



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
23rd City Council

PR23CC-383

46th Regular Session

RESOLUTION NO. SP- **10495**, S-2026

A RESOLUTION URGING THE APPROPRIATE DEPARTMENTS OF THE QUEZON CITY GOVERNMENT TO UNDERTAKE LAWFUL AND NECESSARY MEASURES FOR THE PROPER ADMINISTRATION OF CERTAIN ROAD LOTS, EASEMENT LOTS, AND OPEN SPACES IN DEL NACIA VILLE IV, BARANGAY SAUYO, DISTRICT VI, QUEZON CITY, AND RECOGNIZING THE INTEREST AND RIGHTS OF THE QUEZON CITY GOVERNMENT OVER THE SAME

Introduced by Councilors VICTOR "Vic" D. BERNARDO, EMMANUEL BANJO A. PILAR, KRISTINE ALEXIA MATIAS, RN and VITO SOTTO GENEROSO

Co-Introduced by Councilors Tany Joe "TJ" L. Calalay, Dorothy A. Delarmente, M.D., Joseph P. Juico, Charm Ferrer, CPA, MPA, JD, Nicole "Nikki" V. Crisologo, Mikey F. Belmonte, Candy A. Medina, Atty. Voltaire Godofredo "Bong" Liban III, Aly Medalla, Dave C. Valmocina, Albert Alvin "Chuckie" L. Antonio III, Wencerom Benedict C. Lagumbay, Atty. Vicente Belmonte Jr., Edgar "Egay" G. Yap, Nanette Castelo Daza, Imee Rillo, Atty. Jesus Miguel Suntay, Raquel S. Malañgen, Joseph Joe Visaya, Aiko Melendez, Alfred Vargas, MPA, Karl Edgar Castelo, Shaira "Shay" L. Liban, Ram V. Medalla, Maria Eleanor "Doc Ellie" R. Juan, O.D., Erwin Rey "Cocoy" A. Medina, Jose Maria "Mari" M. Rodriguez, and Jhon Angelli "Sami" C. Neri

WHEREAS, Section 16, Chapter II, Title I, Book I of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare, and shall enhance social justice, promote full enjoyment among their residents, and preserve comfort and convenience of their inhabitants;

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WHEREAS, the Del Nacia Ville IV Homeowners' Association, Inc. (Del Nacia Ville IV HOA Inc.) formally brought to the attention of the Quezon City Council long-standing concerns affecting homeowners and residents of Del Nacia Ville IV, Barangay Sauyo, District VI, Quezon City, arising from disputes with Del Nacia Corporation, the subdivision developer, and DMG-ILG Water Corporation, in relation to water service arrangements and the use and control of certain road lots, easement lots, and open spaces within the subdivision;

WHEREAS, Del Nacia Ville IV is a residential subdivision located in Barangay Sauyo, District VI, Quezon City, where homeowners and residents depend on basic services, infrastructure, and access to public facilities, including subdivision roads and open spaces intended for community use;

WHEREAS, as represented by the Del Nacia Ville IV HOA Inc. during the proceedings before the Human Settlements Adjudication Commission (HSAC) under the Department of Human Settlements and Urban Development (DHSUD) and as the case records reflect, since around 2010, residents are being supplied with water through an intermediary arrangement involving DMG-ILG Water Corporation, which purchases bulk water from a public water concessionaire and resells the same within the subdivision;

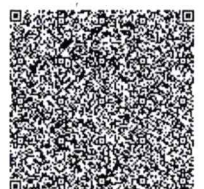
WHEREAS, the Del Nacia Ville IV HOA Inc. has raised concerns that the continued implementation of such arrangement and the restriction of direct access by public water concessionaires have resulted in residents paying water charges significantly higher than those charged in nearby communities directly served by public concessionaires;

WHEREAS, documents submitted by the Del Nacia Ville IV HOA Inc. indicate that while public water concessionaires in nearby areas charge approximately Php34.92 per cubic meter, residents of Del Nacia Ville IV have been charged by DMG-ILG Water Corporation approximately Php96.50 per cubic meter, thereby imposing a substantial financial burden on homeowners and families in the subdivision;

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WHEREAS, Section 16 of Republic Act No. 11201, otherwise known as the Department of Human Settlements and Urban Development Act, provides that HSAC Regional Adjudicators shall exercise original and exclusive jurisdiction to hear and decide disputes involving the open spaces or common areas and their use filed by the project owner or developer or the duly registered HOA, and disputes involving easements within or among subdivision projects. Section 15 of the same law states that HSAC shall have the exclusive appellate jurisdiction over all cases decided by the Regional Adjudicators, and that the decision of the HSAC shall be final and executory after fifteen (15) calendar days from receipt thereof by the parties;

WHEREAS, issues concerning the water service arrangement, the rights of homeowners in relation to subdivision facilities, and the control and use of subdivision roads and open spaces were the subject of proceedings before the HSAC involving Del Nacia Ville IV Homeowners Association, Inc. as complainant, and Del Nacia Corporation, DMG-ILG Water Corporation, and Mr. Delfin Z. Garaldez as respondents in which the subdivision nature of the project and the regulatory framework under subdivision laws were recognized;

WHEREAS, in the Decision dated 25 April 2025 by the Regional Adjudication Branch – National Capital Region (RAB-NCR) of the HSAC involving the aforementioned parties, the HSAC sustained its jurisdiction over the dispute, and, within the subdivision regulatory framework, recognized the public character of the subdivision roads and open spaces and addressed their control and administration as subdivision facilities intended for common use;

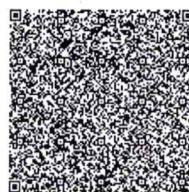
WHEREAS, the RAB-NCR Decision dated 25 April 2025 was appealed by Del Nacia Ville IV Homeowners Association, Inc. as complainant, and Del Nacia Corporation, DMG-ILG Water Corporation, and Mr. Delfin Z. Garaldez (respondents-appellants) before the HSAC Third Division, which resolved the appeal through its Decision dated 14 January 2026;

WHEREAS, in the said Decision dated 14 January 2026, the HSAC denied the appeal of the respondents-appellants. It affirmed its jurisdiction over the dispute as one involving subdivision project facilities, developer obligations, and homeowners' rights under subdivision laws, including Presidential Decree No. 957 (PD 957) or "The Subdivision and Condominium Buyers' Protective Decree." It likewise took note of the documentary evidence of deeds of donation relating to the road lots in favor of the Quezon City Government, and recognized the homeowners' right to lawful options concerning water service arrangements within the subdivision;

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WHEREAS, the HSAC Third Division modified the RAB-NCR Decision dated 25 April 2025 by allowing the entry of the public water concessionaire Maynilad Water Services, Inc. (Maynilad) in the Del Nacia Ville IV in order to give its residents the option to choose between Maynilad and DMG-ILG Water Corporation as water supplier, and directing Del Nacia Corporation to pay the administrative fine of Ten Thousand Pesos (Php10,000.00) for violation of Section 20, in relation to Section 38, of PD 957, which occurs when a subdivision owner or developer fails to construct and provide the facilities, improvements, infrastructure and other forms of development, including water supply, which are offered and indicated in the approved subdivision or condominium plans, brochures, prospectus, printed matters, letters or in any form of advertisement, within the prescribed period;

WHEREAS, documents submitted by the Del Nacia Ville IV HOA Inc. include communications and records indicating that other properties within Del Nacia Ville IV, including the area where Sauyo Elementary School and a church were constructed, were likewise the subject of separate deeds of donation for public or community use, distinct from the deeds of donation covering subdivision road lots, easement lots, and open spaces;

WHEREAS, access to safe and affordable water and to roads and open spaces intended for community use are matters affecting the health, welfare, and daily living conditions of residents;

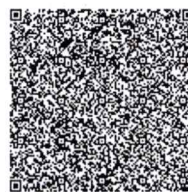
WHEREAS, the recognition of the interest and rights of the Quezon City Government over properties conveyed for public use is relevant to the orderly administration of such areas consistent with law.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED, to urge, as it does hereby urge, the appropriate departments of the Quezon City Government to undertake lawful and necessary measures for the proper administration of certain road lots, easement lots, and open spaces in Del Nacia Ville IV, Barangay Sauyo, District VI, Quezon City, and recognizing the interest and rights of the Quezon City Government over the same.

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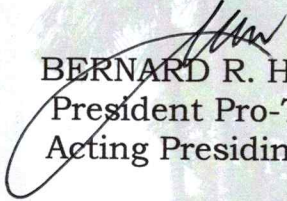
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RESOLVED, FINALLY, that copies of this Resolution be furnished to the Del Nacia Ville IV Homeowners' Association Inc., the concerned departments of the Quezon City Government, and the appropriate national agencies for their information and appropriate action.

ADOPTED: May 11, 2026.

CERTIFICATION

This is to certify that this Resolution was ADOPTED by the City Council on Second Reading on May 11, 2026 and was CONFIRMED on June 1, 2026.


BERNARD R. HERRERA
President Pro-Tempore
Acting Presiding Officer

ATTESTED:


ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(Secretary to the Sanggunian)

