

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
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CITY ORDINANCE NO. 484
March 4, 2009

AN ORDINANCE EXEMPTING ACCREDITED HOUSING ASSOCIATIONS OR AFFILIATE-MEMBERS OF A DULY ACCREDITED FEDERATION FROM THE PAYMENT OF TRANSFER TAXES, PROVIDING MECHANISM FOR ITS IMPLEMENTATION AND FOR OTHER PURPOSES.

WHEREAS, the City Government of Bacolod recognizes its responsibility and mandate of providing habitable and decent homes for its lowly constituents and, at least, by easing their living condition by providing them all the assistance that it could muster under its inherent power and authority as a local government unit;

WHEREAS, there are a number of our constituents who did not anymore seek the assistance of the local government in providing themselves with decent homes by availing of the benefits under the Community Mortgage Program of the national government through onsite development, or through direct purchase;

WHEREAS, these constituents who organized themselves into a homeowners' association to acquire the property they are occupying, have to shell out a considerable sum despite their economic difficulty that confronts them in order to provide their respective families a decent home, they can proudly claim as their own'

WHEREAS, these residents had been requesting for assistance from the local government unit that they shall be spared from the payment of transfer taxes once they fully paid the purchase price since they can hardly make both ends meet, paying their monthly amortization for the acquisition of the residential lot from the original owner;

WHEREAS, the grant of exemption from the payment of transfer taxes is a noble gesture on the part of the city government in recognizing the efforts of its landless constituents of owning one without necessarily taking a dip into the coffers of the city;

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Panlungsod of Bacolod City, in session assembled that:

ARTICLE I - TITLE

This Ordinance shall be known as the **TRANSFER TAX EXEMPTION ORDINANCE FOR ACCREDITED HOMEOWNERS' ASSOCIATIONS OR AFFILIATE MEMBERS OF A DULY ACCREDITED FEDERATION.**

ARTICLE II - TRANSFER TAX.

Section 1. The city shall grant exemptions to all accredited housing associations in the City of Bacolod from the payment of TRANSFER TAXES provided that they are qualified under the provisions set forth under Article III, Section 1 hereof;

Section 2. The exemption from the payment of TRANSFER TAXES shall cover the transfer of the subject parcel of land from the original owner to the accredited

ARTICLE III - CRITERIA/QUALIFICATIONS.

Section 1. All homeowners' association accredited by the city, or any homeowners' association which is an affiliate member of a duly accredited federation of homeowners' association are qualified to avail of Transfer Tax Exemption provided that the acquisition of its property is either through Community Mortgage Program or through direct purchase with at least ten (10) members under its fold;

ARTICLE IV - MECHANISM/PROCEDURE TO AVAIL OF TRANSFER TAX EXEMPTION.

Section 1. Any accredited homeowners' association or an affiliate-member of a duly accredited federation of homeowners' association, through its mother association, applying for exemption, shall submit the following documents to the Chairman of the Committee on Housing and Urban Poor, to wit:

- a. Photocopy of the Title;
- b. Photocopy of the Deed of Absolute Sale duly notarized;
- c. List of Members signed by the HOA Secretary & President;
- d. Photocopy of Certificate of Registration;
- e. Certification of Mother Association, if the applicant is an affiliate member;
- f. Subdivision Plan with vicinity map.

Section 2. The BACOLOD HOUSING AUTHORITY (BHA) shall evaluate the documents as aforesaid, and endorse the same to the Chairman of the Committee on housing and Urban Poor who in turn shall move for a resolution granting exemption to the applicant before the city council;

Section 3. Upon passage of the resolution by the city council granting exemption from the payment of transfer tax to the city, a copy thereof shall be presented to the City Treasurer and to the City Assessor in order that the applicant shall be spared from the payment of the transfer tax aforesaid.

ARTICLE V - SEPARABILITY CLAUSE.

Any portion or provision of this Ordinance which may be declared unconstitutional shall have the effect of nullifying other portions or provisions that can still subsist and be given effect in their entirety;

ARTICLE VI - REPEALING CLAUSE.

All ordinances, rules and regulations or parts thereof, which are inconsistent with this Ordinance are hereby repealed or modified accordingly;

ARTICLE VII - EFFECTIVITY

This ordinance shall immediately take effect upon approval hereof.

CARRIED BY THE VOTE OF:

Affirmative:
Councilors : Greg G. Gasataya, Homer Q. Bais, Jocelle Batapa-Sigue,
Dindo C. Ramos, Wilson C. Gamboa, Jr., Al Victor A.
Espino, Napoleon A. Cordova, Celia Matea R. Flor,
Catalino T. Alisbo, Alex A. Paglumotan, Reynold I. Iledan,
Kevin Daniel L. Ramos.

Negative : None.

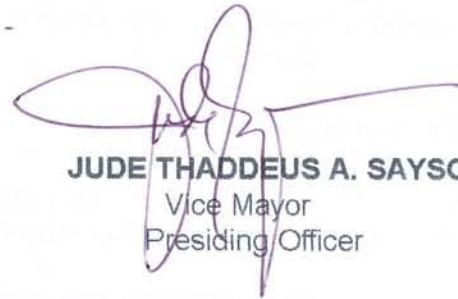
Absent : None.

Official Leave: Councilor Roberto M. Rojas


Main Author : Councilor Dindo C. Ramos

Passed : March 4, 2009 (87th Regular Session)



Comments: Passed.
Councilor Diosdado A. Valenzuela was out of the Session
Hall when this ordinance was passed.


JUDE THADDEUS A. SAYSON
Vice Mayor
Presiding Officer

ATTESTED:


ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

APPROVED: March 23 2009


EVELIO R. LEONARDIA
City Mayor 

NTA/HPL/rgl 

