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TUL 655 – Advocacy: Project 2 – Reduced Assignment:

*Part 2 (Chart) fulfills entire requirement for Manila*

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Overview:

**Land Tenure in Manila, Philippines.**

This chart is geared toward a **community mortgage program,** wherein a group of settlers can be given the chance to own the land that they are occupying by negotiating with the land-owner and securing a group loan from the government to procure the land. This is particularly appropriate for privately-owned lands occupied by informal settler families.

**Phase 1: Community Organizing**

* Request a **‘hold’ on demolition** from city administration
* Assemble **community** to discuss opinions and **agree** on course of action
* **Register** as a neighborhood organization
* Become **informed** & **network** with barangays and NGOs

**Phase 2a: Fulfilling Government Criteria**

Complete required **documents** and **negotiations**, such as:

* Community **census** / neighborhood mapping
* **Landowner’s intent** to sell
* Zonal valuation & **certificate** from city planning
* **Building permit** & development permit
* Engineer’s site & **building design**
* Demonstrate community’s **reliability to repay** loan
* **Tax** declaration / clearance
* Warranty & **loan agreement**; purchase.

**Phase 2b: Implementation
of Pilot Projects**

To boost their credibility, neighborhood organizations should actively be **organizing** their citizens and planning for their futures:

* Group **saving** for mortgage payments
* **Planning** how they’ll moderate when people can’t pay
* **Trash clean-up** and other shared responsibilities
* **Designing homes** & planning details with faith it will come to pass

**Phase 3: Utilizing Government Loan**

* **Buy** the lot
* **Build** homes
* **Pay off mortgage** over the next 25 years
* **Moderate** problems with families who move out or no longer able to pay their mortgage

Below is a more detailed look at the above model:

## Sample Steps for an Urban Poor Community in Regularizing Land Tenure

As exemplefied by Cap’n Filomena Cino’s Legarda Estero Community,
in cooperation with Urban Poor Associates (UPA),

Manila, Philippines.

Phase 1: Community Organizing

\* Note: If **demolishion is in process** (at any point on this continuum),
obtain a written order from city administration (in Legarda’s case, Colonel Dinisio)
to “**stop demolition** until having consulted the community.” *(This may involve all possible community representatives approaching city offices and waiting persistently for an audience with the admin.)*

### General Assembly of Community

At the onset of threat of relocation, community members gather to discuss what they’d like to do:

Family by family, views are expressed.

Return to their provinces?

**Upgrade on site?**

Accept off-site relocation?

**Form an Organization**
Officially **register** as a neighborhood organization.

Establish leaders, sub-leaders, and various **roles**.

 **Become Informed**

**Learn how to lobby** & write request letters

Study UDHA (Urban Development Housing Act) to **know your rights**

**Network** & find out what other groups are doing

With a hold on demolition,

and the community on board with the key leaders of the neighborhood organization,
who are becoming networked with other neighborhoods and outside organizations,
press on into **Phase 2a: fulfilling government criteria,** while simultaneously working on **Phase 2b: implementation of pilot projects.**

{*Phase 2a*: Fulfilling Government Criteria}

{*Phase 2b*: Implementation of Pilot Projects}

*“The set of documentary requirements is a work in progress together with the implementation of the pilot projects”
(SHFC government requirements, quoted in UPA powerpoint “OCAs Presentation Loan doc”).*

Phase 2a: Fulfilling Government Criteria

Accessing the Php 10 billion fund for ISF
diagram formulated from notes by Oscarito V. Pasahol, Foundation for the Development of the Urban Poor
(loan is for **House Construction** (medium-rise building), **Land Acquisition**, and **Site Development**)

**Project Enrollment Stage:** *Required Documents:*

**FROM ENGINEER**

* Schematic plan
* Topographic plan
* Lot plan
* Vicinity map
* Building design and site development (with technical specifications and detailed cost estimates)

**APPROVAL FROM GOVERNMENT AGENCIES**

* Preliminary Approval and Locational Clearance (PALC)
* Building Permit
* Development Permit
* ECC (or exemption for less than 1 hectare)

**DOCUMENTS FROM GOVERNMENT AGENCIES:**

* CTC of Present title
* CTC of 2- back title
* Tax declaration
* Zonal Valuation
* Certification from City Planning on the Land Use of the site
* Road Right of Way Certification
* HLURB registration and by-laws

**HOA & NGO:**

* Application letter
* Community Profile
* Masterlist of beneficiaries (with loan apportionment)
* Secretary’s certificate (authorizing the President to represent the association)
* MOA with landowner (or intent to sell)
* MOA with mobilizer (NGO)

**Background Investigation & Site Inspection:**

**Verification of Plan:**

* Vicinity Map/Site structure Plan showing the roads leading to the site and the support facilities /establishments within 2 to 5-km radius and distances from the proposed CMP site
* Schematic subdivision plan showing the area per lot, the excluded lots, if any, and other information pertaining to the site’s physical features which may affect the collateral value
* Lot Plan and Technical Description duly signed by GE, if the property is a portion of big property
* Topographic Map, if the property has sloping terrain
* Tax declaration

**What they’ll look at:**

* Identity of borrowers
* Knowledge of the Program and details of the loan
* Occupancy of the site
* Residency profile of the occupants
* Socio-economic profile
* Readiness & strength of CA: Good governance, Transparency, Community Spirit

**Verification of Neighborhood Org:**

* IDs of Member-Borrowers
* Records of meetings, Minutes, Board Resolutions
* Financial Records
* Proof of latest election
* Proof of previous residence
* CA History

**Letter of Guaranty (LOG) Stage**

*[continued...]*

**Letter of Guaranty (LOG) Stage**

**Pro-Forma Documents from SHFC:**

* Warranty Undertaking
* Loan Agreement
* Promissory Note
* Real Estate Mortgage (REM)
* Deed of Assignment (CA and Landowner / Contractor-Developer & CA and SHFC)
* Collection Agreement
* Lease Purchase

**Take Out Stage!**

**List of Required Documents:**

* Original Title (and/or Condominium Title) in the name of Community Association
* CTC of Cancelled Title(s) in the name of previous owner (DOS annotated)
* CTC of Present Titles
* Tax clearance in the name of previous owner
* Tax declaration in the name of the community association
* Secretary Certificate of CA annotated at the back of title
* Secretary Certificate with RD Stamp
* Real Estate Mortgage (REM) with RD stamped received
* Deed of absolute sale with RD stamped received

*This Community Mortgage Program will equip a community to buy land and build on it,
and as a community, over the course of usually 25 years, repay the government loan
until the houses finally belong to the residents.*

*In order to make a case to the government that the neighborhood organization is serious about its commitment to owning land, it generally needs to pilot a few projects:*

Phase 2b: Implementation of Pilot Projects

The following projects are ***ideas*, not mandatory** checklist items; but each organized activity in which the neighborhood organization is able to engage will help **build its case** for being a unified, reliable community, worthy of a loan, and accountable to follow through on its proposed building and mortgage plans.

**Group Savings for Mortgage:**

* Community members **accumulate** **savings** together that they plan to use to pay the **mortgage.**
* These are often held by a treasurer in the neighborhood organization, and collected faithfully on a **regular basis**.
* The **tally is reported** in meetings with the government, to verify the neighborhood’s sincerity of effort.

**Mediation Plans:**

* In the 25 years of mortgage repayment, some community members are sure to run into problems. What will be the **course of action when members can’t pay**?
* The neighborhood association ought to have a **plan in place** before receiving the loan.
* Who will be responsible for what roles in collecting & tabulating payments, following up, etc.?

**Community Design:**

* Will houses be in clusters or one straight line along the river banks? How will this affect relational dynamics and mediate quarrels?

**Trash Clean-Up:**

* The Legarda Estero’s neighborhood organization demonstrates its unity and commitment by keeping a weekly **rotation of volunteer teams** who **clean the trash** out of the rivers on the banks where they live.
* The community’s ability to organize and its commitment to follow through with litter control present it as a reliable community

**Surveys *Make the Case*:**

* The Estero neighborhoods’ surveying of community members led to statistics that a **higher percentage of estero slum dwellers attend college**, compared to their peers in other slums, probably due to their proximity to the college belt.
* Stats like this help **make the case for not removing settlers** from these neighborhoods.

Phase 3: Utilizing Government Loan

**Buy the Lot**

Purchasing price can be **reduced by negotiations** with various government departments, such as those collecting land tax.

**Pay off Mortgage**

* Over the next 25 years, residents will **pay back their loans** cooperatively, each doing their part; the ownership is ultimately entrusted to the community organization.
* Community organization will be responsible for **moderating problems** with families who move out or no longer able to pay their mortgage

**Build the Homes**

Utilize **voluntary labor** from community residents to cut down on the costs of construction.

**Own Your Home & Lot!**

After the home mortgage and lot has been paid off, it’s yours!

**\*** **DRAFT**. I intend to return to my multiple informants to check this document for my accuracy of understanding before I’m willing to presume that it’s a fool-proof, all-encompassing game plan. ☺ But it’s a giant leap already in my understanding / framing of the process.