

REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
THIRTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD  
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,  
ORMOC CITY HALL BUILDING  
ON JUNE 23, 2016



PRESENT:

Hon. Leo Carmelo L. Locsin, Jr.  
Hon. Mario M. Rodriguez

Vice Mayor & Presiding Officer  
(Temporary Majority Floor Leader),  
SP Member, Presiding Officer "Pro-Tempore"  
SP Member, Asst. Minority Floor Leader

Hon. Ruben R. Capahi,  
Hon. Benjamin S. Pongos, Jr.,  
Hon. Antonio M. Codilla,  
Hon. Vincent L. Rama,  
Hon. Pedro Godiardo P. Ebcas,  
Hon. Eusebio Gerardo S. Penserga,  
Hon. John Eulalio Nepomuceno O. Aparis II,  
Hon. Mariano Y. Corro,

SP Member  
SP Member  
SP Member  
SP Member  
SP Member  
SP Member  
SP Member

Ex-Officio SP Member

Chapter President, Liga ng mga Barangay ng Ormoc

ON LEAVE:

Hon. Rolando M. Villasencio,  
Hon. Tomas R. Serafica,

SP Member, Majority Floor Leader  
SP Member, Asst. Majority Floor Leader

RESOLUTION NO. 2016-108

*A RESOLUTION RESPECTFULLY RETURNING TO THE OFFICE OF THE CITY MAYOR OF ORMOC ITS INDORSEMENT DATED MAY 30, 2016 RECOMMENDING THEREIN THE PASSAGE OF A RESOLUTION AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE DEED OF ABSOLUTE SALE COVERING TWO LOTS SITUATED AT THE ORMOC CITY GOVERNMENT EMPLOYEES HOUSING PROGRAM PROJECT AT BRGY. SAN ISIDRO, ORMOC CITY IN FAVOR OF ELSA P. AGUSTIN AND ARAME C. VELOSO, SR. FOR THE REASONS CONTAINED HEREIN.*

WHEREAS, this august Body is in receipt of an Indorsement dated May 30, 2016 from the Office of the City Mayor of Ormoc, recommending therein the passage of a resolution authorizing the Honorable City Mayor to sign the DEED OF ABSOLUTE SALE covering two lots situated at the Ormoc City Government Employees Housing Project at Brgy. San Isidro, Ormoc City, in favor of ELSA P. AGUSTIN and ARAME C. VELOSO, SR.;

WHEREAS, the aforementioned indorsement was referred to the Committee on Public Properties for appropriate action;

WHEREAS, the Committee on Public Properties held committee meetings for the purpose of determining whether or not ELSA P. AGUSTIN and ARAME C. VELOSO, SR. are entitled or qualified to an execution of an ABSOLUTE DEED OF SALE in their favor;

*[Signature]*



WHEREAS, the aforementioned Committee found that both ELSA P. AGUSTIN and ARAME C. VELOSO, SR., have not complied to certain provisions of the IMPLEMENTING RULES AND REGULATIONS OF THE ORMOC CITY GOVERNMENT EMPLOYEES HOUSING PROGRAM (IRR for short) which was approved by the Sangguniang Panlungsod of Ormoc, per Resolution No. 2001-065 dated October 04, 2001, specifically Section 5.1 thereof, which reads: "A permanent structural house must be built on the lot within three (3) years from the date of the award; failure of which shall constitute a ground for the annulment of the award and the recovery of the lot by the City and the reimbursement of the down-payment and/or paid monthly reimbursement to the employee-vendee. "ELSA P AGUSTIN was awarded of her lot on March 28, 2008 and ARAME C. VELOSO, Sr. was awarded of his lot on April 30, 2002. Both failed to construct a permanent structural house within the three (3) year period required by the IRR, and furthermore, both paid their obligation on their lots late, hence subject to the penalty for late payment as provided for in Section 4.1.2 of the IRR, which reads: A penalty of 3% per month shall be charged for past due monthly amortizations which shall be automatically deducted from the payroll. "Per computation of the City Accounting Office, the penalty for late payment of Elsa P. Agustin is P12,900.00, and that of ARAME C. VELOSO is P46,200.00, both remain unpaid;

WHEREAS, the non-compliance or non-observance of the aforesaid provisions of the IRR by Elsa P. Agustin and Arame C. Veloso, Sr. do not warrant or justify the execution of the DEED OF ABSOLUTE SALE IN THEIR FAVOR;

WHEREAS, it is most respectfully recommended that the COMMITTEE ON CITY GOVERNMENT EMPLOYEES HOUSING PROGRAM be reactivated thru the issuance of an Executive Order, which have been done by the previous administration, as the said committee will oversee the faithful, strict compliance of the IRR of the City Government Employees Housing Program, in which there is much to be desired;

WHEREAS, the City Legal Officer submitted a report upon the request of the Committee on Public Properties a machine copy of which is hereto attached and made an integral part of this resolution, and it is most respectfully recommended that the same be considered in the furtherance of the proper and more meaningful implementation of the City Government Employees Housing Program;

FOREGOING, PREMISES CONSIDERED, on motion of the Honorable SP Member Mariano Y. Corro, Chairman, Committee on Public Properties, severally seconded by the Honorable Members Mario M. Rodriguez, Ruben R. Capahi, Benjamin S. Pongos, Jr., Antonio M. Codilla, Vincent L. Rama, Pedro Godiardo P. Ebcas, Eusebio Gerardo S. Penserga and John Eulalio Nepomuceno O. Aparis II; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION RESPECTFULLY RETURNING TO THE OFFICE OF THE CITY MAYOR OF ORMOC ITS INDORSEMENT DATED MAY 30, 2016 RECOMMENDING THEREIN THE PASSAGE OF A RESOLUTION AUTHORIZING THE HONORABLE CITY MAYOR TO SIGN THE DEED OF ABSOLUTE SALE COVERING TWO LOTS SITUATED AT THE ORMOC CITY GOVERNMENT EMPLOYEES HOUSING PROGRAM PROJECT AT BRGY. SAN ISIDRO, ORMOC CITY IN FAVOR OF ELSA P. AGUSTIN AND ARAME C. VELOSO, SR. FOR THE REASONS CONTAINED HEREIN;

ADOPTED, June 23, 2016.

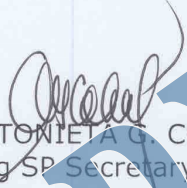


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RESOLVED, further to furnish copies of this resolution to- Hon. City Mayor Edward C. Codilla, the City Administrator, Atty. Francis Pepito; the City Legal Officer, Atty. Ivan Verallo; the OIC-CLGOO, DILG; Mrs. Elsa P. Agustin, Mr. Arame C. Veloso, Sr., and other offices concerned;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

  
MARIA ANTONIETA G. CO HAT  
(Acting SP Secretary)  
Supervising Administrative Officer

ATTESTED:

  
LEO CARMELO L. LOCSIN, JR.  
Vice Mayor & Presiding Officer





Republic of the Philippines  
**OFFICE OF THE CITY LEGAL OFFICER**  
Ormoc City, Leyte

June 13, 2016

**Hon. Mariano Y. Corro**  
Chairman,  
Committee on Public Properties  
13<sup>th</sup> Sangguniang Panlungsod ng Ormoc

Dear Sir:

Good day!

The City of Ormoc established the Employees Housing Program in order to provide benefits for its qualified employees to own a lot to be paid by installment. To realize this program, the Implementing Rules and Regulations was approved by virtue of Resolution No. 2001-065 which laid the qualifications and disqualifications as well as the guidelines for its effective implementation. Several employees were able to avail of this program and in fact have already fully paid their amortizations which they used for the individual titling of their respective lots.

Last May 27, 2016, an indorsement was forwarded by this office to the Office of the City Mayor for a Passage of a Resolution authorizing the Honorable City Mayor to sign the Deed of Absolute Sale covering two lots situated at the Ormoc City Government Housing Project at Brgy. San Isidro, Ormoc City in favor of Mrs. Elsa P. Agustin and Mr. Arame C. Veloso Sr.

As requested by the Honorable Chairman of the Committee on Public Affairs during the committee meeting held last June 8, 2016, the undersigned hereby makes the following the report.

During the committee meeting, it was found out that there are provisions in the abovementioned guidelines which were not complied by the awardees Mrs. Elsa P. Agustin and Mr. Arame C. Veloso Sr. This particular provision is contained in **Rule V, Section 5.1** which states that:

**Section 5.1.** A permanent structural house must be built on the lot within three (3) years from the date of the award; failure of which shall constitute a ground for the annulment of the award and the recovery of the lot by the City and the reimbursement of the down payment and/or paid monthly installments to the employee-vendee, however for those employees who are sixty (60) years and above, they are required to build a house within 18 months.

As admitted by Mrs. Agustin, she has not yet built any permanent structure in her lot while Mr. Veloso only constructed a hut which is not the permanent structure contemplated in the Implementing Rules and Regulations.

Furthermore, although a Certification was issued by the Office of the City Accountant showing that Mrs. Agustin and Mr. Veloso already made full payment of their lots, a careful scrutiny thereof revealed that no penalties were imposed despite their failure to complete payment within 60 months as provided for under the Implementing Rules and Regulations, to wit:

**Rule IV, Section 4.1-** The employee-vendee shall pay the full down payment equivalent to twenty-five (25%) percent of the total purchase of the lot directly to the City Treasurer; and the balance of which shall be payable through salary deduction in sixty (60) equal monthly installments for five (5) years.



4.1.2- A penalty of 3% per month shall be charged for past due monthly amortization which shall be automatically deducted from the payroll.

4.1.4- For those who do not wish to be financed by the GSIS and other agencies and depends only on Salary deduction from the City Government, none payment for three (3) mos. amortization shall be a cause for the forfeiture of the lot in favor of the City Government.

The undersigned received a breakdown of the payments and penalties (**attached herewith for the Chairman's information and guidance**) for Mrs. Agustin and Mr. Veloso from the Office of the City Accountant showing their failure to abide by the guidelines imposed by the Implementing Rules and Regulations. Although the undersigned received information that some of the awardees already obtained their individual titles despite having violated the similar infractions of Mrs. Agustin and Mr. Veloso, the truth and veracity of which has not yet been established.

**WHEREFORE**, the undersigned hereby makes the following recommendations:

1. The Committee on City Government Employees' Housing Program be reorganized in order to revisit the Implementing Rule and Regulations.
2. There should be a strict implementation of the guidelines in order to be fair to the other awardees who have been religious in complying the guidelines and if this will not be possible, the penalties of Mrs. Agustin and Mr. Veloso should be condoned.
3. The restrictions contained in the Implementing Rules and Regulations should be incorporated in the Deed of Absolute sale in favor of the awardee-vendee.
4. Lastly, the request of Mrs. Agustin and Mr. Veloso should be held in abeyance pending the reorganization of the Committee on City Government Employees' Housing Program.

Atty. Ivan B. Verallo  
City Legal Officer