



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
DILG-NAPOLCOM Center, EDSA corner Quezon Avenue, West Triangle, Quezon City
<http://www.dilg.gov.ph>



02 APR 2020

MEMORANDUM CIRCULAR

NO.: 2020 - 068

TO : ALL PROVINCIAL GOVERNORS, CITY AND MUNICIPALMAYORS, DILG REGIONAL DIRECTORS, BARRMMINISTER OF LOCAL GOVERNMENT, PUNONGBARANGAYS, AND ALL OTHER CONCERNED INDIVIDUALS

SUBJECT : POSTPONEMENT OF ALL ADMINISTRATIVE DEMOLITION AND EVICTION ACTIVITIES DURING THE ENHANCED COMMUNITY QUARANTINE AND STATE OF NATIONAL EMERGENCY

1. BACKGROUND

- 1.1. On March 11, 2020, the World Health Organization declared the Coronavirus Disease 2019 (COVID-19) a global health pandemic due to the rapid increase of cases throughout the world.
- 1.2. Further, President Rodrigo Roa Duterte declared a State of Calamity throughout the Philippines for a period of six (6) months, unless lifted or extended as circumstances may warrant, placing the entire Luzon under Enhanced Community Quarantine.
- 1.3. The Department, through its mandate of general supervision over Local Government Units (LGUs), is a part of the Inter-Agency Task Force for the Management of Emerging Infectious Disease (IATF-MEID).
- 1.4. In line with Republic Act no. 11469, otherwise known as "Bayanihan to Heal as One Act", the Department seeks to respond to and address the impact of the COVID-19 emergency on affected areas and vulnerable communities, including informal settler families (ISFs).

2. PURPOSE

This Memorandum Circular is issued to direct all LGUs to postpone all demolition and eviction activities and ensure that all homeless citizens within their respective jurisdictions are properly accommodated.

3. LEGAL BASES

- 3.1. Article VII, Section 28 Eviction and Demolition of Republic Act no. 7279, otherwise known as the Urban Development and Housing Act (UDHA) of 1992, mandates the LGUs to supervise eviction and demolition activities and ensure that the necessary rules and regulations are carried out in accordance with the law.
- 3.2. Presidential Proclamation No. 922 (s.2020) declared a State of Public Health Emergency throughout the Philippines due to COVID-19, thereby enjoining all government agencies and LGUs to render full assistance and cooperation and mobilize resources to address the impact of the aforementioned illness.
- 3.3. Presidential Proclamation No. 929 (s.2020) declared a State of Calamity throughout the Philippines due to COVID-19 for a period of six (6) months, unless earlier lifted or extended as circumstances may warrant, and imposing an Enhanced Community Quarantine throughout Luzon.
- 3.4. Republic Act no. 11469, otherwise known as "*Bayanihan* to Heal as One Act", authorizes LGUs to utilize more than five percent (5%) of the amount allocated for their calamity fund, mobilize resources, and provide assistance to affected communities and sectors.

4. SCOPE/COVERAGE

This Memorandum Circular applies to all LGUs and shall cover the conduct of all administrative demolitions and eviction activities under Section 28(a) and (b) of UDHA, and Section 4(s) of R.A. No. 11469.

5. POLICY CONTENT AND GUIDELINES

5.1. For Eviction and Demolition under Section 28(a) of UDHA.

- 5.1.1. Identify all areas scheduled to be evicted or demolished from March 15, 2020 qualified under Section 28(a) of UDHA, or those:
"[When] persons or entities occupy danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and other public places such as sidewalks, roads, parks, and playgrounds."
- 5.1.2. Postpone all eviction and demolition activities within their jurisdiction related to the aforementioned provision;
- 5.1.3. Release a notification of postponement to the affected communities stating the date of resumption of the activities;

5.1.4. All postponed eviction and demolition activities shall resume only when the State of Calamity is lifted, *provided* that said activities are compliant with existing rules and regulations; and

5.1.5. Provide assistance and services to affected communities.

5.2. For Eviction and Demolition under Section 28(b) of UDHA in relation to Section 4(s) of R.A. No. 11496 otherwise known as “Bayanihan to Heal as One Act”.

5.2.1. Only the identified dwellings qualified under Section 28(b) of UDHA and related to Section 4(s) of R.A. 11496 shall be allowed eviction and demolition;

5.2.1.1. *Provided* that the eviction or demolition of the identified dwellings are crucial in the general objectives stipulated in R.A. 11496;

5.2.1.2. *Provided further* that prior to the conduct of eviction and demolition, LGUs shall provide interim shelter facilities for affected communities who will be demolished within the locality and, *finally*, provide appropriate financial assistance, relief, and other basic services;

5.3. All Local Government Units shall provide interim shelter facilities to all homeless families and/or individuals found in their respective jurisdiction, and appropriate financial assistance, relief, and other basic services.


6. PENALTIES

Failure to comply or violation of any provision in this Memorandum Circular shall be dealt with in accordance with Section 6 of R.A. 11496.

7. EFFECTIVITY

This Memorandum Circular shall take effect immediately and shall automatically be rescinded after the State of Calamity has been lifted by the President of the Republic of the Philippines.

8. APPROVING AUTHORITY


EDUARDO M. AÑO
Secretary

