



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
22nd City Council

PO22CC-244

50th Regular Session

ORDINANCE NO. SP- **3264** , S-2023

AN ORDINANCE ALLOWING THE RECOVERY OF FORFEITED PROPERTIES WHICH HAVE NOT YET BEEN TRANSFERRED TO THE NAME OF THE CITY

Introduced by Councilors WENCEROM BENEDICT C. LAGUMBAY, KRISTINE ALEXIA R. MATIAS and DOROTHY A. DELARMENTE, M.D.

Co-Introduced by Councilors Joseph P. Juico, Nikki V. Crisologo, Charm M. Ferrer, Fernando Miguel "Mikey" F. Belmonte, Candy A. Medina, Aly Medalla, Dave C. Valmocina, Tatay Rannie Z. Ludovica, Godofredo T. Liban II, Kate Galang-Coseteng, Geleen "Dok G" G. Lumbad, Albert Alvin "Chuckie" L. Antonio III, Don S. De Leon, Atty. Anton L. Reyes, Edgar "Egay" G. Yap, Imee A. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Nanette Castelo-Daza, Marra C. Suntay, Joseph Joe Visaya, Alfred Vargas, MPA, Ram V. Medalla, Shaira "Shay" L. Liban, Aiko S. Melendez, Mutya Castelo, Maria Eleanor "Doc Ellie" R. Juan, O.D., Eric Z. Medina, Emmanuel Banjo A. Pilar, Vito Sotto Generoso, Victor "Vic" Bernardo, Alfredo "Freddy" Roxas and Jhon Angelli "Sami" C. Neri

WHEREAS, Section 263 of Republic Act No. 7160 provides:

"Section 263. Purchase of Property by the Local Government Units for Want of Bidder.

"In case there is no bidder for the real property advertised for sale as provided herein, or if the highest bid is for an amount insufficient to pay the real property tax and the related interest and costs of sale the local treasurer conducting the sale shall purchase the property in behalf of the local government unit concerned to satisfy the claim and within two (2) days thereafter shall make a report of his proceedings which shall be reflected upon the records of his office. It shall be the duty of the Registrar of Deeds concerned upon registration with his office of any such declaration of forfeiture to transfer the title of the forfeited property to the local government unit concerned without the necessity of an order from a competent court.

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Within one (1) year from the date of such forfeiture, the taxpayer or any of his representative may redeem the property by paying to the local treasurer the full amount of the real property tax and the related interest and the costs of sale. If the property is not redeemed as provided herein, the ownership thereof shall be vested on the local government unit concerned."

WHEREAS, Section 264 of Republic Act No. 7160 provides:

"Section 264. Resale of Real Estate Taken for Taxes, Fees, or Charges.

"The Sanggunian concerned may, by ordinance duly approved, and upon notice of not less than twenty (20) days, sell and dispose of the real property acquired under the preceding section at public auction. The proceeds of the sale shall accrue to the general fund of the local government unit concerned."

WHEREAS, Section 16 of Republic Act No. 7160 allows the City to act for the general welfare of its citizens, to wit:

"Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants."

WHEREAS, Section 61 of Republic Act No. 537 (Quezon City Charter) provides:

"SECTION 61. Repurchase by owner after absolute forfeiture.

After the title to the property shall have become absolutely vested in the Government of Quezon City in the manner above provided, and at any time before a sale or contract of sale shall have been made by the City Treasurer to a third party in the manner provided for by law, the original owner or his legal representative shall have a further right to repurchase the property in question by paying thereof the full amount then due for taxes, penalties, and cost, together with an additional penalty of fifteen per centum upon the whole, and if the City Mayor has made a contract for the lease of the property the repurchase may be subject to such contract."

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WHEREAS, for various technical and substantial circumstances, many forfeited properties have not yet been transferred to the name of the City;

WHEREAS, owners of many of these forfeited properties requested the City to allow them to recover their properties;

WHEREAS, for humanitarian reasons, the City desires to grant said requests.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. RECOVERY OF FORFEITED PROPERTIES. –

After the ownership of a forfeited property shall have become absolutely vested in the Government of Quezon City by the expiration of the period to redeem it under Section 263 of Republic Act No. 7160, and at any time before a sale or contract of sale shall have been made by the City Treasurer to a third party in the manner provided for by law, the original owner or his legal representative shall have a privilege to recover the property in question by paying thereof the full amount then due for taxes, penalties, and costs, together with an additional penalty of 15% upon the whole. If the City Mayor has made a contract for the lease or usufruct of the property, the recovery may be pursued respecting such contract.

SECTION 2. EXCLUSIONS. – The following forfeited properties shall be excluded from the implementation of this Ordinance:

- a. Those that are already being used by the City;
- b. Those which have been ordained to be used by the City; and
- c. Those which have been transferred from the delinquent owner and the transfer appears to have been done to the detriment of the City.

SECTION 3. DEADLINE. – The privilege herein extended shall expire within one (1) year from the publication of this Ordinance.

SECTION 4. IMPLEMENTING RULES AND REGULATIONS. – Within ninety (90) days from the approval of this Ordinance, the City Real Estate Management and Control Office and the City Treasurer's Office are hereby designated to formulate the appropriate implementing rules and regulations necessary for the effective and efficient implementation of all the provisions of this Ordinance.

SECTION 5. REPEALING CLAUSE. – All other ordinances, resolutions, executive orders, memorandum circulars and administrative orders or parts thereof which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

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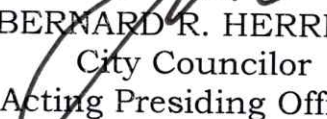





SECTION 6. SEPARABILITY CLAUSE. -- If for any reason any portion of this Ordinance is declared to be unconstitutional or invalid, all other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 7. EFFECTIVITY CLAUSE. -- This Ordinance shall take effect immediately upon its approval.


ENACTED: December 4, 2023.


BERNARD R. HERRERA
City Councilor
Acting Presiding Officer

ATTESTED:



ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)

APPROVED: JAN 25 2024


MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on December 4, 2023 and was PASSED on Third/Final Reading on December 11, 2023.


ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)
