



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
17th City Council

PO2009-30

54th Regular Session

ORDINANCE NO. SP-**1968**, S-2009

AN ORDINANCE CONDONING THE PENALTY INCURRED BY THE INDIGENT RESIDENTS OF ESCOPA III ARISING OUT OF THEIR RESPECTIVE CONDITIONAL DEEDS OF SALE FOR THE REAL PROPERTY COVERED BY TRANSFER CERTIFICATE OF TITLE NUMBERED RE-22836 (292671) AND REGISTERED IN THE NAME OF QUEZON CITY.

Introduced by Councilor FRANZ S. PUMAREN.

Co-Introduced by Councilors Jorge B. Banal, Jr., Wencerom Benedict C. Lagumbay, Dante M. De Guzman, Diorella Maria G. Sotto, Jaime F. Borres, Joseph P. Juico, Ricardo T. Belmonte, Jr., Winston "Winnie" T. Castelo, Ramon P. Medalla, Voltaire Godofredo L. Liban III, Allan Butch T. Francisco, Antonio E. Inton, Jr., Jesus Manuel C. Suntay, Edcel B. Lagman Jr., Concepcion S. Malañgen and Alexis Grace R. Matias.

WHEREAS, under Section 2 of the Revised Chapter of Quezon City, Republic Act No. 537, one of the general powers of the City as a public corporation is to contract and be contracted with;

WHEREAS, the City sold the real property covered by Transfer Certificate of Title Numbered RT 22836 (292671) to the indigent residents who were the previously informal settlers thereof under authority of Resolution No. SP-393, S-94;

WHEREAS, a number of residents were able to pay a portion of their principal obligation but have since then failed to pay the amortizations on time due to their indigency;

WHEREAS, the penalty, as stipulated in the contract is 1/15 of 1% of the total price of the lot, charged per day their obligation, some of whom have penalties higher than the principal obligation;

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WHEREAS, the subject contract entered into by the indigent residents of Escopa III is in the nature of a Contract of Adhesion, drafted by the stronger party and then presented for acceptance to the weaker party who has no power to modify its unfavorable or prejudicial terms;

WHEREAS, given the global economic downturn, it has become challenging for such indigent residents to balance their daily needs and their obligation to pay for their individual lots wherein they have introduced improvements;

WHEREAS, the concerned residents have petitioned the City for measures to alleviate their plight;

WHEREAS, the City recognizes the right to decent and affordable housing and the necessity of returning the self-respect of the residents of Barangay Escopa III, Quezon City;

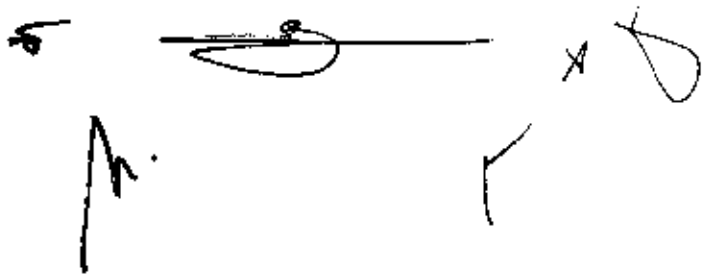
WHEREAS, it would be in the spirit of Ordinance No. MC-89, S-89 and Resolution No. SP-393, S94 to condone the penalties incurred by the delinquent vendees.

NOW, THEREFORE,

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

SECTION 1. The penalties and/or surcharges incurred in by all legitimate occupants and qualified lot awardees who entered into a Conditional Deed of Sale of real property with the Quezon City Government for the purchase of portions of the real property subject of Transfer Certificate of Title Numbered RT 22836 (292671) and who are delinquent in their amortization payments are hereby condoned.

SECTION 2. After condoning the penalty, the monthly payments for the principal amount shall be restructured. The outstanding balance shall be divided by the remaining years based on the options chosen by the vendee as indicated in the original contract. The payment shall be made in equal monthly installment.

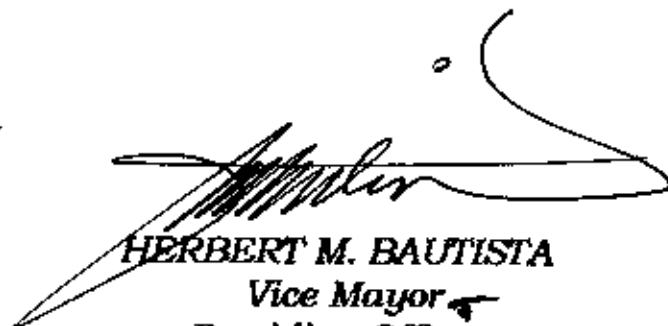
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SECTION 3. The penalty to be imposed to the indigent residents or awardees shall be One-Fifth (1/5) of One Percent (1%) of the total price of lot per day of delay as stipulated in the contract.

SECTION 4. The penalty should be computed on the straight line basis as a standard form of computation.

SECTION 5. A new Loan Agreement shall be executed by and between the Quezon City Government and the bonafide residents of Barangay Escopa III.

ENACTED: March 16, 2009.


HERBERT M. BAUTISTA
Vice Mayor &
Presiding Officer

ATTESTED:


DOROTHY D. LAGRADA, DPA
City Secretary

APPROVED: Nov. 20, 2009


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was reverted back to Second Reading on March 23, 2009, was APPROVED by the City Council on Second Reading and was finally PASSED on Third/Final Reading on the same date.


DOROTHY D. LAGRADA, DPA
City Secretary 