

REVISED RULES AND REGULATIONS TO GOVERN ADVERTISEMENT APPROVAL

Pursuant to Article IV, Section 5, c of Executive Order No. 648, as amended by Executive Order No. 90, the following Rules and Regulations are hereby promulgated to implement Section 19 Presidential Decree No. 957.

Rule I General Provisions

SECTION 1. Scope of Application. These Rules and Regulations shall apply to all applications for Advertisement Approval for the following projects issued Certificate Of Registration And License To Sell, hereinafter referred to collectively as Project:

- a. Residential/commercial condominium and subdivision
- b. Farmlot subdivision
- c. Industrial subdivision
- d. Memorial park
- e. Columbarium project
- f. Any other similar project

Advertisement as referred to in this Rules shall mean any form of information dissemination, whether through words, illustrations, scaled models for public display or in any form of multi-media.

RULE II APPROVAL OF APPLICATION FOR ADVERTISEMENT

SECTION 2. Advertisement Approval. approval of the advertisement is required prior to its distribution, display and/or publication/broadcast.

SECTION 3. Who may apply. Every owner/developer who wishes to advertise any of the projects enumerated in Section 1 shall file an application for advertisement approval.

SECTION 4. DOCUMENTARY REQUIREMENTS. the following requirements are to be submitted by the owner/developer:

- a. Two (2) copies of notarized application for advertisement
- b. At least two (2) copies of the proposed advertisement material
- c. One (1) copy of CR/LS of the project
- d. Marketing agreement between owner/developer and broker/salesman, if applicable

SECTION 5. Contents Of Advertisement. The following shall be indicated/reflected in the advertisement:

- a. The exact location of the project in terms of distance from a well known reference point;
- b. The License to Sell Number and date issued;
- c. Project completion date per approved work program
- d. Maximum selling price in case of economic and socialized housing projects;
- e. The name(s) of the owner(s)/developer(s) of the project;
- f. Pictures or illustrations if any shall be captioned as "actual photographs", "architect's perspective" or "artist's illustrations", as the case may be.

SECTION 6. What Should Not Be Included In The Advertisement. The following shall not be included in the advertisement:

1. Disclaimer(s)
2. Any future development not covered by the license to sell
3. Exaggerations or misleading information

SECTION 7. Advertisement Approval. The Board shall issue the Advertisement Approval when all the requirements of sections 4 to 6 are complied with.

The approval shall consist of a letter from the HLURB Regional Officer stating approval of the advertisement material and authority to publish, display, distribute or announce the same, and further stating therein all other conditions as maybe imposed. The letter of approval and the approved copy of advertisement material shall in all instances bear the HLURB seal. Further, the latter shall be stamped "approved" indicating date and duly signed by the regional officer.

Any deviation from the approved contents of the advertisement material shall be a violation of the conditions of the approval and a ground for revocation of the approval

SECTION 8. Warranties. The owner or developer shall be answerable and liable for the facilities, improvements, infrastructures or other forms of development represented or promised in brochures, advertisements and other sales propaganda disseminated by the owner or developer or his agents and the same shall form part of the sales warranties enforceable against said owner or developer, jointly and severally. Failure to comply with these warranties shall also be punishable in accordance with the penalties provided for in PD 957.

**RULE III
MISCELLANEOUS PROVISIONS**

SECTION 9. Fees. The Board shall collect fees in accordance with the approved Schedule of Fees which shall be collected upon filing of application.

SECTION 10. Effectivity. These Rules shall take effect immediately after its publication once in any newspaper of general circulation.

APPLICATION FOR ADVERTISEMENT APPROVAL

(To be accomplished in duplicate)

(Date)

The Regional Officer
Region _____
Housing and Land Use Regulatory Board

Sir:

Pursuant to Section 19, of Presidential Decree No. 957 and its Implementing Rules and Regulations applies for approval of proposed advertisementff or _____ located at _____ (Name of Project) owned and developed by _____ which is due for publication/broadcasting/distribution/display on _____.

Attached herewith are the following:

- / / 1. Two (2) copies of the proposed advertisement;
- / / 2. A copy of Certificate of Registration and License to Sell;
- / / 3 Marketing agreement between owner/developer and broker/salesman (as applicable).

(if the person/entity advertising is a real estate salesman, broker or dealer, the following additional requirements shall be submitted).

- / / 4. Certification from concerned HLURB Regional Officer that the applicant has not be issued Cease and Decease Order (CDO) for the project applied for.

I can be reached at

Address :
Telephone No. :

Or through my representative _____
NAME

Address :
Telephone No. :

Very truly yours,

(Printed Name and Signature)

(Designation/Position)

SUBSCRIBED AND SWORN to before me this day of _____, 200__ in the City/Province of _____, affiant exhibited to me his/her Residence Certificate No. _____ issued at _____ on _____.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of _____.

NOTARY PUBLIC

(Date)

Dear Mr./Ms. _____:

Relative to your request for approval of the attached proposed advertisement material of _____ (Name of Project), located at _____ (Address/Location), please be informed that the said ADVERTISEMENT MATERIAL IS APPROVED and AUTHORIZED FOR PUBLICATION, ANNOUNCEMENT, DISPLAY AND/OR DISTRIBUTION, subject to the following conditions:

- / / That no alteration/deviation shall be made on the approved advertisement material when the same is published/distributed;
- / / That the owner or developer shall be answerable and liable for the facilities, improvements, infrastructure or other sale propaganda disseminated by him or by his agents and the same shall form part of the sales warranties enforceable against said owner/developer, jointly severally;
- / / That the pictures or illustrations showing the Project, portion thereof or the facilities should be properly captioned as to whether said pictures are actual photographs taken on the site or merely architect's perspective or artist's illustrations;
- / / That statement, "This advertisement is approved and authorized by the Housing and Land Use Regulatory Board (HLURB)" shall be indicated at the end of the text of the advertisements and/or in conspicuous space in the advertisement material;
- / / That any misrepresentation made in the advertisement material shall be a valid cause for revocation of this approval and all other sanctions.

It is further understood that any violation or non-compliance with the foregoing conditions shall subject the offender to the administrative and/or criminal penalties provided for under Section 38 and 39 of P.D. 957 and its Implementing Standards, Rules and Regulations.

Very truly yours,

Regional Officer

OR NO. : _____
DATE : _____
AMOUNT : _____
TIN OF THE OWNER/DEVELOPER: _____