



MEMORANDUM CIRCULAR NO. **2024 - 006**
SERIES OF 2024 (**18 JUN**, 2024)

TO : ALL HOMEOWNERS ASSOCIATIONS, FEDERATIONS,
CONFEDERATIONS OR UMBRELLA ORGANIZATIONS OF
HOMEOWNERS ASSOCIATIONS

FROM : THE SECRETARY

SUBJECT : PROHIBITION AGAINST PREVENTING ACCESS OR ENTRY TO, OR
COLLECTING GATE FEES, TOLL, OR ANY AMOUNT FOR SUCH
PURPOSE FROM ANY UTILITY SERVICE OR DELIVERY PROVIDER
WHEN ENTERING SUBDIVISIONS/VILLAGES

1. It has come to our attention that several homeowners associations have been restricting the access or entry of utility service and delivery providers into subdivision or villages. Furthermore, some associations have been collecting gate fees, toll or other charges from these providers. This Memorandum Circular serves to address these practices and to ensure compliance with Section 99 of the 2021 Revised Implementing Rules and Regulations of Republic Act No. 9904, otherwise known as the *Magna Carta for Homeowners and Homeowners Associations*, which provides:

Section 99. Prohibited Acts. It shall be prohibited for any person or association:

X X X

(k) To prevent access or entry to, or collect gate fees, toll or any amount for such purpose from, any utility service or delivery provider in order to enter the subdivision/village or community to deliver goods or services ordered by the members or residents;

(l) To prevent access or restrict the entry of utility service providers to the subdivision, village or community in order to install their equipment, system or facilities pursuant to a contract with or approved application by a resident;

(m) To prevent access to or restrict the entry of utility service providers to the subdivision, village or community in order to disconnect services due to violations of the contract by the resident-customer/consumer.



2. The above provisions underscore that homeowners associations must allow unhindered access to utility service and delivery providers entering the subdivision or village to deliver goods or services and refrain from collecting gate fees, tolls, or any other charges from these providers for access to subdivisions or villages.
3. All homeowners associations, federations, confederations or umbrella organizations of homeowners associations, their board of directors, officers, village administrators, security personnel, and other staff implementing ingress/egress regulations are therefore enjoined to cease from preventing access or entry to any utility service or delivery provider and from collecting any form of gate fees, tolls, or charges from these providers when entering subdivisions or villages.

Any report of violation of the above will be addressed and dealt with accordingly.

For your guidance and strict compliance.

JOSE RIZALINO L. ACUZAR
Secretary

By:


ATTY. GARRY V. DE GUZMAN, CPA
Undersecretary
(18 JUN, 2024)

