



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
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STRICT IMPLEMENTATION OF R.A. NO. 9646 OR THE REAL ESTATE SERVICE ACT OF THE PHILIPPINES

Memorandum Circular No. 2019-86

June 4, 2019

1.0 Background

- 1.1. Republic Act No. 9646 was approved in 2009 in furtherance of the policy of the State to develop and nurture a corps of technically competent, responsible, and respected professional real estate service practitioners through proper and effective regulation and supervision.
- 1.2. The law also defines what constitutes the official practice of real estate service in the Philippines.
- 1.3. As such, this Memorandum Circular is issued to establish baseline information on PRC-licensed assessors in all LGUs.

2.0 Scope/Coverage

- 2.1. All Provincial Governors, City Mayors, Municipal Mayors, Punong Barangays, DILG Regional Directors, DILG Field Officers, and all others concerned

3.0 Policy Content and Guidelines

- 3.1. The following provisions are hereby reiterated:
 - 3.1.1. Positions in Government Requiring the Services of Registered and Licensed Real Estate Service Practitioners
 - 3.1.1.1. All existing and new positions in the national and local governments, whether career, permanent, temporary, or contractual, and primarily requiring the services of any real estate service practitioner, **shall be filled only by registered and licensed real estate service practitioners.**
 - 3.1.2. Prohibition against the Unauthorized Practice of Real Estate Service
 - 3.1.2.1. No person shall practice or offer to practice real estate in the Philippines or offer himself/herself as real estate service practitioner, or use the title, word, letter, figure, or any sign tending to convey the impression that one is a real estate service practitioner, or advertise or indicate in any manner whatsoever that one is qualified to practice the profession, or be appointed as real property appraiser or assessor in any national government entity or local government unit, unless s/he has satisfactorily passed the licensure examination given by the Professional Regulatory Board, except as otherwise provided in the Act.
 - 3.1.3. Penal Provisions
 - 3.1.3.1. Any violation of R.A. No 9646, including the violations of its implementing rules and regulations (IRR), shall be meted the

penalty of a fine of not less than P100,000.00 or imprisonment of not less than two (2) years, or both such fine and imprisonment upon the discretion of the court.

3.1.3.2. In case the violation is committed by an unlicensed real estate service practitioner, the penalty shall be double the aforesaid fine and imprisonment.

3.1.3.3. In case the violation is committed by a partnership, corporation, association, or any other juridical person, the partner, president, director or manager who has committed or consented to or knowingly tolerated such violation shall be held directly liable and responsible for the acts as principal or as co-principal with the other participants, if any.

3.2. Roles and Responsibilities

3.2.1. All Local Government Units shall:

3.2.1.1. Strictly implement the provisions of R.A. No. 9646 and its IRR to eliminate bureaucratic red tape, forfend graft and corruption practices, and ensure the efficiency and effectiveness of LGU assessors; and

3.2.1.2. Submit to the DILG Regional Offices a list of their employed assessors, licensed or unlicensed, for database profiling.

3.2.2. All DILG Regional Offices shall:


3.2.2.1. Consolidate the lists submitted to them by their component LGUs for submission to the DILG Central Office by June 14, 2019 for consolidation and indorsement to the PRC, using the herein reporting template (Annex "A") at email address blgspcmd@gmail.com with the following subject format: REAL ESTATE REPORT_<REGION>; and

3.2.2.2. Cause the immediate and widest dissemination of this Memorandum Circular to all LGUs within their respective jurisdictions.

4.0 Effectivity

This Memorandum Circular shall take effect immediately.

5.0 Approving Authority


EDUARDO M. AÑO
Secretary



6.0 Feedback

For related queries, kindly contact the Professional Regulatory Board of Real Estate Service of the Professional Regulation Commission at contact number 0905 434 1864 or email at prbofrealestateservice@gmail.com.

