



Kaagapay ng Komunidad sa Maginhawang Pamumuhay



CMP CORPORATE CIRCULAR NO: **21 - 056**
Series 2021

SUBJECT : **GUIDELINES ON THE INTRAMUROS SIMPLE PROGRAM**

I. STATEMENT OF POLICY

The Intramuros Administration (IA) – an attached agency of the Department of Tourism and the national agency responsible for the restoration and development of Intramuros has placed a special regard to the plight of the informal settler families currently residing inside the Walled City in its creation of a comprehensive rehabilitation and development strategy. As a result, the IA has created the Strategy for the Inclusive Mainstreaming of People's Living Entitlements (SIMPLE).

The Social Housing Finance Corporation (SHFC), created under Executive Order No. 272, was tasked to undertake social housing programs that will cater to the formal and informal sectors in the low-income bracket and shall take charge of developing and administering social housing program schemes. After conducting a series of meetings and review of mandate with several housing agencies, the IA has decided to pursue the technical assistance of SHFC.

A Memorandum of Agreement (MOA) between SHFC and IA was signed in March 2019 to institutionalize the partnership in providing a resettlement to the identified and qualified dweller-families in Intramuros.

The SHFC, through Board Resolution No. 942 dated 22 September 2021 approved and promulgated these guidelines in order to provide implementation framework of the SIMPLE program. This program endeavors to provide the dweller-families in Intramuros, Manila a permanent resettlement through the assistance of lot acquisition, sitedevelopment, and house construction. The guidelines hereunder shall be the reference for the efficient and effective implementation of the SIMPLE Program.

II. DEFINITION

1. Intramuros SIMPLE Program

The SIMPLE Program is the revitalization and rehabilitation of the Intramuros through inclusive development. The Program was conceptualized with the intent of enabling the underprivileged families residing within the city walls.

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2. Partner- Stakeholders

This refers to SHFC's stakeholders whose crucial role in ensuring an efficient and effective implementation of the resettlement project. The SHFC's partners are the following:

2.1 Intramuros Administration (IA)

The IA is the national government agency mandated to formulate, coordinate and/or execute policies on the implementation of all programs, projects and activities of the government affecting or relating to Intramuros. The IA will fund the resettlement project of the families enrolled in the SIMPLE Program.

2.2 The Community Association (CA)

An organized dweller-families in Intramuros (DFI) duly registered, despite the minimum membership, with the Department of Human Settlements and Urban Development Department, whose members meet the necessary requirements, as espoused under Republic Act No. 9904 or the Magna Carta for Homeowners Association.

2.3. The Local Government Unit

The Local Government Unit (LGU) oversees local governance in the Philippines. It is a territorial and political subdivision with local autonomy vested by the 1987 Philippine Constitution. The LGU's role is a vital component in ensuring an efficient and effective delivery of a comprehensive and integrated resettlement governance program. As a major partner of SHFC in the delivery of public service, the LGU serves as the primary provider of public goods and basic services to the relocated families.

3. Settlements Management Group (SMG)

The SMG is mandated to oversee the overall implementation, coordination and monitoring of the Intramuros project under the Office Order no. 21-195. Likewise, the SMG is also directed to assist the Intramuros Administration in the whole duration of the project implementation.

III. COVERAGE

The beneficiaries of this Project are more or less five hundred (500) dweller-families in Intramuros as determined and validated by the Intramuros Administration (IA).







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IV. RESPONSIBILITIES OF THE COMMUNITY ASSOCIATION

With the guidance of the Intramuros Administration, the CA shall be responsible for the following:

1. Community profiling through the Online Community Needs Assessment (CNA) Tool of SHFC;
2. Community planning and organizational development
3. Estate management that will include maintenance of sites & services and enforcement of community rules and regulations;
4. Organizational maintenance;
5. Participate in the required capacity building activities as recommended based on the community profile; and
6. Payment of the loan to SHFC or its accredited collection partners.

V. LOCAL GOVERNMENT UNIT PARTNERSHIP

The IA and SHFC will enter into an agreement with the receiving LGU stating the roles, responsibilities, and commitments in ensuring the efficiency and effectiveness in the implementation of the housing project.

VI. SUBSIDIES FOR THE COMMUNITY ASSOCIATION

Aside from the foregoing loans to the family-beneficiaries, the Php 410 million fund may also cover applicable subsidies amounting to 20% of the project costs which shall be recommended by SMG based on the community profile and assessment:

1. Subsidy for vulnerable groups which shall be recommended by SMG based on the community profile and assessment;
2. Settlements management capacity building programs and competencies as recommended by SMG based on the community profile and assessment;
3. Social preparation including but not limited to the transfer cost of the CA from the current site (Intramuros) to the proposed relocation site;
4. Applicable taxes and insurance covers;
5. Water and power connection from mainline to each household; and
6. Road right of way to the project site.

A. The release of the subsidy fund shall undergo the following process:

1. The SHFC shall submit a subsidy proposal to IA.
2. The IA shall issue a certificate of approval to SHFC which shall be sufficient for the release of the subsidy.

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VII. LOAN EXAMINATION

The CA shall undergo the community needs assessment and usual loan *and mortgage* examination process of SHFC. The CA shall be subjected to SHFC's graduated scheme with the lowest interest rate of 2% and payable for a term of 35 years.

VIII. PHASE 1: PROCESS OF LAND ACQUISITION

The Corporation shall be in charge of the land acquisition of the project with the conformity of the IA. It shall access the funds from the Intramuros project allocation to facilitate the purchase of the property. The process shall include:

- a The IA shall furnish SHFC a list of the pre-identified or potential beneficiaries, with or without official registration as a Community Association or Housing Cooperative;
- b Submission of the Certificate of Registration of the Community Association, with at least the minimum required membership. The determination of the complete list of members is still in progress;
- c Certification from the IA stating that the property will be used as the resettlement site for the pre-identified member-beneficiaries;
 - i. The SHFC shall conduct its usual due diligence process for the mortgage examination and site inspection of the chosen relocation site.
- d Once approved by the Board and all the conditions set are satisfied, the SHFC shall issue a Letter of Guarantee to the *landowner*/contractor/developer.

1. Land Valuation

The process of land valuation shall be in accordance with the terms set by the funding agency. The IA shall submit a board resolution stating their terms with regard to land valuation. The valuation report shall include the site's physical features and other data that may influence the value of the property.

In the event that the appraised value is lower than the final selling price, the funding agency shall furnish SHFC a certificate determining its agreed price.

2. Release of payments to Landowner/s

To expedite the project implementation and to address the pressing need of the dweller-families in Intramuros for permanent housing, the Corporation may release the proceeds on staggered basis, as approved by the SHFC Board, in the following manner:

2.1 Initial Release of Fifty percent (50%) loan proceeds

The Corporation may release, upon approval by the Board, the initial Fifty (50%) of the proceeds to help assist the landowners.

The requirements to facilitate the release are as follows:

- a. Certification from the IA stating that the property will be used as the resettlement site for the pre-identified member-beneficiaries;
 - b. Certification from IA stating the list of the pre-identified or potential beneficiaries, with or without official registration as a Community Association or Housing Cooperative;
 - c. Certificate of Registration of the Community Association, with at least the minimum required membership;
 - d. Tax clearance or receipts thereof;
 - e. Owner's duplicate copies of Titles;
 - f. Execution and submission of deed of absolute sale by the landowner in favor of the CA;
 - g. Real Estate Mortgage (REM) executed by the CA in favor of SHFC;
 - h. Letter of Guarantee
 - i. Other documents that may be required by the Corporation.
- The ME/LE and technical documents under advance land acquisition shall be adopted for purposes of pre-takeout review.

2.2 Release of the final Fifty percent (50%) loan proceeds

The Corporation will release the final tranche equivalent to fifty (50%) of the proceeds upon submission of the following requirements:

- a. Submission of the owner's duplicate copy of title and RD certified copy or e-copy of the title in the name of the CA with annotation of the REM (accommodation mortgage);
- b. Tax Declaration in CA's name;
- c. Payment of transfer taxes, registration fees and documentary stamp taxes shall be for the account of the landowner; and
- d. Other documents that may be required by the Corporation.

IX. PHASE 2: PROCESS OF ACQUIRING COMPLETED HOUSINGUNITS

The CA shall engage with an SHFC accredited developer/contractor that is financially capable to deliver developed lots and completed housing units with water and electricity connection, including community facilities or open space in accordance with the agreed and approved plans, designs, specifications, standards, and timeframe pursuant to the existing building standards.

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The following process and documentations for acquiring completed housing units including the site development cost:

- a.) Submission of the Final Masterlist of Beneficiaries with Loan Apportionment (MLBA) including lot allocation signed by the IA and CA.
- b.) The CA and IA shall submit a certification stating the chosen SHFC accredited contractor/developer.
- c.) The chosen contractor/developer shall submit a Letter of Intent (LOI) stating that it is financially capable to deliver developed lots and completed housing units with water and electricity connection. The LOI shall include the number of house and lot units, work/drawdown schedule, plans/drawings, and specifications.
- d.) The technical plans and corresponding permits submitted by the contractor/developer shall undergo usual due diligence to be conducted by SHFC. Other documents may be required by the Corporation.
- e.) The valuation of Phase II (site development and house construction) cost shall be in accordance with the terms set by the funding agency.
- f.) After due diligence and appraisal, the project shall be presented to the Board for approval.
- g.) Once approved by the Board and all the conditions set are satisfied, the SHFC shall issue a Letter of Guarantee to the contractor/developer to guarantee the acquisition of the completed housing units including the site development cost.
- h.) A quadripartite Memorandum of Agreement by and among the SHFC, IA, CA, and the contractor/developer stating the total number of completed housing units to be delivered based on the agreed price and production delivery schedule. A project terms of reference must be attached detailing the complete requirements of SHFC prior to acquiring the completed housing units.
- i.) Billing will be released to the contractor/developer after completing the project provided that electricity, water and other basic utilities are already in place, in case of project turn-over per batch, basic utilities will not be part of punchlisting since utility providers will not accept partly completed units.
- j.) After project completion, SHFC representatives will inspect and evaluate, together with the HOA, for punchlisting, hydrotesting and megger test will be included for 100% project completion and will only consider architectural punchlisting if project turn-over is per batch.

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k.) Billing will be released according to evaluated project completion per batch.

1.) Eligibility

The CA is eligible for the Phase 2 loan provided that the chosen land has been secured with a fifty percent (50%) loan proceeds.

2.) Contractor/developer Selection Process

The CA with the guidance of the IA shall choose a contractor/developer from the list of SHFC accredited Contractors for their specific project. This is to ensure that the Contactor/Developer has the technical and financial capacity to undertake site development and house construction.

3.) Release of proceeds

Release of proceeds shall be made by a minimum of one hundred (100) units per batch. The contractor/developer shall only request for payment upon completion of the required works for the site development to include utility line installation, foot path, curbs and gutter, road pavement from main access road to frontage servicing the units, drainage system fronting the housing units up to drainage outfall and tapping of sewage line to Sewage Treatment Plant (STP) if STP is included in land development as required by LGU.

Furthermore, payment of ninety percent (90%) of the acquisition cost of completed housing units shall be made upon completion of the required works to include power, water supply, and roofing.

For every release of payment, the contractor/developer shall submit the following requirements:

- 3.1 Letter of Guarantee;
- 3.2 Detailed architectural and engineering building plans and drawings;
- 3.3 Site development plan/partial as-build plan showing the location of the completed housing units subject for payment;
- 3.4 Statement of Work Accomplishments (SWA); indicating the work accomplished, i.e. percentage or number of units completed, signed by the developer/contractor, the Community Association, and the Construction Project Management Team; in this case, the SHFC inspection team.
- 3.5 Structural design computation/analysis duly signed and sealed by a registered Civil/structural Engineer and cost estimate for the completed housing units;
- 3.6 Certification from the contractor, signed by their Structural Engineer that the units have been completed as per approved LGU plans, design and specifications;

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- 3.7 Building Permit/licenses for construction of housing units duly attached the request for payment on the completed housing units;
- 3.8 Pictures of the actual progress of the project; and
- 3.9 Certificate of Completion and Acceptance (for completed units).

4.) Retention fee

The Corporation shall retain ten percent (10%) of the Contract price per batch as retention fee which shall only be released to the Contractor/Developer within six (6) months from the completion of corrections/ remedial works, if any, and submission by the community association of a Board Resolution embodying the acceptance of any or all repair works done by the developer/contractor on the project.

The following requirements shall be submitted for the release of the retention fees:

- a.) Certificate of Final Completion and Acceptance from the IA and the CA, covered by Board Resolution and punch list signed by all officers and member-beneficiaries;
- b.) Notarized Certificate of Final Completion from the Contractor/developer, to ensure that the completed project adheres to the minimum design standards and requirements as provided in the Batas Pambansa (Blg. 220), National Building Code of the Philippines, and other applicable rules and regulations; and that SHFC shall not be held accountable for any defects that may occur after project completion;
- c.) Certificate of Occupancy (CO) to be issued by the LGU;
- d.) Final Validation Report signed by SHFC Engineers and Officers with approval of the President; and
- e.) Warranty Security.

5.) Loan security

The loan shall be secured by a real estate mortgage (REM) annotated at the back of the title/s of the community association. Prior to the release of the proceeds for the first batch, a REM covering the total project cost must be annotated.

6.) Developer/Contract/s Certification

The contractor/developer shall execute a certification that the submitted plans, designs, and specification conform to all pertinent national laws and regulations, as well as local ordinances and regulations, and that all completed works are done in accordance with the submitted plans, designs, and specifications.

SHFC shall not be held liable for any deviations made on said standards in the future. Any deviation made on the plans without the expressed written consent of SHFC, IA, and the CA shall be for the exclusive account of the contractor.

X. AMORTIZATION

The CA shall be subjected to SHFC's graduated scheme with the lowest interest rate of 2% and payable for a term of 35 years.

The full-package (Phase 1 and 2) amortization payment of the member-beneficiaries of the community association shall commence three (3) months from the issuance of the Permit to Move-in by the Settlements Management Group (SMG).

XI. PERMIT TO MOVE-IN REQUIREMENTS

1. Certificate of Completion and Acceptance (COCA) signed by all the members of the CA.
2. Certificate of Occupancy from the LGU.
3. Certificate of compliance of the mandatory capacity building trainings for the CA issued by the IA.

XII. INSURANCE COVERAGE

a) Mortgage Redemption Insurance

The insurance premium for the 1st year coverage shall be and paid in advance by SHFC which is based on the borrower's share in the full-package through the subsidy with approved appropriation under R.A. No. 10717. The payment shall be made prior to the issuance of Certificate of Completion and Acceptance (COCA). Premium for the succeeding year shall be paid monthly by the member-beneficiaries which shall be incorporated in the monthly amortization. To be eligible for MRI, member-beneficiaries should be at least 18 - 65 years old, in which 60-65 years old be subject for underwriting requirements. Loan value should also be subject to documentary stamp tax should it exceed Php 100,000 to be paid through the subsidy.

b) Fire and Lightning Insurance (F/L)

The house and its improvements shall be covered by Fire and Lightning Insurance for an amount equivalent to the appraised value of the property. The insurance premium for the 1st year coverage shall be paid in advance by SHFC based on the total cost of the projects through the subsidy with approved appropriation under R.A. No. 10717. Premium for the succeeding year shall be paid monthly by the member-beneficiaries which shall be incorporated in the monthly amortization.

c) Advance Amortization savings

The SHFC and the IA shall empower the CA to save at least three (3) months' worth of monthly amortization prior to the issuance of Permit to move-in. The savings of each members must be deposited in the CA's official bank account.

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XIII. RESERVATION CLAUSE

The SHFC reserves the right to reject any or all proposals to waive any minor defects therein and to accept other offers that are most advantageous to the CA and IA.

XIV. EFFECTIVITY

This Circular shall be effective and in force immediately upon its posting in the SHFC Website.


ATTY. ARNOLFO RICARDO B. CABLING
President


ATTY. JUNEFER G. PAYOT
Executive Vice President


ATTY. RONALDO B. SACO
OIC - SVP for Operations Cluster
Governance Cluster


ATTY. LEO B. DEOCAMPO
OIC - SVP for Legal Asset
Management and Partners Cluster

Date Approved: Nov. 2, 2021



 

DOCUMENTARY REQUIREMENTS

The following are the documentary process for each process:

PHASE 1: LAND ACQUISITION

Release of the first fifty percent (50%) loan proceeds:

1. Letter of Guarantee;
2. Certification from the IA stating that the property will be used as the resettlement site for the pre-identified member-beneficiaries;
3. Certification from IA stating the list of the pre-identified or potential beneficiaries, with or without official registration as a Community Association or Housing Cooperative;
4. Certificate of Registration of the Community Association, with at least the minimum required membership;
5. Tax clearance or receipts thereof;
6. Owner's duplicate copies of Titles;
7. Execution and submission of deed of absolute sale by the landowner in favor of the CA;
8. Real Estate Mortgage (REM) executed by the CA in favor of SHFC;
9. Photocopy of ID of the landowner/s or its authorized representative with three (3) specimen signatures.
10. Other documents that may be required by the Corporation.

Release of the final fifty percent (50%) loan proceeds:

1. Submission of the owner's duplicate copy of title and RD certified copy or e-copy of the title in the name of the CA with annotation of the REM (accommodation mortgage);
2. Tax Declaration in CA's name;
3. Payment of transfer taxes, registration fees and documentary stamp taxes shall be for the account of the landowner; and
4. Other documents that may be required by the Corporation.

PHASE 2: ACQUISITION OF COMPLETED HOUSING UNITS

Release of payment for the first batch:

1. Letter request for payment from IA and the CA;
2. Masterlist of Beneficiaries with Loan Apportionment (MLBA) including lot allocation signed by the IA and CA;
3. Certification stating the chosen SHFC accredited contractor/developer.;

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4. Loan agreement between CA and SHFC (To include lot acquisition loan);

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5. Promissory note from the HOA;
6. Deed of Assignment of Loan Proceeds by the HOA in favor of the Contractor;
7. Real Estate Mortgage (REM) executed by the CA in favor of SHFC;
8. BIR certificate of registration (TIN) of the contractor/developer;
9. Photocopy of ID of the contractor/developer or its authorized representative with three (3) specimen signatures;
10. Letter of Guarantee;
11. Accomplishment report of the completed site development with pictures. The report must be validated by the TSD;
12. Detailed architectural and engineering building plans and drawings;
13. Site development plan/partial as-build plan showing the location of the completed housing units subject for payment;
14. Statement of Work Accomplishments (SWA); indicating the work accomplished, ie. percentage or number of units completed, signed by the developer/contractor, the Community Association, and the Construction Project Management Team; in this case, the SHFC inspection team.
15. Certification from the contractor, signed by their Structural Engineer that the units have been completed as per approved LGU plans, design and specifications;
16. Building Permit/licenses for construction of housing units duly attached the request for payment on the completed housing units;
17. Pictures of the actual progress of the project;
18. Certificate of Completion and Acceptance (for completed units); and
19. Other documents that may be required by the Corporation.

For subsequent loan release:

1. Letter request for payment from IA and the CA;
2. Letter of Guarantee;
3. Detailed architectural and engineering building plans and drawings;
4. Site development plan/partial as-build plan showing the location of the completed housing units subject for payment;
5. Statement of Work Accomplishments (SWA); indicating the work accomplished, ie. percentage or number of units completed, signed by the developer/contractor, the Community Association, and the Construction Project Management Team; in this case, the SHFC inspection team;
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9. Photocopy of ID of the landowner/s or its authorized representative with three (3) specimen signatures; and
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Release of the final fifty percent (50%) loan proceeds:

1. Submission of the owner's duplicate copy of title and RD certified copy or e-copy of the title in the name of the CA with annotation of the REM (accommodation mortgage);
2. Tax Declaration in CA's name;
3. Payment of transfer taxes, registration fees and documentary stamp taxes shall be for the account of the landowner; and
4. Other documents that may be required by the Corporation.

PHASE 2: ACQUISITION OF COMPLETED HOUSING UNITS

Release of payment for the first batch:

1. Letter request for payment from IA and the CA;
2. Masterlist of Beneficiaries with Loan Apportionment (MLBA) including lot allocation signed by the IA and CA;
3. Certification stating the chosen SHFC accredited contractor/developer;

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4. Loan agreement between CA and SHFC (To include lot acquisition loan);
5. Promissory note from the HOA;
6. Deed of Assignment of Loan Proceeds by the HOA in favor of the Contractor;
7. Real Estate Mortgage (REM) executed by the CA in favor of SHFC;
8. BIR certificate of registration (TIN) of the contractor/developer;
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Release of the retention fee:

1. Letter request for the release of retention from IA and the CA;
2. Certificate of Final Completion and Acceptance from the IA and the CA, covered by Board Resolution and punch list signed by all officers and member beneficiaries;
3. Notarized Certificate of Final Completion from the Contractor/developer, to ensure that the completed project adheres to the minimum design standards and requirements as provided in the Batas Pambansa (Blg. 220), National Building Code of the Philippines, and other applicable rules and regulations; and that SHFC shall not be held accountable for any defects that may occur after project completion;
4. Certificate of Occupancy (CO) to be issued by the LGU;
5. Final Validation Report signed by SHFC Engineers and Officers with approval of the President;
6. Warranty Security; and
7. Other documents that may be required by the Corporation.

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