

A. The Municipal Agrarian Reform Officer (MARO)

- (1) The landowner or his duly designated representative shall accomplish the VOS documents (CARP VOS Forms Nos. 1 and 1.a) and submit them to the Municipal Agrarian Reform Officer (MARO) of the municipality where the land is located.
- (2) Upon receipt of the duly accomplished CARP VOS Forms Nos. 1 and 1.a and the supporting documents, the MARO shall prepare the Voluntary Offer Claim Folder (VOCF) and direct the landowner to submit the following documents unless they have already been submitted with the VOS:

### For Titled Property

- (a) Certified photocopy of Certificate of Title of the land offered for sale. In case Certificate of Title is not yet in the name of landowner/offeree, request the landowner to submit instruments of acquisition such as Deed of Sale, Deed of Donation, etc. It shall be sufficient that, through the series of documents submitted, the landowner/offeree can establish his ownership of the land.

After the documents of ownership have been submitted, assist the landowner in securing or transferring the Certificate of Title in his name to enable him to collect payment from LBP.

- (b) Certified photocopy of the latest tax declaration.
- (c) Copy of survey/sketch plan, if any.
- (d) Photocopy of Sworn Statement on Landowners' Registration (Listasaka I and II).

### For Untitled Property

- (a) Certified copy of Deed of Sale/Transfer and pertinent documents to prove ownership for a period of at least 10 years.
- (b) Certified photocopy of the latest tax declaration, including a history of tax assessments and/or a listing of declared owners for the last ten (10) years immediately preceding the VOS.
- (c) Copy of survey/sketch plan.

- (3) With the assistance of the Barangay Agrarian Reform Council (BARC) representative and the participation of the Land Bank Field Representative, and on the basis of the ocular inspection of the property and the documents submitted, the MARO shall accomplish the MARO Investigation Report (CARP VOS Form No. 2) and the Summary Investigation Report of Findings and

Evaluation (CARP VOS Form No. 3). He shall also ensure that the Applicant's Information Sheet (CARP VOS Form No. 4), Beneficiaries Undertaking (CARP VOS Form No. 5) and Transmittal Report (CARO VOS Form No. 6) to the PARO are in order.

The MARO, the BARC representative and the LBP representative shall certify that all information contained in the abovementioned forms have been examined and verified by them and that the same are true and correct.

- (4) The MARO shall then conduct the preliminary conference/meeting in accordance with Administrative Order No. 12, Section II, subsection A, paragraph 3, using CARP VOS Form No. 7.
- (5) The MARO shall submit the completed case folder to the Provincial Agrarian Reform Officer (PARO).
- (6) The MARO shall ensure that the procedure outlined in Subsection A of this Section, paragraphs 1, 2, 3, 4 and 5, are completed within thirty (30) working days from the submission by the landowner or his representative of all the documents required under Section III, subsection A, paragraph 2, hereof.

**B. The Provincial Agrarian Reform Officer (PARO)**

- (1) Upon receipt of the case folder from the MARO, the PARO shall proceed in accordance with the

procedures laid down in Administrative Order No. 12, Section II, Subsection B, paragraphs 1, 2, 3 and 4, except with respect to lands voluntarily offered for sale before 15 June 1988, the valuation of which shall be computed in accordance with Administrative Order No. 5, Series of 1988, entitled "Simplified Guidelines in the Processing of Voluntary Offer to Sell Involving Landholdings Covered by Executive Order No. 229."

- (2) Within ten (10) working days from receipt from the MARO, the PARO shall complete the processing and transmit the case folder to the DAR Central Office through the Bureau of Land Acquisition and Distribution (BLAD) or, with respect to lands with areas not exceeding ten (10) hectares, to the Regional Director (RD).

C. The Bureau of Land Acquisition and Distribution (BLAD) or Regional Director (RD)

- (1) Upon receipt of the case folder from the PARO, the DAR Central Office, through the BLAD, or the RD, with respect to lands with areas not exceeding ten (10) hectares, shall review, evaluate and determine the valuation of the property covered by the case folder within five (5) working days from receipt from the PARO. A Summary Review and Evaluation Report (CARP VOS Form No. 8) shall be prepared and duly certified by the BLAD Director or the RD and the personnel directly participating

in the review and valuation. This report shall state the amount of the compensation to be paid, the factors that were considered, and the actual computation that was used in arriving at the amount of the compensation.

- (2) The BLAD or the RD, as the case may be, shall submit the Summary Review and Evaluation Report (CARP VOS Form No. 8) and the complete VOCE to the President of the Land Bank of the Philippines (LBP).

D. The Land Bank of the Philippines (LBP)

- (1) The LBP President shall review and evaluate the VOCE and ensure that there is sound basis for the amount of the compensation arrived at by the BLAD or the RD. He may recommend to the DAR Secretary a higher or lower land valuation as is warranted by his review and evaluation of the VOCE.
- (2) If the LBP President agrees with the amount of the compensation stated in the Summary Review and Evaluation Report (CARP VOS Form No. 8), he shall sign the Summary Review and Evaluation Report and transmit the same to the BLAD, furnishing a copy to the RD who computed the amount of the compensation.
- (3) If the LBP President disagrees with the amount of the compensation, he shall notify the DAR Secretary and state the reasons for his disagreement as well as the amount of the

compensation that he proposes.

- (4) A DAR-LBP Committee composed of representatives of the DAR Secretary and the LBP President shall meet on the last week of every month to take up the VOCFs for that month with respect to which the LBP President has proposed a different compensation and to arrive at a consensus on the appropriate amount of compensation. After the DAR Secretary and the LBP President have been informed and have approved the amount arrived at by consensus, the Committee shall advise the BLAD of the amount of the compensation agreed upon.

E. The Bureau of Land Acquisition and Distribution (BLAD)

- (1) Upon receipt by the BLAD of the Summary Review and Evaluation Report signed by the LBP President together with the VOCF or of the advise on the amount of the compensation agreed upon by the DAR-LBP Committee, as the case may be, it shall prepare the Notice of Acquisition for the signature of the DAR Secretary or her duly authorized representative.
- (2) BLAD shall then furnish the landowner a copy of the Notice of Acquisition which shall be in writing and shall be served on the landowner by personal delivery or by registered mail, with copies thereof posted in a conspicuous place in

the municipal building and the barangay hall where the property is located (CARP VOS Form No. 9).

The notice shall contain the DAR's valuation of the property. If the amount stated in the notice is lower than the selling price indicated in the VOS, the BLAD shall ask the landowner whether or not he/she accepts the DAR offered price. If the landowner rejects the offered price, or fails to reply within thirty (30) days from receipt of notice thereof, in accordance with R.A 6657, Section 7, Phase One, the property subject of the VOS shall be subjected to compulsory acquisition and shall be processed under Section III, subsection E, paragraph 4 hereof.

- (3) If the landowner accepts DAR's offered price, the BLAD shall prepare the Order of Acquisition (CARP VOS Form No. 10) and Deed of Transfer (CARP VOS Form No. 11) for the signatures of the landowner, the DAR Secretary and the LBP President. The Order and Deed shall then be forwarded to the Office of the Secretary of Agrarian Reform for her approval and signature.
- (4) If the landowner rejects DAR's offered price or fails to reply within the above specified period, the DAR Adjudication Board (DARAB) shall conduct a summary administrative hearing to determine just

compensation in accordance with Administrative Order No. 13, Series of 1989. Immediately upon receipt of the DARAB's decision fixing the amount of just compensation, the BLAD shall prepare the Order of Acquisition (CARP VOS Form No. 10) and Deed of Transfer (CARP VOS Form No. 11) for the signatures of the LBP President and the DAR Secretary.

F. The Office of the Secretary of Agrarian Reform

(1) Upon receipt of the Order of Acquisition and the Deed of Transfer, the Office of the DAR Secretary shall approve the recommended final land value and sign the Order for Acquisition of the land and the Deed of Transfer. The Order shall contain, among others, the following:

- (a) DAR's decision to acquire the land;
- (b) The amount of compensation to be paid the landowner;
- (c) A directive to LBP to pay the landowner or deposit the compensation in his name, with the bank most accessible to the latter designated in the order;
- (d) A directive to the landowner to turn over physical possession of the land to DAR for redistribution to the farmer-beneficiaries;
- (e) A directive to the Land Bank to issue a certification that the compensation has been paid or deposited with the bank in the name of the landowner;
- (f) A directive requiring the Register of Deeds (ROD) to cancel the title of the landowner and to issue a TCT in the name of the Republic of the Philippines;
- (g) A directive to the FARO to take physical

possession of the property and to redistribute the same to the identified beneficiaries.

- (2) After the DAR Secretary has signed the Order of Acquisition and the Deed of Transfer, the Office of the DAR Secretary shall transmit these documents for the signature of the LBP President. The LBP shall take charge of the registration of the land in the name of the Republic of the Philippines and the payment to the landowners of the amount of the approved compensation.

**G. The Land Bank of the Philippines (LBP)**

- (1) Upon receipt of the Order of Acquisition and the Deed of Transfer, the Office of the LBP President shall observe the procedures outlined below:

**LBP Head Office**

1. Cause the signing of the Deed of Transfer (DOT) by the LBP President.
2. Forward the Deed of Transfer together with the Title of the landowner to the LBP region concerned.

**LBP Regional/Provincial Office**

Transmit the DOT to the ROD for registration together with the owner's duplicate Certificate of Title, and request issuance of TCT in the name of the Republic of the Philippines (RP).

**Register of Deeds**

1. Register the DOT and issue a TCT in the name of RP.
2. Forward the duly registered DOT to the LBP Regional/Provincial office together with the TCT issued in the name of RP.

#### LBP Regional/Provincial Office

Transmit the TCT and the duly registered DOT to the LBP head office.

#### LBP Head Office

1. Pay the landowner the value of the land compensation, or deposit the amount in his name with the bank designated by DAR.
2. In case the land is encumbered, pay the mortgage creditor or establish a trust account in its name.
3. After compensation has been paid the landowner, furnish BLAD a copy of the DOT together with the TCT in the name of RP.

(2) The LBP President shall ensure that the payment to the landowner, or the deposit of the amount in a trust account in the landowner's name is effected within twenty (20) working days from receipt of the Order of Acquisition and the Deed of Transfer.

VI. Land valuation shall be computed in accordance with DAR Administrative Order No. 17, Series of 1989, dated 4 December 1989, subject to such amendments as may be embodied in succeeding Administrative Orders.

VII. Administrative Order No. 3, Series of 1989, is hereby repealed. The provisions of all other orders, issuances, rules and regulations inconsistent herewith are hereby repealed, amended, or modified accordingly.

Further implementing procedures pertaining to this Administrative Order shall be issued through DAR Memorandum Orders.

VIII. This Administrative Order shall take effect ten (10) days after its publication in two (2) newspapers of

general circulation pursuant to Section 49 of R.A. No. 6657.

Diliman, Quezon City, 6 November 1989

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
Secretary