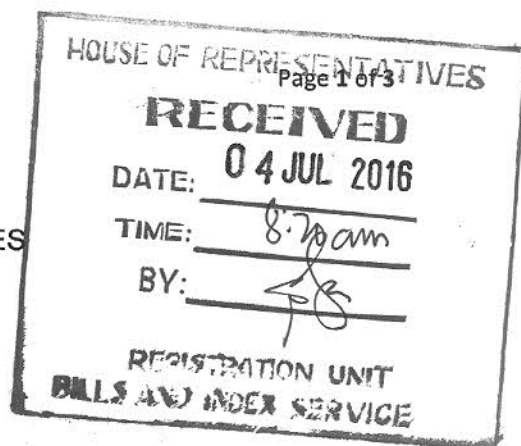


Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 800



Introduced by HON. RODEL M. BATOCABE, HON. ALFREDO A. GARBIN, Jr. and
HON. CHRISTOPHER S. CO

EXPLANATORY NOTE

This bill seeks to transfer appellate jurisdiction over decisions of the Housing and Land Use Regulatory Board (HLURB) from the Office of the President (OP) to the Court of Appeals, thereby expanding the jurisdiction of the Court of Appeals under B.P. Blg. 129.

Pursuant to the 2011 Revised Rules of Procedures of the HLURB and HLURB Memorandum Circular No. 28 Series 2011, Executive Order No. 648, and Presidential Decree No. 257 and 1344, a decision, resolution, or order of the HLURB Board of Commissioners is appealable to the Office of the President. Appeals to the Office of the President are governed by Administrative Order No. 22, Series of 2011, issued on October 11, 2011.

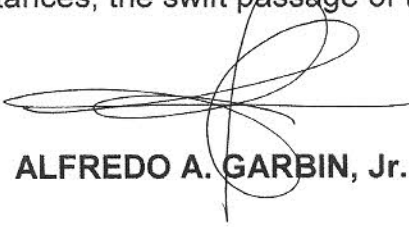
The Office of the President, while handling cases involving its inherent powers, the OP also takes cognizance of cases pursuant to special laws, such as those from the HLURB. Unfortunately, 75% of those cases appealed with the OP are cases from the HLURB.

While the HLURB is the planning, regulatory, and quasi-judicial instrumentality of the government for land use development, the nature of cases appealed therefrom are disputes involving private rights. Appealed cases rarely involve policy issues or issues on matters pertaining to the supervision and control of the OP over the HLURB.

Considering the above circumstances, the Court of Appeals, the judicial body which generally has the exclusive appellate jurisdiction over all final judgments, resolutions, orders or awards of quasi-judicial agencies, should take cognizance of cases from the HLURB in order to address the speedy resolution and disposition of HLURB cases.

In light of these circumstances, the swift passage of the bill is earnestly sought.


RODEL M. BATOCABE


ALFREDO A. GARBIN, Jr.


CHRISTOPHER S. CO

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Introduced by HON. RODEL M. BATOCABE, HON. ALFREDO A. GARBIN, Jr. and
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1
2 **AN ACT**
3 **EXPANDING THE JURISDICTION OF THE COURT OF APPEALS TO INCLUDE**
4 **EXCLUSIVE APPELLATE JURISDICTION OVER ALL FINAL JUDGMENTS,**
5 **RESOLUTIONS ORDER OR AWARDS OF THE HOUSING AND LAND USE**
6 **REGULATORY BOARD (HLURB) , AMENDING FOR THE PURPOSE BATAS**
7 **PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY**
8 **REORGANIZATION ACT OF 1980”**
9

10 *Be it enacted by the Senate and House of Representatives of the Philippines in*
11 *Congress assembled:*

12
13 **SECTION 1.** Section 9 of Batas Pambansa Blg. 129, otherwise known as the “Judiciary
14 Reorganiation Act of 1980”, is hereby amended to read as follows:
15

16 “Section 9. *Jurisdiction.* – The Court of Appeals shall exercise:

- 17
18 1. Original jurisdiction to issue writs of *mandamus*, prohibition, *certiorari*,
19 *habeas corpus*, and *quo warranto*, and auxiliary writs or processes,
20 whether or not in aid of its appellate jurisdiction;
21
22 2. Exclusive original jurisdiction over actions for annulment of judgments
23 of Regional Trial Courts; and
24
25 3. Exclusive appellate jurisdiction over all final judgments, resolutions,
26 orders or awards of Regional Trial Courts and quasi-judicial agencies,
27 instrumentalities, boards or commission, including the Securities and
28 Exchange Commission, the Social Security Commission, the Employees
29 Compensation Commission, Civil Service Commission, **AND THE**
30 **HOUSING AND LAND USE REGULATORY BOARD**, except those falling
31 within the appellate jurisdiction of the Supreme Court in accordance with
32 the Constitution, the Labor Code of the Philippines under Presidential
33 Decree No. 442, as amended, the provisions of this Act, and of
34 subparagraph (1) of the third paragraph and subparagraph 4 of the fourth
35 paragraph of Section 17 of the Judiciary Act of 1948.
36

37 The Court of Appeals shall have the power to try cases and conduct hearings, receive
38 evidence and perform any and all acts necessary to resolve factual issues raised in
39 cases falling within its original and appellate jurisdiction, including the power to grant
40 and conduct new trials or Appeals must be continuous and must be completed within
41 three (3) months, unless extended by the Chief Justice.”
42
43

1 **SECTION 2.** Any decision, order, or ruling of the Housing and Land Use Regulatory
2 Board may be brought to the Supreme Court through a special civil action on certiorari
3 under the Revised Rules of Court by the aggrieved party in accordance with the
4 Constitution.

5
6 **SECTION 3.** All provisions of laws and rules inconsistent with the provisions of this Act
7 are hereby repealed or amended accordingly.

8
9 **SECTION 4.** This Act shall take effect after fifteen (15) days following its publication in a
10 newspaper of general circulation.

11
12 Approved.