A LEGISLATIVE PROPOSAL

Safeguarding Philippine Land: A National Real Property Reference Database and the Case for Elevating the Real Estate Professional's Signature

A policy brief for legislators, local government units, and the Professional Regulatory Board of Real Estate Service

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Executive Summary

Land fraud is one of the most persistent and costly problems in Philippine real estate. Fake titles, double sales, boundary disputes, and undisclosed hazard exposure continue to drain the savings of ordinary Filipinos and slow down legitimate development. This brief proposes two complementary reforms. First, the establishment of a standardized, LGU-anchored Real Property Reference Database that consolidates ownership, titling, land use, and hazard information for every parcel in a locality, feeding into a national registry that buyers, planners, and regulators can rely on. Second, a legislative measure that formally recognizes the signature and due-diligence certification of a duly licensed real estate professional as a required safeguard in property transactions, in the same spirit that a Certified Public Accountant's signature is required to validate financial statements. Because the database will necessarily hold personal and financial information, this brief also sets out how it should be designed and governed in compliance with Republic Act No. 10173, the Data Privacy Act of 2012, from the outset. Together, these reforms would close a long-standing verification gap, protect property owners both from fraud and from misuse of their personal data, and give real estate professionals the institutional standing their training and licensure already warrant under Republic Act No. 9646.

1. The Problem: A Verification Gap That Fraud Exploits

The Philippines does not lack land records. It lacks a single, trustworthy, and continuously updated reference point where a buyer, a bank, an assessor, or an LGU planner can confirm, in one place, who owns a parcel, what its title status is, whether it is under litigation, and whether it carries risks such as flood or landslide exposure. Records today are scattered across the Registry of Deeds, the Assessor's Office, the Bureau of Internal Revenue, barangay records, and private brokers' files, and they are rarely cross-checked against one another.

This fragmentation is precisely what fraudulent actors exploit. Common schemes in the Philippine market include:

- Double or multiple sale of the same titled property to different unsuspecting buyers.
- Fake or spurious titles ("mother titles") that mimic genuine Torrens certificates.
- Sale of land that is actually untitled, tax-declared only, under agrarian reform coverage, or under litigation, without disclosure to the buyer.
- Concealment of hazard exposure (flood, landslide, fault line, storm surge) that materially affects a property's value and safety.
- Estafa and syndicated fraud schemes that target overseas Filipino workers and first-time buyers who cannot personally verify a property before purchase.

Each of these schemes thrives on the absence of an accessible, standardized reference database. A centralized Land and Property Reference Database, built and maintained at the LGU level and consolidated nationally, directly closes this gap.

2. Constitutional Foundation: Stewardship, Not Just Ownership

The 1987 Constitution treats land as more than a commodity. Under the Regalian Doctrine embedded in Article XII, Section 2, all lands of the public domain, waters, and natural resources belong to the State, and private title to land is ultimately a grant held in trust and subject to the State's power to regulate its use for the common good. Article XII, Section 6 goes further, declaring that the use of property bears a social function, and that all economic agents shall contribute to the common good, with the State promoting equitable distribution of opportunities and wealth generated from land. Article II, Section 16 obliges the State to protect and advance the right of the people to a balanced and healthful ecology, in accord with the rhythm and harmony of nature, a principle that has repeatedly been read by the Supreme Court, most notably in Oposa v. Factoran, as an inter-generational responsibility.

> *"The use of property bears a social function, and all economic agents shall contribute to the common good."* — *1987 Philippine Constitution, Article XII, Section 6 (paraphrased)*

Read together, these provisions support a straightforward proposition: Filipinos who hold title to land are not merely owners in the narrow, transactional sense. They are stewards, entrusted with a resource that the State ultimately holds for the people, that must be used in a manner consistent with the common good, and that must be passed on, protected and undiminished, to future generations. A reliable property database and a professionalized verification system are not bureaucratic burdens. They are the practical machinery by which this constitutional stewardship principle becomes enforceable rather than aspirational. Without accurate records, the State cannot monitor idle land, cannot plan for disaster resilience, and cannot ensure that land serves its social function. Fraud, meanwhile, actively undermines stewardship by transferring land through deception rather than through a transparent, socially accountable process.

3. The Proposed Reform: A National Real Property Reference Database

GoRA RES has developed and piloted a Land and Property Reference Database template designed for adoption by LGUs and real estate professionals. The structure is deliberately simple so that Assessor's Offices, Planning and Development Offices, and licensed brokers can populate and maintain it without specialized software. A working version of this template, including its dropdown-based data validation and an auto-updating summary dashboard, is available for legislative review here:

Land & Property Reference Database (sample workbook)

3.1 What the database captures

Each parcel is recorded as a single, continuously updated row, with the following categories of information:

- Identity and ownership: Property ID (LGU parcel/PIN), registered owner, owner contact details.
- Location: barangay/district, street address, lot and block or parcel description.
- Physical description: lot area and floor area.
- Land use and zoning: current land use category (residential, commercial, agricultural, industrial, institutional, mixed-use, open space, forest/protected, utility/infrastructure, or vacant/idle) and the official zoning classification.
- Transactional status: whether the property is for sale, for rent, owner-occupied, tenant-occupied, vacant, under construction, abandoned, or under litigation.
- Title status: titled, untitled, tax-declared only, CLOA/agrarian title, under litigation, ancestral domain, or government/public land, together with the specific title or tax declaration number.
- Valuation: assessed value and market value, for taxation and planning reference.
- Risk exposure: known hazard exposure such as flood, landslide, fault line, storm surge, or liquefaction, a critical input for disaster-resilient and sustainable development planning.
- Infrastructure readiness: utility access and road access.
- Governance trail: development priority assessment, date last updated, and the office or survey that supplied the record.

3.2 How it prevents fraud

A database structured this way lets any legitimate party cross-check a property before money changes hands. A buyer or a bank can confirm that a title number actually exists in the

Assessor's record, that the seller listed matches the registered owner, and that the property is not simultaneously listed as under litigation elsewhere. An LGU can flag properties whose title status is inconsistent across departments for investigation before a transaction closes rather than after a victim has already lost their savings. Because the summary dashboard automatically cross-tabulates records by title status and hazard exposure, LGUs also gain a live picture of how much land in their jurisdiction remains untitled or contested, information that is presently very difficult to obtain in most municipalities.

3.3 Recommended legislative and administrative action

- Direct the Department of Human Settlements and Urban Development (DHSUD), in coordination with the Land Registration Authority and the Bureau of Local Government Finance, to adopt a standardized property reference schema, substantially similar to the structure above, as a mandatory LGU planning and assessment tool.
- Require LGU Assessor's Offices and Planning and Development Offices to cross-validate new transaction registrations against the reference database before issuing a new tax declaration or processing a transfer.
- Provide a phased funding and capacity-building mechanism so that fourth- to sixth-class municipalities, which have the least digitization capacity, are not left behind.
- Integrate hazard-map data from PHIVOLCS, PAGASA, and MGB directly into the database so that hazard exposure fields are verified rather than self-reported.
- Grant licensed real estate professionals read access to the database in the course of due diligence, subject to the data privacy safeguards set out in Section 3.4 below.

3.4 Data Privacy Safeguards Under Republic Act No. 10173

A property reference database necessarily holds personal information, including owner names, contact numbers, and residential addresses, alongside financial data such as assessed and market values. This places the database squarely within the scope of Republic Act No. 10173, the Data Privacy Act of 2012, and its implementing rules issued by the National Privacy Commission. Any legislation establishing the database must build in these protections from the outset rather than treat them as an afterthought.

- Legitimate purpose and proportionality: the enabling law should state plainly that data is collected only for land-use planning, taxation, disaster-resilience planning, and fraud prevention, consistent with the Data Privacy Act's requirement that personal data be collected for specified, legitimate purposes and not further processed in a manner incompatible with them.
- Lawful criteria for processing: for government units, collection and processing are grounded in the LGU's existing legal mandate to maintain assessment and land records under the Local Government Code, which the Data Privacy Act recognizes as a valid

basis distinct from consent. Where private real estate professionals access the database, access should be limited to what is necessary for a specific, documented transaction.

- Data minimization and field-level access control: not every user of the database needs to see every field. LGU planners may need aggregate land-use and hazard data without owner contact details, while a certifying broker performing due diligence on a specific parcel needs ownership and title data for that parcel only. The system should be built with tiered, role-based access rather than a single open dataset.
- Designation of accountable custodians: each LGU maintaining a copy of the database should designate a Data Protection Officer, as already required of government agencies under the Data Privacy Act, who is accountable for the security and lawful use of the records within that jurisdiction.
- Security measures: the enabling rules should require organizational, physical, and technical security measures proportionate to the sensitivity of the data, including audit trails that log who accessed or modified a given record and when, consistent with the accountability principle in the Data Privacy Act's implementing rules.
- Data subject rights: property owners should retain their rights under the Data Privacy Act to be informed that their property record exists, to access it, and to request correction of inaccurate entries, with a clear, LGU-level process for exercising these rights without compromising the integrity of the title record itself.
- Breach notification and NPC coordination: the enabling law should require LGUs and any national consolidating agency to report qualifying data breaches to the National Privacy Commission and affected data subjects within the period the Data Privacy Act prescribes, and should give the National Privacy Commission a standing role in reviewing the database's privacy safeguards before nationwide rollout.

These safeguards are not in tension with the fraud-prevention purpose of the database. A database that is careless with personal data is itself a liability, both because it could be misused by bad actors and because it would undermine public trust in the very system meant to protect property owners. Privacy by design should therefore be treated as a precondition for adoption, not a separate compliance exercise layered on afterward.

4. The Indispensable Role of the Real Estate Professional

A database, however well designed, is only as trustworthy as the people who populate, interpret, and act on it. This is where the licensed real estate professional, the broker, appraiser, consultant, and salesperson regulated under Republic Act No. 9646 (the Real Estate Service Act of the Philippines, or RESA Law), becomes indispensable rather than optional.

Real estate professionals are trained specifically to perform the due diligence that prevents fraud: verifying title authenticity at the Registry of Deeds, checking for liens and adverse claims, confirming zoning compliance, assessing fair market value, and explaining transaction risk to buyers and sellers in terms they can actually understand. In property development, brokers and appraisers translate raw land data into feasibility studies, highest-and-best-use analysis, and investment underwriting that developers, banks, and local governments rely on to make responsible decisions about how land should be used. In transactions, they serve as the professional intermediary who has both the legal duty and the practical capability to catch the inconsistencies that a database alone cannot catch, such as a seller who is evasive about the origin of a title, or a property whose paperwork looks correct but whose story does not add up.

Despite this, real estate transactions in the Philippines routinely close without any licensed professional's formal, accountable sign-off. Anyone can currently draft or facilitate a deed of sale, and unlicensed “colorum” practitioners and fixers frequently insert themselves into transactions precisely because there is no legal requirement forcing parties to route the transaction through a licensed, insured, and disciplinable professional.

5. The Proposal: A Certification Requirement Modeled on the CPA Signature

Philippine law already recognizes that some transactions are too consequential to proceed without a licensed professional's formal certification. Under the Philippine Accountancy Act, audited financial statements submitted to the Securities and Exchange Commission and the Bureau of Internal Revenue must bear the signature of a Certified Public Accountant, who assumes personal, professional, and legal accountability for the accuracy of what they certify. Real property transactions carry comparable, and often greater, financial stakes for ordinary Filipino families, yet no equivalent certification requirement currently exists.

This brief proposes that Congress, through an amendment to RA 9646 or a standalone measure, require that every real property transaction above a defined value threshold, and every subdivision, condominium, or agrarian-covered transaction regardless of value, be accompanied by a signed Real Estate Professional Due Diligence Certificate. This certificate would function analogously to a CPA's signature on a financial statement:

- It would be issued and personally signed by a licensed real estate broker or appraiser under RA 9646, using their Professional Regulation Commission license number.
- It would attest that the signing professional has personally verified the property's title status, ownership, tax declaration standing, zoning classification, and known hazard exposure against the applicable reference database and the Registry of Deeds.
- It would be a required attachment before a Registry of Deeds accepts a deed of sale for registration, before a bank releases a real-estate-backed loan, and before an LGU issues a new tax declaration reflecting a change of ownership.

- It would carry the same professional and legal accountability that already attaches to a broker's license under RA 9646, including administrative liability before the Professional Regulatory Board of Real Estate Service for a false or negligent certification.
- It would be governed by the same data privacy safeguards described in Section 3.4, since the certifying professional necessarily handles the owner's personal and financial information in the course of verification, and RA 9646's code of ethics should be read to incorporate the confidentiality obligations already imposed by the Data Privacy Act.

This reform would not create new bureaucracy so much as it would formalize and make accountable a verification step that competent real estate professionals already perform informally. It would also give real estate professionals the institutional relevance and legal weight that their licensure examination, continuing professional development requirements, and code of ethics under RA 9646 already justify, closing the gap between how seriously the law treats accountants signing off on numbers and how lightly it currently treats professionals signing off on a family's largest asset.

6. Implementation Roadmap

- Phase 1 (Years 1–2): Pilot the reference database structure with a small group of willing LGUs, including in Mindanao provinces where land titling gaps and agrarian complexity are especially pronounced, and pilot the Due Diligence Certificate for transactions above a defined threshold in the same pilot areas.
- Phase 2 (Years 2–4): DHSUD and the Land Registration Authority issue joint implementing rules standardizing the database schema nationwide and integrating it with the Registry of Deeds' digitization roadmap.
- Phase 3 (Year 4 onward): The Due Diligence Certificate becomes a mandatory registration requirement nationwide, with the Professional Regulatory Board of Real Estate Service given expanded authority to audit and discipline certifying professionals.

7. Conclusion

The Constitution asks Filipinos to treat land as a trust, not merely a possession, held for the common good and for the generations that follow. A national Real Property Reference Database gives that constitutional principle a practical, everyday form: a place where the truth about a parcel of land can be checked before it is bought, sold, or built upon. Pairing that database with a formal, accountable role for licensed real estate professionals, modeled on the certification authority already granted to Certified Public Accountants, closes the verification gap that fraud has exploited for decades. Legislators, LGUs, and the real estate profession have an opportunity to work together on a reform that protects ordinary Filipino families, professionalizes an industry that already carries enormous public trust, and gives concrete institutional meaning to the constitutional idea that Filipinos are stewards of the land.

Prepared by GoRA RES (Good Real Assets and Real Estate Services), gorares.com. Sample Land & Property Reference Database referenced in Section 3 is attached separately and available at the link above for legislative and technical review.