

**PHILIPPINES-AUSTRALIA LAND
ADMINISTRATION AND MANAGEMENT
PROJECT**

**FAKE TITLE IDENTIFICATION PROCEDURES
MANUAL**

Version 3

13 February 2002

REPORT D18



DOCUMENT VERIFICATION

DOCUMENT APPROVAL

TITLE: Fake Title Identification Procedures Manual					
GENERAL DESCRIPTION: Procedural Manual to support the validation and management of land records for Prototype 2 of the Philippines Land Administration and Management Project (LAM Project).					
REFERENCED DOCUMENTS: DENR Manual on Settlement of Land Disputes (also prepared under the Italian funded project GOP/PH/040/ITA).					
LAMP Project Preparation Report, February 2000.					
LAMP Project Implementation Plan (maintained by the PMO).					
LAMP Financial Management Manual					
LAMP Framework Monitoring and Evaluation					
World Bank Procurement Guidelines					
LAMP PIO2 One-Stop-Shop Manual (not yet prepared)					
LAMP PIO2 CRS Manual (not yet prepared)					
Social Assessment Phase 1 for LAM Project (Prototype 2 IAW)					
Technical Specifications for Orthophotography					
SIGN OFFS	ORIGINATOR	NAME Barry Dick	POSITION Land Title Records Adviser	SIGNED	DATE
	APPROVED	NAME	POSITION	SIGNED	DATE
	APPROVED	NAME	POSITION	SIGNED	DATE

LAND ADMINISTRATION AND MANAGEMENT PROJECT

Fake Title Identification Procedures Manual - PIO2

Version 3

REVISIONS					
REV NO.	DATE	DESCRIPTION	BY	CHKD	APPROVED
1	13 Feb 02	Initial Manual design by Barry	BD		
2					
3					
4					
5					
DISTRIBUTION LIST					
COPY	DATE	RECIPIENT			
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
16					

LAND ADMINISTRATION AND MANAGEMENT PROJECT

Fake Title Identification Procedures Manual - PIO2

TABLE OF CONTENTS

1. INTRODUCTION–LAM PROJECT AND PROTOTYPE 2	1-1
1.1. Use and Update of the Manual.....	1-1
1.2. Objectives of Land Administration and Management Project (LAM Project)	1-1
1.3. Objectives and Scope of Prototype 2 on Land Records Management .	1-2
1.4. Social Context of Prototype 2.....	1-2
1.5. Outline of Activities in Prototype 2.....	1-3
1.6. Location of Prototype 2 Activities	1-4
1.7. Target Outputs for Prototype 2.....	1-4
1.8. Anticipated Problems	1-4
2. GUIDING PRINCIPLES AND APPROACH	2-1
2.1. Principles of Systematic Land Adjudication.....	2-1
2.2. Guidelines for Systematic Land Registration.....	2-1
2.3. Approach.....	2-2
2.4. Description of the Process of Validation of Land Records.....	2-2
3. OVERVIEW OF THE LAND RECORDS MANAGEMENT PROCEDURES	3-1
4. CADASTRAL INDEX MAPPING IN PROTOTYPE 2	4-1
4.1. Introduction	4-1
4.2. Computerisation of the Cross-Indices	4-1
5. OFFICE VALIDATION OF TITLES	5-1
5.1. Data Sources	5-1
5.2. Office Validation of Titles Using the XINDEX	5-1
5.3. Unresolved Errors that Require Field Validation	5-2
6. BACKGROUND TO FIELD VALIDATION PROCEDURES	6-1
6.1. Introduction	6-1
6.2. CRS Activities	6-1
6.3. Pilot Phase	6-2
6.4. Implementation Phase.....	6-2
7. FIELD VALIDATION PROCEDURES –PILOT 1	7-1
7.1. Field Verification Pilot Projects.....	7-1
7.2. Pilot Project No.1 – B F Holmes Subdivision, Barangay Holy Spirit ...	7-1

LAND ADMINISTRATION AND MANAGEMENT PROJECT

Fake Title Identification Procedures Manual - PIO2

Version 3

7.2.1.	Overview.....	7-1
7.2.2.	Methodologies to be Tested	7-1
7.2.3.	Field Validation Documentation	7-2
7.3.	Preparation for Field Activities.....	7-3
7.4.	Training of Field Enumerators	7-3
7.5.	Field Methodology for Mass Data Collection	7-4
7.6.	Updating of the XINDEX and CIM Record.....	7-5
7.7.	Field Methodology Using Home Owners Association Records	7-5
7.8.	Process Following Completion of Update.....	7-5
8.	FIELD VALIDATION PROCEDURES – PILOT 2.....	8-1
8.1.	Pilot Project 2 - ??? ADD LOCATION	8-1
8.1.1.	Overview.....	8-1
8.1.2.	Methodologies to be Tested	8-2
8.2.	Preparation for Field Activities.....	8-2
8.2.1.	Preparation of Field Data	8-2
8.2.2.	Meeting with Barangay Council	8-2
8.2.3.	CRS Activities	8-3
8.3.	Arrangements for Personnel	8-3
8.4.	Training of Field Enumerators	8-3
8.5.	Field Methodology	8-4
9.	ISSUES THAT NEED TO BE ADDRESSED	9-1

Appendix 3 Results of Pilot Project 1 – Holy Spirit

ABBREVIATIONS AND ACRONYMS

A&D	Alienable and Disposable (land)
AO	Administrative Order
ARC	Agrarian Reform Community
AusAID	Australian Agency for International Development
BBM	Barangay Boundary Monument
BIR	Bureau of Internal Revenue (DOF)
BLGF	Bureau of Local Government Finance (DOF)
BLM	Bureau of Lands Monument
BSWM	Bureau of Soils and Water Management (DA)
BOO	Build-Own-Operate
CARL	Comprehensive Land Reform Law
CARP	Comprehensive Land Reform Program
CENRO	Community Environment and Natural Resources Office/Officer
CGSD	Coastal Geodetic Survey Division
CIM	Cadastral Index Mapping
CLOA	Certificate of Land Ownership Award
CLR	Court of Land Registration
COSLAP	Commission on the Settlement of Land Disputes (DOJ)
CRS	Community Relations and Services
CT	Certificate of Title
DA	Department of Agriculture
DAR	Department of Agrarian Reform
DBM	Department of Budget Management
DENR	Department of Environment and Natural Resources
DILG	Department of Interior and Local Government
DOF	Department of Finance
DOJ	Department of Justice
EMB	Environmental Management Bureau (DENR)
EO	Executive Order
ERDB	Ecosystem and Research Development Bureau (DENR)
FMB	Forest Management Bureau (DENR)
GIS	Geographic Information System
GOP	Government of the Philippines
GPS	Global Positioning System
Ha	Hectare = 10,000 m ²
HLURB	Housing and Land Use Regulatory Board (HUDCC)

HRD	Human resources development
HUDCC	Housing and Urban Development Coordinating Council
LAM	Land Administration and Management
LAMP	Land Administration and Management Project
LGU	Local Government Unit
LIL	Learning and Innovation Loan (World Bank)
LIS	Land Information System
LMB	Land Management Bureau
LMO	Land Management Officer
LMS	Land Management Services
LRA	Land Registration Authority
M&E	Monitoring and evaluation
MARO	Municipal Agrarian Reform Office/Office
MBM	Municipal Boundary Monument
MGB	Mines and Geoscience Bureau (DENR)
NAMRIA	National Mapping and Resource Information Agency
NEDA	National Economic Development Agency
NHA	National Housing Authority (HUDCC)
NGO	Non-government organisation
NRMDP	National Resources Management and Development Project
OCT	Original Certificate of Title
OSS	One-Stop-Shop
PARO	Provincial Agrarian Reform Office/Office
PAWB	Protected Areas and Wildlife Bureau (DENR)
PEA	Public Estate Authority
PENRO	Provincial Environment and Natural Resources Office/Officer
PIO	Project Implementation Office
PIP	Project Implementation Plan
PMO	Project Management Office
PPCS-TM	Philippines Plane Coordinate System/Transverse Mercator
PPR	Project Preparation Report
PRS	Philippines Reference System
PTM	Philippines Transverse Mercator (projection)
RED	Regional Executive Officer (of DENR)
ROD	Registry of Deeds
SAT	Systematic Adjudication Team
SNS	Survey Notification Sheets
TA	Technical Assistance

LAND ADMINISTRATION AND MANAGEMENT PROJECT

Fake Title Identification Procedures Manual - PIO2

TCT	Transfer Certificate of Title
TOR	Terms of Reference
XINDEX	Cross-index

1. INTRODUCTION–LAM PROJECT AND PROTOTYPE 2

1.1. Use and Update of the Manual

The manual is intended for use by staff working in the Project Implementation Office 2 (PIO2) in Quezon City, particularly the staff working on the validation of land records and the One Stop Shop (OS) activities. The manual is intended to support staff training and to provide procedural guidance to staff during project implementation.

A limited number of controlled versions of the manual will be available. From time to time, it will be necessary to make modifications or additions to the content of this manual. Such amendments to the manual must be approved by the Prototype Manager for PIO2, who will be responsible for circulating amended documentation to be forwarded to all registered holders of the manual. The revision of the manual or of any section will be duly identified in the manual in the Document Verification/Document Approval form set out at the beginning of the manual.

1.2. Objectives of Land Administration and Management Project (LAM Project)

The objectives of the Project are to test alternative approaches to accelerated programs designed to improve the protection of rights to land, eliminate fake titles, introduce an equitable system of land valuation, formulate and approve policy and regulatory changes, and formulate the institutional arrangements needed to support implementation of the subsequent phase of the Program.

The policy making body for the Land Administration and Management Project is an Inter-Agency Coordinating Committee (IACC) created by virtue of Executive Order No. 129 dated 24 July 1999. The IACC is chaired by the Department of Environment and Natural Resources (DENR), the Vice chair is Department of Justice (DOJ) and the members are Department of Finance (DOF), Department of Budget Management (DBM), Department of Agrarian Reform (DAR), Department of Agriculture (DA), Department of Interior and Local Government (DILG), Public Estate Authority (PEA), Housing and Urban Development Coordinating Council (HUDCC), National Economic Development Agency (NEDA), League of Municipalities, League of Cities and League of Provinces. Representatives to the IACC are at least at the Undersecretary level.

There is also a Technical Working Group to support the IACC. Members are the same as for the IACC plus the following: from the DENR – Land Management Bureau (LMB), Forestry Management Bureau (FMB), Mines and Geoscience Bureau (MGB), Protected Areas and Wildlife Bureau (PAWB), Environmental Management Bureau (EMB), Ecosystem and Research Development Bureau (ERDB) and National Mapping and Resource Information Agency (NAMRIA); from the DOJ – Land Registration Authority (LRA), Commission on the Settlement of Land Disputes (COSLAP); from the DOF – Bureau of Local Government Finance (BLGF), BIR; from the DA – Bureau of Soils and Water Management (BSWM); from the HUDCC – Housing and Land Use Regulatory Board (HLURB), National Housing Authority (NHA).

1.3. Objectives and Scope of Prototype 2 on Land Records Management

The aim of Prototype 2 is to produce proven new procedures and demonstrate successful cooperation between land related agencies for the improvement in quality and completeness of land title records. This prototype is not concerned with titling new lots but is concerned with increasing confidence in the existing land registration system.

The overall objective is to renew people's confidence in the land registration system by creating accurate and easily accessible land records.

The PIO2 office will aim to achieve this objective by:

- ✿ Creating a record system where all lots within the subject areas will be accurately and uniquely identified to rid the current registration system of fake titles.
- ✿ Helping land owners identify their property and to assist informal settlers in identifying the real owners of the area they occupy.
- ✿ Production of a Cadastral Index Map, which will form the basis for a graphical record to assist in efficient land transactions.
- ✿ Expediting reconstitution procedures for those with titles not yet reconstituted.

There are four main types of production activities:

- ✿ Cadastral Index Mapping (CIM) and making of cross indexes (XINDEX) to control duplicate land titles and for other administrative purposes;
- ✿ Validating existing titles held in the Register of Deeds (ROD);
- ✿ Reconstitution of current certificates of title which are missing from the Land Register and facilitating the process of providing land owners with new titles as replacement to their missing titles;
- ✿ Integration of the new records into the ROD, streamlining of land registry operations to maintain quality of the land register documents and better exchange of land information between related agencies of government.

In addition, there is a strategic process of developing a national plan for improved management of land ownership related records. This will be based on the lessons gained from this Prototype, and also from the rural activities in Leyte in the Prototype I, and will also link with the implementation of the Build Own and Operate (BOO) Project.

1.4. Social Context of Prototype 2

There are four broad segments of stakeholders in the prototype:

- (a) **the public sector** – which includes the LRA central office, LMB, FMB, DENR/NCR, the ROD, BLGF/Assessor's office and the LGU. The major concerns of this segment are: (i) inconsistent policies and priorities – as evidenced by the varying classifications of land in Quezon City; (ii) inefficient procedures; (iii) limited resources; (iv) lack of coordinating mechanisms.
- (b) **the private sector** – which includes local investors, land developers, business groups, financial institutions etc. The major concerns of this segment are: (i)

lack of clarity in policies and procedures regarding rights in land; (ii) disincentives for investment; (iii) limited access to information; (iv) extensive areas of informal settlement.

- (c) **land owners** – which includes the potential beneficiaries, their dependents and the local organisations that operate in the community. The major concerns of this segment are: (i) reduced level of confidence in the land titling system; (ii) lack of clarity in policies, procedures and institutional roles; (iii) limited access to information; (iv) high levels of informal settlement.
- (d) **Informal settlers and NGOs/POs** – The major concerns of this segment are: (i) reduced level of confidence in the land titling system; (ii) lack of tenure security; (iii) lack of clarity in policies, procedures and institutional roles; (iv) limited access to information; (v) limited opportunities to increase living standards.

This stakeholder analysis is very preliminary. The design of the Project includes a socio-economic baseline study, which will include the prototype area. This socio-economic baseline study will develop a detailed analysis of stakeholders and their concerns and priorities.

1.5. Outline of Activities in Prototype 2

The systematic adjudication activities proposed for Prototype 2 are set out in the Land Administration and Management Project, Project Preparation Report and the Land Administration and Management Project, Project Implementation Plan.

Based on the objectives and the focus areas for the prototype a table of features/procedures to be tested has been prepared and is attached as Annex 1.

Key activities for prototype 2 are summarised below:

- 1) prototype management;
- 2) cadastral index mapping;
- 3) generation of a cross indices and the validation and reconstitution of records and maps;
- 4) documentation of procedures and manuals to compile cadastral index maps, cross indices, and validate existing and reconstitute lost land records;
- 5) prototyping and recommendations for the introduction of cadastral index maps in the land registration process;
- 6) development of national land records management strategy;
- 7) customer relations and services.

1.6. Location of Prototype 2 Activities

The Prototype II will be implemented in 5 barangays in District 2 of Quezon City.

Barangay	Land Area (ha)	Population
Bagong Silangan	507	35,385
Batasan Hills	576	86,037
Commonwealth	471	129,354
Holy Spirit	329	87,615
Payatas	494	87,253
TOTAL	2377	425,644

Properties with various statuses occupies the subject areas, namely:

- ✿ private subdivisions;
- ✿ private properties with informal settlers;
- ✿ government properties;
- ✿ government properties with informal settlers
- ✿ proclaimed areas such as the National Government Centre.

1.7. Target Outputs for Prototype 2

The Targets for the Prototype are shown below:

Targets For Each Activity (Lots)	Project Years			TOTAL (Lots)
	2001	2002	2003	
Cadastral Index Mapping	5,000	35,000	0	40,000
Systematic Field Validation	1,000	22,800	6,200	30,000

1.8. Anticipated Problems

Based on interviews and discussions, the following are the most common problems prevailing in the subject areas at present:

- ✿ Land owners are unable to reconstitute their titles because of back taxes that must be paid;
- ✿ Land owners cannot reconstitute their titles because of the informal settlers on their properties, with some being unable to even identify the location of their property.
- ✿ Informal settlers who intend to buy their occupied land from the true owner do not know who the real owner is.
- ✿ Informal settlers who believe that the area is still “public land”, (eg Veterans Association)

2. GUIDING PRINCIPLES AND APPROACH

2.1. Principles of Systematic Land Adjudication

Land record rejuvenation in LAMP is built on four basic principles designed to increase the quality of, and confidence in the land records and make them readily available to both the public and other agencies:

First, land record rejuvenation will:

- ✿ cover all lots in the area (usually a whole barangay);
- ✿ ensure that all existing records from all agencies will be consolidated;
- ✿ reconstitute damaged or missing records and titles.

Second, identify conflicts and anomalies for further investigation.

Third, the technology and administrative arrangements used to record information on property should be simple, robust, and upgradeable.

Fourth, the land records management system will be efficient, responsive to the community, with reasonable fees and will thus provide incentives for the registration of subsequent transactions.

2.2. Guidelines for Systematic Land Registration

Spatial Validation using the CIM. The CIM is a map series that covers the full land surface in a Cadastral Jurisdiction (i.e. Municipality or City). The map edges join so that there are no gaps. Each and every lot for which there is a Certificate of Title current must be shown on the CIM and with a unique number. A cross-index record (Index book or computer file) keeps an up to date reference of every lot on the CIM to the Title number.

Up to Date. The land registration system provides on-going day-to-day service to the community, government and business sectors and maintains the records up to date. This requires confidence in the record keeping, reasonable fee levels, and prompt service in registering land transactions. The CIM provides a means to ensure that there are no duplicate titles.

Maintaining the Spatial Records. Any future lot mutations (i.e. sub-division or consolidation) will be recorded on the CIM before the new land titles are registered. When there is a new title issued for a lot, the Lot Cross Index is updated¹, but the CIM is only updated if the lot boundaries are changed through mutation.

Whole of Barangay Validation. All of the current land title records held in the ROD for a Barangay will be validated and indexed to the CIM. In this way it will not be possible for future titles to overlap or duplicates of the existing titles to exist. For example, any record in the Lot Cross Index that shows two or more title numbers indicates an error or multiple land titles and must be resolved. This is an essential

¹ The land registration system of the Philippines requires new titles to be issued upon transfer. This is not the normal practice in most countries.

step before confidence can be fully restored to the Land Registration System. It is also a necessary step before full computerisation of the Register can be achieved (see BOO Project).

Participation: all land owners whose land titles have not yet been reconstituted are to be fully informed and encouraged to be involved.

Openness: public notices are to be placed in convenient locations and the press and media for the cases of reconstitution of certificates of title all lots. The people have the right to question or raise a dispute.

Affordable Fee: the validation and reconstitution of the land title is mostly to the benefit of the administration as the land owner already has ownership. Therefore, NO payment is required from the land owner unless the owner's copy of the land title is missing.

2.3. Approach

Laws. Land records validation and reconstitution in Quezon City has been underway for several years under the management of LRA and the Project will build on this experience. The new approach, to speed up and complete the records validation in the One Stop Shop, operates under the existing Land laws.

Use of Technology. The CIMs will initially be produced by manual methods but the project will test the usefulness of digitising the CIM. The Lot Index and Lot Cross Index will be generated using a simple PC database. The BOO Project will be the main vehicle for computerizing (and modernising) the ROD. LAMP will provide the validated records in the 5 Barangay of Quezon City.

Use of Orthophotos. Given the fact that surveys in Quezon City have been isolated and unlike other places in the Philippines there has never been a systematic Cadastral survey, it is expected that it will be difficult to produce an accurate and complete CIM. To avoid extensive re-surveys the Orthophoto Map will be used to assist the cartographers to locate Lots onto the CIM. Nevertheless, it is expected that some field visits will be required during the compiling of the CIM.

Validation By Using the CIM. The CIM will be directly used to validate existing "live" or current certificates of title in the ROD. This process may find multiple titles for the one Lot. The searching of title may be assisted by the records of the LGU Tax Assessors Office, in addition to the records of the LMS (NCA) and LRA.

Reconstitution of Land Title. In cases of missing or duplicate titles, the project will send staff to the field to investigate. This process will be accompanied by extensive CRS to the people in the Barangay, to the wider community through the media and very importantly, to the Barangay Council. Through this program it is planned that all Titles can be reconstituted.

Record Management. The end of the validation and reconstitution phase is the start of improved operations in the ROD and consequently, better service to the community. The indexes and CIM will be integrated into the day-to-day operations of the ROD so that reliable land registration functions may continue into the future.

2.4. Description of the Process of Validation of Land Records

An overview of the process for the validation of land records for Prototype 2 is set out in Figure 1.

The cadastral index maps produced in the previous component will be used to prepare a series of cross-indices. These indices are:

- (a) a graphical index to the title and survey records in the LRA – through the lot/plan reference.
- (b) a graphical index to the BOO records, which should be the same as step (a)
- (c) a graphical index to the DENR NCR records (which will mainly be records that have not been registered) – through the lot/plan reference
- (d) a graphical index to the tax parcel PIN.

The implementation of the prototype, particularly the tasks generating cross indices, will of necessity address a number of important aspects, including data structures and standards and parcel identifiers. These standards will need to recognise the inconsistencies and errors in the various data sets.

The preparation of the graphical indices will identify anomalies in the land records, including problems such as multiple tax declarations. Anomalies will be of a number of types, including:

- (a) parcel shown on a map but no BOO project record exists
- (b) duplicates within any of the indexes
- (c) a BOO project record is not known to the map base.

It is planned that these and other anomalies, in a whole of barangay process, will be resolved in a two step process: (i) an initial office inspection of the land records; and, where this fails to resolve the anomaly (ii) a program of field validation. The objective is to compile a consolidated statement of ownership for the whole barangay – or cadastral index maps without any gaps or holes.

The field validation will confirm ownership of a parcel with support from the Barangay Chairman. Where a land holder has the owner's copy of the title, reconstitution is by administrative means. Administrative reconstitution involves a public campaign to collect evidence from land owners, public display the results of the campaign and, after a set period, preparation of reconstituted titles. Where the land holder has lost the owner's copy of the title, or where the validation process shows inconsistencies – duplicate titles, overlapping titles or gaps between titles – then the reconstitution/resolution process is judicial. The current judicial process, particularly for owner-initiated individual titles, is slow. Options available to shorten the duration of court hearings under the prototype include the designation of a Judge/Court to hear only reconstitution cases – this may be facilitated through a linkage to the World Bank-funded Judicial Reform Project. This option would be explored during Project implementation. One output of the prototype will be an assessment of the means available to streamline the process for the approval of judicial titles. The reconstitution is effected when the titles are prepared and the duplicate issued to the land owner. The land owner will not be charged a fee for this service – whether the reconstitution process is administrative or judicial.

It is estimated that 30 to 40% of the population in Quezon City has the legal status of 'squatters' or informal settlers. Under the current policy and legal framework the LAM Project cannot undertake any program to formalise the rights of these people. The prototype will however, enable statistics to be collected on this important issue.

These statistics will provide important information to support GOP in considering appropriate policy and legislative changes.

This activity will be supported with a CRS program. This program will be developed with input from key stakeholders and will be trialed in the early stages of the prototype. The lessons from this trial will be used to refine the CRS process and materials.

It is not planned that all the nominated five barangay in District 2 be completed under the prototype. The level of effort to undertake the title restitution will only be known as the prototype is implemented. The objective of the prototype is to develop efficient, cost-effective methods to resolve anomalies, not to necessarily complete the nominated five barangay in Quezon City.

3. OVERVIEW OF THE LAND RECORDS MANAGEMENT PROCEDURES

There are seven main production stages:

- Stage 1** Preparation Activities, involving project management, CRS and community development, and preparation for the field validation.
- Stage 2** Inventory of Existing Records and making of cross-indexes (XINDEX²) to record all known lots from existing government records. This involves the research of existing records in the LRA, LMB, LMS and LGU and the collation of copies of records.
- Stage 3** Cadastral Index Mapping (CIM). The CIM team will draw the lots onto a sheet of transparent drafting film. The CIM will be produced at a scale of 1/1,000, tracing detail from approved plans where they are available.

The only complete mapping available is the LGU tax mapping. This information will be used to search for approved plans in LMS, LMB and LRA. Detail from the LGU tax maps will be used to complete the initial CIMs.

Initially existing control information, supplemented with minimal additional control if orthophotos are not available, will control the CIMs. It is planned that new orthophoto maps be produced and these maps will provide the spatial framework for the CIMs. Since the scale of the map is 1/1,000 an error tolerance of 50 cm is acceptable for the purpose of the CIM.

The field validation process will lead to corrections to detail on the CIMs.

- Stage 4** Office validation of Titles Duplicate, overlapping and missing titles will be identified by validating the CIM/XINDEX information possibly against the records generated by the LRA BOO project and/or records held in the ROD. A list of titles requiring validation in the field will be prepared.
- Stage 5** Reconstitution and Field Validation of Titles to identify missing, overlapping or duplicate titles. For each case of a reconstituted title it will be checked in the ROD and then recorded on the CIM. *The successful completion of this activity will be most important in establishing renewed confidence in the Land Register.*

The process control measures are not complex. The reconstitution of titles that have been lost from the ROD through fire in 1988 and other causes will be based on the identification of lots shown in the CIM which are not yet shown as having an office copy of the title at the ROD. This will be based on sighting the owner's copy of the title or other such information that supports the claim of the existence of a

² The Cross Index is a table showing, (i) the unique lot number as shown on the CIM and, (ii) the corresponding certificate of title number. If there are duplicates there will be more than one Certificate of Title number, which must be resolved.

land title in the past. An extensive CRS information programme will explain to the people the intention and processes.

It is not intended to issue land titles over lots that have never been subject to a land title³. Equally important, land that is legally under the ownership of the Government will remain as such.

To avoid misunderstanding, a comprehensive CRS campaign will be launched to officials, Barangay Council members, NGO's, social organisations and the communities concerned. Any cases of uncertainty due to missing owner's copy of titles or cases of dispute will be referred to the Courts. It will be the responsibility of the Prototype to implement any orders of the Courts.

Stage 6 Integration of the Records into the ROD is a vital step because the control records must be kept continuously up to date. Indeed, as the validation processes are taking place any dealings in the target Barangays will have to be notified to the CIM and validation teams. The standard procedures of the ROD will be changed to include updating the control records before registration is affected. This will identify any possible issuing of multiple or overlapping parcels before registration occurs. Training of ROD staff will be essential.

The BOO project will benefit from the "cleansing" of the land records in the Register of Deeds. A possible additional activity is the placing of some tertiary survey control marks in the 5 barangays and the subsequent requirement for surveyors to connect to these marks for all future Cadastral surveys that are submitted for approval. By this means it will make it certain that the CIM will be kept up to date accurately. The analysis and requirements for this activity will be determined during the development of strategies for cadastral surveying that will be applied in these barangays.

The program of integration of the new control records into the ROD will have to be accompanied by technical assistance to the ROD on revising operational procedures and giving extensive staff training, as well as follow up on the training and monitoring.

Stage 7 Development of a Land Records Management Strategy for safe keeping of the Register records, accuracy and currency of the records and for efficient services will be achieved under the LAMP with the experience from this Prototype. Lessons will be captured for extending to the whole country. There will be close consultation within the progress of the BOO project. The development of the strategy will be undertaken during the LAM Project, with support from AusAID-funded technical assistance.

³ In the 5 barangays of the Prototype it is expected that all private land is already under certificate of title.

4. CADASTRAL INDEX MAPPING IN PROTOTYPE 2

4.1. Introduction

Purpose. The Cadastral Index Map (CIM) is intended as an index map rather than definitive survey records/plans of cadastral boundaries. The initial Cadastral Index Map (CIM) of existing titled lots in prototype 2 is planned for completion before the land surveys start in each Barangay. This is necessary so that the field validation and reconstitution of land titles does not introduce any new errors such as overlapping or duplicate parcels. In the process any existing errors with titled lots should be identified and corrected.

Map Compilation and Indexes. Map compilation will require a cartographer to trace from existing DENR and LRA Cadastral Maps onto the transparent drafting film of the CIM. Administrative boundaries will be drawn onto the CIM. Titled lots will be shown in black ink with the boundary lines as full lines. Surveyed lots will be shown in draft form, such as dotted lines and dotted annotation. The usefulness of data from the ROD and the Tax Assessors Office for this purpose should be tested during the pilot.

Field Validation. The cadastral boundaries generated during the field validation activity will be added to the CIM in draft form.

Parcel Identifiers. During the prototype activity an optimal system of unique parcel identifiers will be investigated.

Registrations during CIM Compilation. If during the compilation of the CIM, any transfers or new first time registrations are processed through LRA or new subdivisions approved by LMS or LRA a copy of this information must be transmitted to the OSS for inclusion into the CIM.

Registration. The ROD will hold and update the CIMs and will be responsible for converting on registration the individual lot boundaries and annotation on the CIM from draft to final form.

4.2. Computerisation of the Cross-Indices

The Tax Assessment Record will be provided by the Tax Assessment Office (TAO) in Dbase format for the five barangays and will show owners names and certificate of title number among other information. This format is easily converted into an Excel Workbook. Given the existing capability of the PIO2 staff to use Excel, it is proposed that the data from the TAO database should be the basis of the XINDEX. The relevant fields of data will be retained and additional fields added. This will reduce, quite substantially, the chance of creating errors in the input of data.

In parallel, a more sophisticated data base system should be developed to hold all of the index information and provide the necessary enquiry and reporting tools. During the early stages of Prototype II the Excel system should be replaced with a simple data base application on a standard PC. A professional programmer should be engaged by contract to design, develop, test and document the application as well as give user training during an estimated period of 6 - 8 weeks. It is proposed that MS ACCESS be the database used. The fields shown in the indices above

would be the basis, in addition to other useful information obtained during the validation process. This system should also be used in Prototype I.

It is not intended that this system replace the BOO system; it is a very specific application to facilitate the records validation process in Prototype II and to prevent introducing new errors into the Land Register. For example, the data base application would ensure that CIM lot numbers and land title numbers are unique, and that there is only one title per CIM lot.

5. OFFICE VALIDATION OF TITLES

5.1. Data Sources

The following table sets out data sources used for the office validation process

Data Sources – PIO 2

Data Sources	Survey Plan Copy	Survey Plan Number	TCT Copy	TCT Number	Provisional Title	Owner Name	Lot Area
LRA	X	X					X
DENR	X	X					X
LMB	X	X					X
Assessor's Office	X	X					X
ROD		X	X	X	X	X	X
Owner's Copy		X	X	X	X	X	X

5.2. Office Validation of Titles Using the XINDEX

Existing records (titles, plans, tax declarations) will be validated in the office using the XINDEX form as follows:

Using the tax map (by section) each Parcel Identification Number (PIN) entry on the XINDEX form shall be checked for title number, survey plan number, owner and area information against the corresponding Survey Plan information and Title information records held by the LRA, LMB, DENR and ROD.

Each entry that has complete and correct information evidenced by a match between all source documents shall be noted in the remarks column as Office Check Validated, with certification by the appropriate officer

Parcels that are validated should be noted and coded V in the XINDEX.

When the three source items of information do not agree, (tax map, survey plan information and title information) the difference shall be noted on the remarks column and further verification/ checking shall be made within the available records for possible error in the entry. For example;

- ⊗ The title is shown on the Assessors Office records but no corresponding title in the ROD. Need to check first that it is not a clerical error in the tax record.
- ⊗ A tax record (but with no title indicated) and survey plan exists, but no title held in the ROD. Use "mother" survey plan to search forward and back transactions for current records. Also contact original developer to see if original lot is still under their title or ownership.

- ✿ There may be a clerical error in the Assessor's Office records where the same title number is used but will have different survey plans. A check of the survey plans will identify different titles.
- ✿ A separate file also exists at the Assessors Office, which identifies cases of overlapping title. This file should be checked.

5.3. Unresolved Errors that Require Field Validation

When the three source items of information do not agree and can not be resolved by office checks, the difference shall be noted on the remarks column, and in the Unresolved error Report, with certification by the appropriate officer.

Title	Code	Description
Missing Titles		Title number is shown in tax records or survey plan, but the title not available, lost or destroyed in ROD records.
Duplicate Titles		Two or more titles have been lodged in the ROD for the same land. Also two or more titles may be shown in the tax records or on survey plans for the same area.
Overlapping Surveys		Different survey plans exist for the same area or overlapping area. Identified during CIM compilation stage.
Not updated records, tax information or title.		These transactions may have occurred just before or during the process of searching, but the record had not yet been lodged at the Assessors Office. Very unlikely that old transactions are not lodged with the Assessors Office. These transactions should be picked up if the LRA, DENR, ROD and tax Office maintain a record of transactions occurring during CIM search and construction.
Gaps between titles/parcels.		This situation does not occur very often unless all records for a particular parcel have been lost, or in areas adjoining rivers or other non-surveyed land.

Search Outcome	Validation Code	Action Required
Office Records Data Match		
⊗ Title, Survey, Tax, Owner, Area	V	Office Check
⊗ Title, Survey, Tax, Owner	-	Office Check
⊗ Title, Survey, Tax, Area	-	Office Check
⊗ Title, Survey, Tax	-	Office Check
⊗ Title, Tax	-	Office Check
⊗ Survey, Tax	-	Office Check
Missing Title		
⊗ Title on tax records		Field Check
⊗ Title on survey plan		Field Check
Duplicate Title		
⊗ Two or more titles in ROD		Field Check
⊗ Two titles on survey plan		Field Check
⊗ Two titles in tax records		Field Check
Overlapping Title		
⊗ Different survey plans		Field Check
⊗ Overlapping surveys		Field Check
Non Updated Records		
⊗ Tax records not updated		Field Check
⊗ Title not updated in ROD		Field Check
Gaps Between Title		
⊗ No records available		Field Check
⊗ Non surveyed land		Field Check

These unresolved errors will then be referred to the Field Verification team as written Reports of Unresolved Parcels and with colour coded parcels marked on copies of the CIM.

6. BACKGROUND TO FIELD VALIDATION PROCEDURES

6.1. Introduction

The level of effort required to validate existing land records and reconstitute lost records will not be known until project implementation. In the project design it was assumed that there are 40,000 lots in the 5 barangay, all of which are titled. It was further assumed that 12,000 titles have been reconstituted in the District, leaving 28,000 titles to be reconstituted. A further assumption was that 10% of the reconstituted titles would need to be validated in the field. This leaves a total estimate of about 30,000 for the number of titles that will have to be validated in the field. It is further assumed that in field validation, two thirds of land owners will have a copy of their title – that is, that one third of the parcels requiring reconstitution will need to be processed judicially.

Statistics for Field Validation

Estimated land parcels in the 5 barangay	40,000
Estimate of titles reconstituted	12,000
Remaining titles requiring reconstitution	28,000
Reconstituted titles requiring field validation	1,200
Total of titles requiring field validation	29,200

6.2. CRS Activities

A key outcome from the prototype will be refined, proven CRS procedures and material. This material is linked to the stage one social assessment and will be provided with significant support from the PMO, consultants and technical advisers.

In 2001 CRS activities will commence in support of the two planned pilot field validation activities. CRS will be a continuous activity that will be closely coordinated with the field validation activity. Initial CRS procedures and materials will be developed. This material will be piloted in the first pilot field validation activity. The workshop at the end of this pilot will be used to assess and refine the CRS procedures and materials.

A CRS officer has been hired for the PMO. In addition, experienced DENR and ROD staff will be trained in CRS activity and will have input into the CRS campaigns

The field validation will confirm ownership of a parcel with support from the Barangay Chairman. Where a land holder has the owner's copy of the title, reconstitution is by administrative means. Administrative reconstitution involves a public campaign to collect evidence from land owners, public display the results of the campaign and, after a set period, preparation of reconstituted titles. Where the land holder has lost the owner's copy of the title, or where the validation process

shows inconsistencies – duplicate titles, overlapping titles or gaps between titles – then the reconstitution/resolution process is judicial. The current judicial process, particularly for owner-initiated individual titles, is slow. Options available to shorten the duration of court hearings under the prototype include the designation of a Judge/Court to hear only reconstitution cases – this may be facilitated through a linkage to the World Bank-funded Judicial Reform Project. This option would be explored during Project implementation. One output of the prototype will be an assessment of the means available to streamline the process for the approval of judicial titles. The reconstitution is effected when the titles are prepared and the duplicate issued to the land owner. The land owner will not be charged a fee for this service – whether the reconstitution process is administrative or judicial.

The field validation approach is divided into two phases – the first phase involves the piloting of appropriate methodologies and the second phase involves the full implementation of the field validation procedures.

6.3. Pilot Phase

To ensure that acceptable approaches and methodologies are adopted that will enable rapid and reliable field validation it will be necessary to initially undertake a number of pilot projects. Two pilot field validation activities are planned, producing about 1,000 reconstituted titles. These pilot projects will develop efficient and cost-effective field validation procedures.

Field validation of the reconstituted records is a new approach, which has yet to be trailed and therefore there are numerous issues that need to be addressed before a full field validation program can be undertaken. There are also a number of approaches that can be adopted to assist in the resolution of these issues. It could well be counter productive and have an adverse impact on the process if large scale methods are implemented without first trailing and developing a methodology that will be accepted by the community and that will also achieve the objective of producing accurate land registration records.

It is difficult to anticipate all the problems and issues that will arise during the field verification activities. It is recognised that only through the piloting of proposed field methodologies and ongoing field activity that an acceptable methodology will be developed. For this reason it will be necessary to view this manual as a dynamic document, requiring frequent updating and modification as procedures are developed.

It must be recognised that effective, efficient and open communication is important if the resolution of issues during field validation is to be successful. There are a number of disparate groups with interests in the outcome of the deliberations and it is of paramount importance that these groups are consulted and kept informed of project activities. At the present time the various approaches that could be used for CRS and field validation remain untested.

6.4. Implementation Phase

The field validation program will be implemented early in 2002. During project design it was proposed that field validation be undertaken, on a whole of barangay basis, by teams of four, with representatives drawn from DENR, LRA, the LGU and the Barangay Chairman. An alternate approach needs to be reviewed which may

possible result in increased output and that is the contract of specific staff to undertake the field validation. These contract personnel would require specialist training, but such an approach would remove many of the problems currently being encountered in the PIO 2 with the employment of staff from the involved agencies. Use will also need to be made of barangay personnel to support the field teams.

The level of effort required to validate each title in the field will vary from case to case. However, on the basis that there is a comprehensive CRS campaign that proceeds the field activity, it is assumed that the four person team can validate an average of 30 titles a day – on the basis that the field work is deployed in contiguous areas. The field validation teams would be deployed in the field for a total period of 13 months producing a planned output of about 30,000 field validated titles.

These assumptions would be verified during project implementation. It is stressed that the objective of the Project is the quality production and the development of efficient, cost-effective procedures. The numerical targets are secondary objectives.

7. FIELD VALIDATION PROCEDURES –PILOT 1

7.1. Field Verification Pilot Projects

To test the various approaches and options available during field verification, it is proposed that several pilot projects be undertaken to test a number of approaches and to also test the development of appropriate CRS methodologies that could be used.

The first pilot project will be undertaken within an estate development where it is believed there are likely to be minimal problems or issues arising. This will enable a methodology to be developed for estate areas and also to test a number of basic assumptions. Annex 3 is a chart showing the necessary activities and flow that need to be undertaken for Pilot 1.

The second pilot will be undertaken in an area where it is known that a reasonable percentage (say between 20% and 30%) of the land occupiers are informal settlers. This will provide the opportunity to test different methodologies in such areas and determine whether there is a need for different approaches to be adopted in different geographic and socio-economic areas.

7.2. Pilot Project No.1 – B F Holmes Subdivision, Barangay Holy Spirit

7.2.1. Overview

This location has been selected as it provides a well defined physical area that covers a full subdivision, is completely enclosed and provides the opportunity to test various field validation methodologies in a controlled environment. It is anticipated that there will be few problems encountered in this area and the issue of informal settlers will not arise.

Area Name	B F Holmes Subdivision
Survey Number	LRC-PSD-133236
CIM Map Sheet Number	Part 2,3,7 & 8 Holy Spirit
Number of Parcels	Approx 800

7.2.2. Methodologies to be Tested

There are a number of field validation methodologies and CRS approaches that will be trailed as part of Pilot 1. As well the pilot will test a number of basic assumptions that have been made in relation to the records validation process.

There is a basic assumption in the records validation that when there is a correlation between the tax record and the title record that the record information is then correct. This assumption needs to be verified through field checking. As part of Pilot 1, information will be collected from all land owners to enable a check between the information provided by the land owner and the basic records on the XINDEX file. If there is a good correlation between the field and office records then

this basic assumption can be accepted and in future field verification activities it will not be necessary to visit properties where there is full office verification.

Mass Data Collection

The first field validation approach to be tested will be mass data collection and data validation. It is proposed through the CRS campaign to inform all land owners of the field validation activities and to request them to bring their documents to a specified location on specific days. With the possibility that many home owners will be absent from their homes during the week because of work commitments, it will be necessary for the data collection to be undertaken over a weekend.

A data collection centre will be established for the weekend within the estate and will be staffed by members of the PIO 2. The use of PIO 2 staff will provide the opportunity for the staff to broaden their understanding of the project and also to gain an appreciation of the linkage between the office validation and field validation activities. The data collection centre will provide an excellent opportunity for the mounting of a display covering the project and for senior members of the staff to answer individual questions on the project and land registration issues. All staff will receive training, which will include a project overview, dispute resolution, CRS activities, data collection procedures and records management.

There will be people who are unable to attend the data collection centre over the weekend. In these cases, staff members will conduct individual house calls to those houses where data has not been collected.

Following collection of the field data, the field records will be validated against the office records. Where there are discrepancies between office records and field records a thorough check of the records will need to be undertaken to ensure there have been no mistakes made in compiling the records. In some cases it may be necessary to make further field visits to clarify records.

House Owners' Association Records

The second field validation approach will be to utilise the records of the Secretary of the House Owners' Association or of the developer. It is possible that these records may provide an easy reference against which to check and to also obtain necessary information on specific land parcels. The success of such an approach will be dependent upon the currency and quality of the records maintained and therefore could differ from one area to another. However this approach will be trialed to ascertain whether it has merit for use in selected areas.

7.2.3. Field Validation Documentation

As part of Pilot 1 as much relevant information as possible will be collected from each property owner to enable a full verification of the office XINDEX database to be undertaken. A data collection form to be used for the field validation is included as Annex 4

Following collection of the field validation data and checking of forms, the forms are to be returned to the PIO 2 office and the data validated against the data in the XINDEX database. Where there is a discrepancy between the office data and field data for a land parcel, this parcel is to be noted for further attention. Following the checking of all the field data, those land parcels where there are discrepancies are

to have the records cross checked for any errors. For those parcels where it is not possible to resolve the discrepancy it will be necessary to undertake a further field visit to cross check the office records against the copies of the documents in the possession of the land owner.

Documents that can still not be validated will be referred to the LRA for further attention.

7.3. Preparation for Field Activities

The overall success of the field validation activities is very dependant on the effectiveness of the CRS activities and the information that is made available to all stakeholders. The CRS activities are detailed in the Manual on CRS.

The key CRS activities that will be undertaken by CRS staff are:

- ✿ Arranging the initial meeting with the Barangay Captain
- ✿ Assisting with the establishment of the barangay advisory group.
- ✿ Arranging and conducting the Consultative Education Workshop.
- ✿ Meeting with the House Owners Association Secretary to explain the process that will take place within the area.
- ✿ Assist in providing notification to land owners of the activities that will be undertaken.
- ✿ Provide ongoing CRS to land owners during the field validation process.
- ✿ Following completion of the field validation activities in an area, follow-up on the overall success of the project and identify any problems and develop approaches to rectify.

Following completion of the pilot area, the CRS officers will have responsibility for updating the CRS Manual and amending or preparing literature to be used in the next pilot location.

7.4. Training of Field Enumerators

The field enumerators from the PIO 2 will need to be provided with appropriate training to enable them to undertake their field roles. As part of the overall multi-skilling approach that is being adopted in the general operations in the PIO 2 it is proposed that all PIO 2 staff will participate in the field enumerator training. Training will therefore need to be provided for approximately 15 personnel.

The training for the field enumerators will include the following modules:

- ✿ Overview of the LAMP.
- ✿ Overview of the PIO 2 records validation process.
- ✿ The reason for field validation activities.
- ✿ The CRS activities.
- ✿ Explanation of the field validation methodology that will be used by the field enumerators.
- ✿ Data collection and reporting formats.

- ✿ Dispute resolution.

It is anticipated that this training can be provide in one day and should preferably be undertaken within a few days prior to the field activities commencing.

7.5. Field Methodology for Mass Data Collection

The following methodology is proposed for the mass data collection field enumeration.

- ✿ It is estimated that the majority of the data for all land parcels will be collected over the one weekend.
- ✿ There will be a field data collection centre established within the estate. If available it will be established in the estate “club house”. For ease of processing it is proposed that three desks be set-up to cater for different alphabetic groups. The establishment of the field data collection centre provides an excellent opportunity for project public relations to be undertaken. It is proposed that:
 - A display be set-up demonstrating the activities of the PIO 2.
 - A display be set-up to highlight the activities of the various government agencies involved in the project.
- ✿ A field validation data collection form is to be completed for each parcel of land. It is important that as much of the information is recorded on the form as possible. If the property owner does not have a tax assessment number or a copy of the land certificate then the words “NOT AVAILABLE” are to be added in the appropriate column.
- ✿ At the same time as the data enumeration is being undertaken in the “club house” another group of staff will undertake a field inspection of the estate and record on copies of the CIM, those land parcels that are vacant with no building constructed on it. A field validation form will be completed for each land parcel and the word “VACANT” is to be added in the column for “Name of Property Occupier”.

In cases where the land is vacant and there is conflicting information from the office validation it will be necessary to endeavour to make contact with the land owner to obtain copies of the certificate and tax assessment. The Secretary of the Home Owners Association or the developer of the estate may have contact information.
- ✿ Following the completion of the data collection over the weekend, there will be land owners who will not have been able to attend the data collection centre, or who for one reason or another have made a conscious decision not to attend. It will be necessary to visit each of these land owners to collect data for the field validation form.
 - If the owner is not available after several visits the words “NOT AT HOME” are to be added in the column for “Name of Property Owner”. In these cases it may be necessary to endeavour to make contract through the secretary of the home owners association
 - Should an occupier of a home wish not to answer the questions or speak with the field enumerator the words “WOULD NOT

PARTICIPATE” are to be added in the column for “Name of Property Owner”.

7.6. Updating of the XINDEX and CIM Record

Following completion of the mass data collection it will be necessary to cross check all the field data against the XINDEX created from the tax assessment and copies of the certificates of title. During the crosschecking process there will be instances where data does not match. In these cases it will be necessary to re-check all data to ensure that no errors have been made during data entry.

7.7. Field Methodology Using Home Owners Association Records

As mentioned previously, the quality of the records maintained by the Secretary of the Home Owners Association for each estate could vary in quality. The records that are maintained in the B F Holmes Subdivision will be used as an initial test against the XINDEX database created in the PIO 2.

Following the mass data collection the XINDEX database records will be updated to reflect the field findings. Once the XINDEX is updated the records will be compared with the records maintained by the Home Owners Association. It is preferable that PIO 2 staff undertake this comparison with either copies being made of the Home Owners Association records and the comparisons undertaken in the PIO 2 or staff from the PIO 2 will work from the office of the Home Owners Association to check the records.

Following completion of the cross checking a statistical analysis of the results should be undertaken to assess the success of the exercise. A high level of success in cross matching the two sets of records would indicate that it is possible to utilise the Home Owners Association records to verify ownership data or at least an option available as a source of property ownership information. The one provision being the need to ascertain how well the records are maintained before they are used. At this stage it is not clear how easy it will be to determine the accuracy and currency of individual association records.

This approach will only be valid within estates where the Home Owners Association is strong and well developed. It is understood that outside of the estate areas groups of informal settlers have formed their own associations and in several cases have information on land occupancy. Some groups are believed to have even created their own cadastral map of the informal occupancy. Because these people have an interest in land ownership, it may be that these groups may also have information on the legal land ownership over which they have their informal occupation.

7.8. Process Following Completion of Update

Following the checking and verification of the records it will be necessary to transfer all information to the LRA for further records processing. It will also be the responsibility of the LRA to rectify records where errors have been identified. The

handover procedure and approach to be adopted in the LRA upon receipt of the data has yet to be developed.

However an outline of the activities required is shown in the diagram in Annex 2. Following receipt of the records from the PIO 2 into the LRA there will be certain actions required dependant upon the identified status of each land record. An outline of the actions is as follows:

- ✿ Where the ROD records are shown to be correct this should be noted.
- ✿ Where there is no title in the ROD but the owner has a copy and all records confirm the legitimacy of the owner's copy, the LRA will undertake an Administrative Reconstitution of the title.
- ✿ Where there is no title in the ROD and the owner does not have a copy and all available records indicate that the occupier has a legitimate claim to a title, then it will be necessary for a Judicial Reconstitution to be undertaken.
- ✿ In cases where there are duplicate certificates, overlapping titles and other identified legal impediments to claim of ownership over a land parcel, it will be necessary for the LRA to instigate a Judicial Reconstitution of the title to resolve competing claims.

8. FIELD VALIDATION PROCEDURES – PILOT 2

The Pilot 2 field validation exercise is based on the premise that the assumptions that were tested in Pilot 1 proved to be correct. Should this not be the case there will be a need to modify the validation procedures proposed for Pilot 2. There may also be a need to modify the following procedures based on lessons learnt from Pilot 1.

The aim of Pilot 2 for field validation is to test procedures in an area that is more indicative of that likely to be encountered outside the estate areas. It is anticipated that in these areas:

- ✿ It may be more difficult to physically identify the location of some land parcels;
- ✿ There will be many informal settlers;
- ✿ Land disputes are likely to be more prevalent;
- ✿ There will be a greater number of land parcels requiring field validation.

In comparison with Pilot 1, it is more difficult to identify the potential issues that will be encountered, but it can be assumed that there will be considerable interest by many people in the outcome of the validation process. As well as clarifying some land dispute issues it will improve the registration records, which will provide improved information and access for people to research land ownership details.

It must be noted that the lack of the orthophotography as a base for the CIM will create added difficulties in these areas for the field validation teams. It is assumed that in some areas it will be difficult for teams to determine the exact location of some land parcels. Until the orthophotography is available it may be necessary for the field validation teams to undertake some surveying and field measurement to locate some land parcels or to be able to identify which allotment on the ground equates to which allotment on the CIM.

Although the methodology for Pilot 2 has been discussed amongst PIO 2 staff it is difficult to develop a full field validation methodology without an appreciation of the area and problems that have been identified through the office validation. The following field methodology is based on a number of assumptions and will need to be modified based on the outcomes of Pilot 1 and decisions made in relation to a number of issues that are highlighted at the end of this section.

8.1. Pilot Project 2 – Holy Spirit

8.1.1. Overview

This location has been selected, because based on the results of the office validation activities, it would appear to provide opportunities to test field validation procedures for a number of errors that have been identified. The errors that have been identified in the area include:

- ✿ ?? **ADD INFORMATION ON ERRORS IDENTIFIED**

The location of the selected area is ?? **ADD DESCRIPTION**

8.1.2. Methodologies to be Tested

The methodologies to be tested for Pilot 2, it is anticipated, will be more indicative of those that will be encountered in many of the areas where field validation is required. The methodology will test:

- ✿ Field mobilisation procedures;
- ✿ Level of cooperation from the barangay in supporting the field activities;
- ✿ Establishment of an operational base;
- ✿ Ease of parcel identification in areas where there is irregular development;
- ✿ Field management procedures, including the division of area responsibilities;
- ✿ Information transfer to the PIO 2 office

The Pilot 2 will also enable an assessment to be made of the issues impacting on informal settlers. Although they will not have ownership rights, it is clear that many of them will be seeking the opportunity to purchase land from the existing owner if the rightful owner can be identified

8.2. Preparation for Field Activities

8.2.1. Preparation of Field Data

In preparation for the field validation activities it will be necessary to identify, through the XINDEX database all land parcels where there is conflicting information between the three data sources, namely the tax map, survey plan information and title information.

Information that will need to be provided to the field validation teams is:

- ✿ A copy of the CIM on which all land parcels that have conflicting information are highlighted. This will provide the field validation teams with a pictorial record of all land parcels that need to be investigated further as part of the field validation.
- ✿ A summary list from the XINDEX database of all land parcels that require field investigation with an indication of the reason for the data conflict. This will provide the field validation teams with an indication of what specific information they should be looking forward in the field. This list should be presented in survey and lot number to enable the field validation teams to readily refer between the CIM and data list.

8.2.2. Meeting with Barangay Council

Prior to the commencement of field work a final meeting must be held with the Barangay Council of **Holy Spirit**. The meeting will be to finalise the field arrangements and also to ensure that personnel from the barangay have been nominated to work with each of the field teams.

8.2.3. CRS Activities

The overall success of the field validation activities is very dependant on the effectiveness of the CRS activities and the information that is made available to all stakeholders. The CRS activities are detailed in the Manual on CRS.

The key CRS activities that will be undertaken by CRS staff are:

- ✿ Arranging the initial meeting with the Barangay Captain
- ✿ Assisting with the establishment of the barangay advisory group.
- ✿ Arranging and conducting the Consultative Education Workshop.
- ✿ Meeting with the House Owners Association Secretary to explain the process that will take place within the area.
- ✿ Assist in providing notification to land owners of the activities that will be undertaken.
- ✿ Assist with any training support required, especially to barangay representatives.
- ✿ Provide ongoing CRS to land owners during the field validation process.
- ✿ Following completion of the field validation activities in an area, follow-up on the overall success of the project and identify any problems and develop approaches to rectify.

Following completion of the pilot area, the CRS officers will have responsibility for updating the CRS Manual and amending or preparing literature to be used in the next pilot location.

8.3. Arrangements for Personnel

It is proposed that each field validation team consist each of two personnel. These personnel will be staff of the PIO 2 who will have received specific training to undertake the field validation activities. For the Pilot 2 it is recommended that the 8 personnel who will be responsible for the ongoing field validation activities be appointed and trained to undertake the Pilot 2 activities.

It is proposed that representatives from the barangay will support the field validation teams. This will ensure that the barangay is actively involved in the field validation activities and provide a direct link between the validation teams and the barangay residents.

8.4. Training of Field Enumerators

Compared with Pilot 1, there will be a need for more intense training to be provided to those staff who will be undertaking Pilot 2. There is more potential for the field validation teams to encounter conflict while in the field and there is more need for a comprehensive and effective CRS campaign to be undertaken.

The training for the field enumerators will include the following modules:

- ✿ Overview of the LAMP.
- ✿ Overview of the PIO 2 records validation process.
- ✿ The reason for field validation activities.

- ✿ The CRS activities.
- ✿ Explanation of the field validation methodology that will be used by the field enumerators.
- ✿ Data collection and reporting formats.
- ✿ Dispute resolution.

As the field validation processes develop there may be a need to further training to be provided to support the team members.

8.5. Field Methodology

It is anticipated that it will be only necessary for the field validation teams to visit land parcels where there has been an identified problem during the office validation process. The field validation teams in visiting each of the identified properties will complete the field validation form based on information obtained from the land owner.

- ✿ A field validation data collection form is to be completed for each parcel of land that is visited. It is important that as much of the information is recorded on the form as possible. If the property owner does not have a tax assessment number or a copy of the land certificate then the words “NOT AVAILABLE” are to be added in the appropriate column.
- ✿ With many people working during the week it will be necessary for field teams to adopt a flexible approach to working hours. It may be necessary to visit some property owners in the evening or at weekends and it may be necessary to visit some properties several times.
 - If the owner is not available after several visits the words “NOT AT HOME” are to be added in the column for “Name of Property Owner”. In these cases it may be necessary to endeavour to make contact through the secretary of the home owners association or through any other association that may exist in the area.
 - Should an occupier of a home wish not to answer the questions or speak with the field enumerator the words “WOULD NOT PARTICIPATE” are to be added in the column for “Name of Property Owner”.

9. ISSUES THAT NEED TO BE ADDRESSED

Because it has not been possible to study an identified area and review the data issues related to that area, there are a number of issues that have been identified but not addressed. These issues need to be more thoroughly analysed and solutions developed.

It has also been identified that there will be a need to look at the field validation process in a different manner to that which some of the PIO 2 staff have been accustomed. The issues and approaches required will be in some cases unusual and different but may be necessary to ensure the development of an efficient and effective field validation process.

The following are issues that have been identified as requiring additional thought and consideration and need to be addressed in developing a methodology for field validation.

- ✿ It will be inefficient for the field validation teams to operate from the PIO 2 office, as it will result in much lost time each day. It is proposed that the field validation teams utilise a base camp within the barangay from which to operate. It may be possible to utilise space within the offices of the barangay. If not then the rental of conveniently located office space should be looked at.
- ✿ The field validation teams need to be able to manage their data and store the data in a secure environment when it is not being used. It is recommended that the field validation teams be provided with one or two lockable steel filing cabinets for storage of records and small personal effects. To assist with office activities it is also recommended that the teams be provided with two desks and a number of sturdy chairs.
- ✿ In considering the establishment of a base camp or field office thought should be given to the possibility of establishing a mobile office. There may be advantages in providing the field validation team with a suitably equipped vehicle, which could be used as an office and transport. The field validation approach needs to be thoroughly developed and tested before this approach is taken but it may be worthy of consideration as the project develops.
- ✿ A budget needs to be prepared by the PIO 2 so that an estimate of the ongoing costs of field validation can be made and so as to ensure that sufficient funds are continually available to support the field validation activities. Issues to be considered in the budget include:
 - transport costs;
 - payments to barangay personnel supporting the field validation teams;
 - costs of office rental if required.
- ✿ In the project design it was proposed that staff from the LRA, DENR and LGU be utilised to constitute the field validation teams. The apparent lack of support shown by organisations in staffing the PIO 2 would suggest that

it is unlikely that appropriate staff will be provided to staff the field validation teams. The use of contract staff in the PIO 2 for office validation, CIM production and database entry and checking has proven to be very positive, with output increasing and staff enthusiasm being very positive. It is recommended that serious consideration be given to the employment of contract staff to form the field validation teams. If this approach is adopted there will be a need to develop specific training programs for these staff to ensure they have sufficient background in land registration procedures and the project to be able to undertake their work effectively.

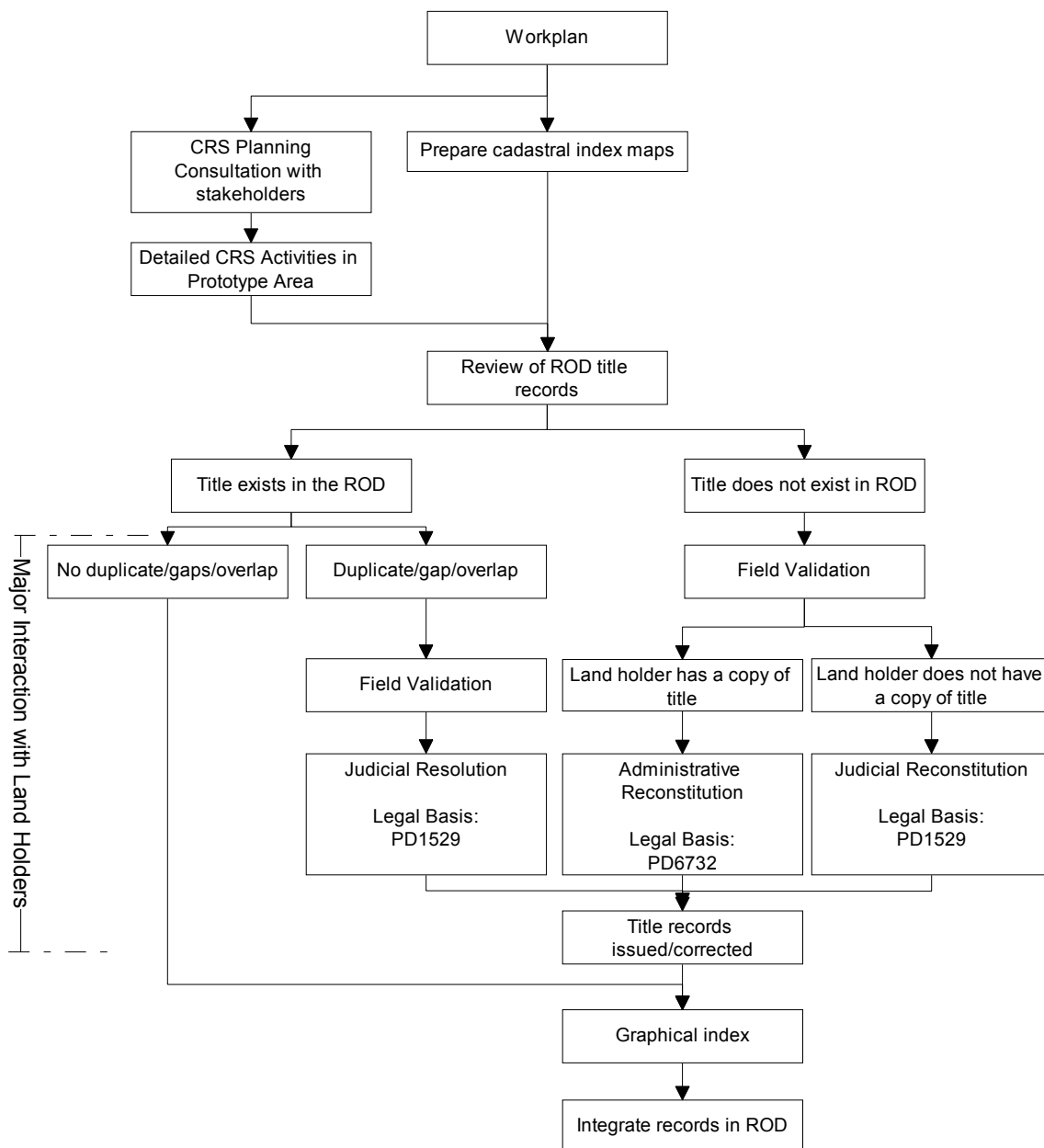
LAND ADMINISTRATION AND MANAGEMENT PROJECT

Features to be Tested in Prototype

Procedure/Feature	Implications of Successful Prototype	Implications for Prototype Design
A standard cadastral index map series which will portray all parcels within the prototype area and be in a form that is kept up-to-date in the ROD with input from DENR.	Forest boundary data available in ROD Validation of existing records. Spatial framework in ROD for quality control on registration procedures.	Need to understand the LRA proposal for mapping and re-engineering under the BOO. Need to have the flexibility to develop improved land registration processes.
All land records in verified, reconstituted and re-issued as necessary, with all fake and duplicate titles removed and a strengthen set of land records linked to the cadastral index maps and the BOO records	Increased confidence in the Torrens Titles system Methodology to validate existing records and therefore clean up the LRA/ROD databases	Need to have clarity in the administrative arrangements and a commitment by DENR, LGU and LRA/ROD to the objectives of the OSS. Need to understand the LRA proposal for mapping and re-engineering under the BOO. Need to have the flexibility to develop improved land registration processes.
Documented procedures and manuals to prepare cadastral index maps and verify, reconstitute and re-issue land records	Basis for training and scaling up the process in LAM Program	Need to ensure that an emphasis is placed on documentation and that there are sufficient resources to do the work properly
Prototyping and recommendations for streamlined land registration and land records management procedures	Field proven techniques and core of trained staff – a basis for scaling up the process in LAM Program	Need to make sure that the LAMP targets are achievable Need to ensure that the area selected for the prototype is representative of the national problem Need to ensure that the field processes are open and transparent and participatory in character. Need to ensure that the results of field validation are completed in a timely manner, registered and distributed to land holders. Need to carefully look at staff training and incentives.
The development of a national land records management strategy.	Reduced duplication of effort and increased emphasis on records management	Need to have commitment of key agencies to the proposed changes – particularly LMB/LMS, LGU and LRA/ROD.

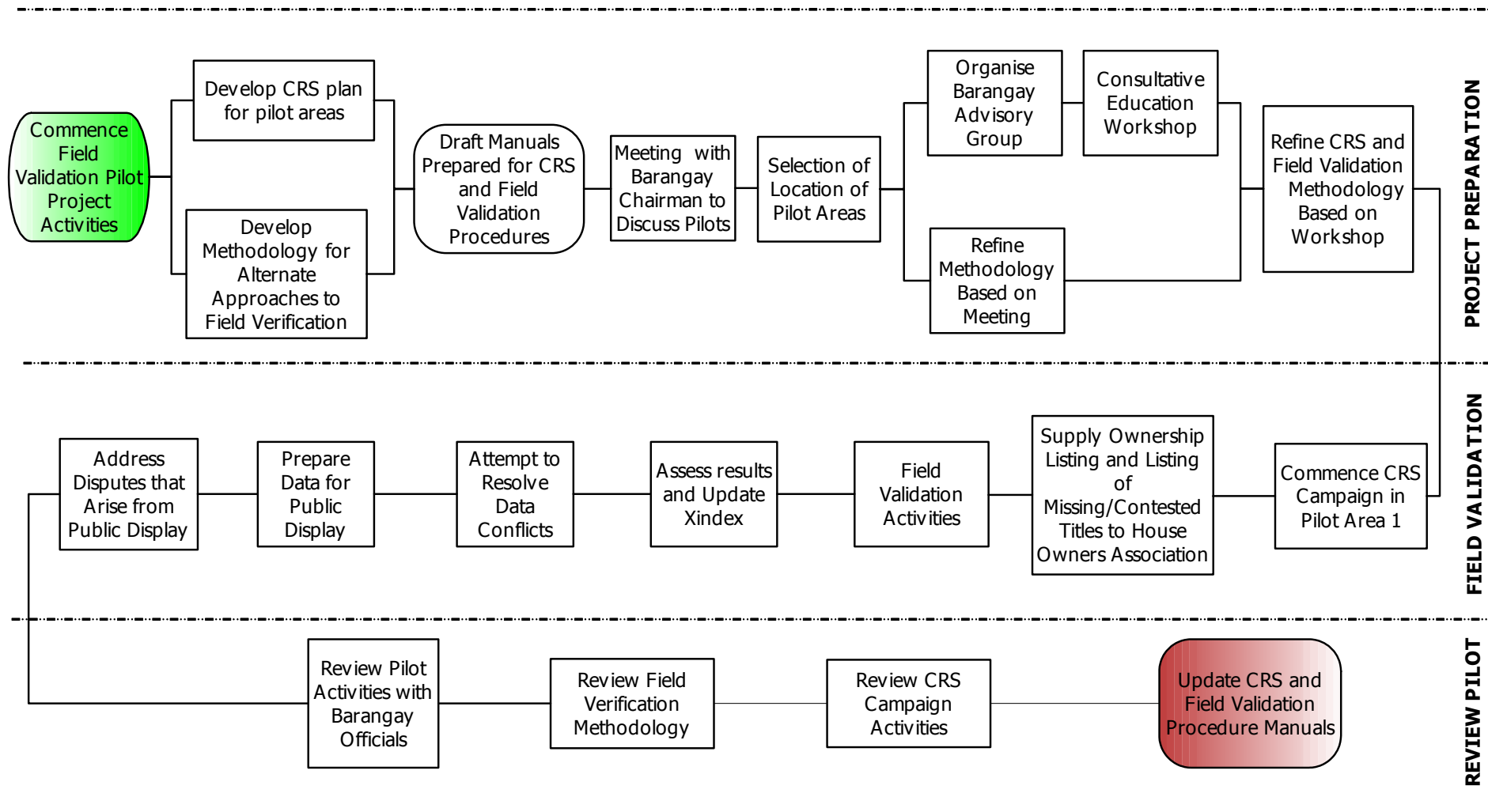
Procedure/Feature	Implications of Successful Prototype	Implications for Prototype Design
Increased community awareness of the benefits of land titles and land registration, leading to increased community participation	<p>Demonstration of public confidence in the land administration system</p> <p>Increased and more equitable government revenue from land.</p>	<p>Need to ensure that there will be an active land market in the area selected.</p> <p>Need to be careful not to unduly raise public expectations</p> <p>Need to make sure that there is a basic understanding of public concerns and requirements</p> <p>Need to involve the community in the development of CRS material and the management of the prototype</p> <p>Need to ensure that the results of field validation are completed in a timely manner, registered and distributed to land holders.</p>

Overview of Land Records Validation Process for Prototype 2⁴



⁴ From Figure 1, Annex 6 of PPR.

DEVELOPMENT OF METHODOLOGY FOR FIELD VALIDATION PILOT PROJECT



**LAND ADMINISTRATION AND MANAGEMENT PROJECT
 PROTOTYPE 2 – LAND RECORDS MANAGEMENT
 FIELD VALIDATION DATA COLLECTION FORM**

1.	Survey Number and Parcel reference number from CIM.	
2.	Address of property.	
3.	Name of occupier of property.	
4.	Are you the owner of the property?	<input type="checkbox"/> YES <input type="checkbox"/> NO (If no go to 18)
5.	Do you have a copy of your recent tax receipt?	<input type="checkbox"/> YES <input type="checkbox"/> NO (If no go to 9)
6.	If so can I record some information from it?	<input type="checkbox"/> YES <input type="checkbox"/> NO (If no go to 17)
7.	Name recorded on tax receipt	
8.	Tax receipt number	
9.	Do you have a copy of your certificate of title?	<input type="checkbox"/> YES <input type="checkbox"/> NO (If no go to 15)
10.	If so can I record some information from it?	<input type="checkbox"/> YES <input type="checkbox"/> NO (If no go to 17)
11.	Name recorded on the certificate of title.	
12.	Number recorded on the certificate of title.	
13.	Survey plan number recorded on certificate of title.	
14.	Lot area recorded on the title (in square metres)	
15.	Do you know where the certificate of title/tax receipt is?	
16.	Has your certificate of title/tax receipt been lost or destroyed?	
17.	Why can I not record information from your certificate of title/tax receipt?	
18.	Do you know the name of the owner of the property?	
19.	Do you know contact details of the owner? (Address and/or telephone)	
ADDITIONAL NOTES OR INFORMATION:		

Background

The first pilot field validation, of records, activities commenced on November 14, 2001 in BF Homes Subdivision in Holy Spirit Barangay.

Prior to the actual validation the following activities were carried out.

1. Coordination meeting was held between PIO2 and BF HOA Officers at the BF Subdivision Clubhouse.
2. Information pamphlets produced for distribution
3. A motorcade around BF Homes Subdivision to distribute letters and information materials.
4. Field Validation Training of PIO2 staff.

The location had been selected as it provided a well-defined physical area that covered a full subdivision, was completely enclosed and provided the opportunity to test the first of at least two scheduled field validation methodologies, in a controlled environment. It was anticipated that there would be few problems encountered in this area and the issue of informal settlers would not arise.

The purpose of the validation was to test the assumption that for future field verification activities it will not be necessary to visit properties within an established subdivision where a full office verification has been carried out. Unfortunately the titles required for the field validation could not be supplied prior to the activity commencing so the approach was modified to test:

- The effectiveness of the CRS program
- That the field validation processes were appropriate to collect ownership details where no RDO records are available
- The quality and relevance of other base records, eg tax and DENR maps, tax assessors records.
- Although the original purpose could not be tested, can a conclusion still be reached on the necessity to carry out field validations in areas within established subdivisions.

Field Activities

The Activities carried out were:

1. On October 30, 2001, a coordination meeting was held between PIO2 and BF HOA Officers at the BF Subdivision Clubhouse. It was agreed that a written request coming from LRA Administrator/Director addressed to the Bgy. Chairman, calling the attention of the HOA President; and a written request coming from the HOA President addressed to the member, shall form part of the information materials to be distributed in order to show that the activities to be conducted are part of a government project.
2. The PIO2 CRS team produced information pamphlets, for distribution within the target area. See appendix 6 for a copy of the information pamphlet.
3. On November 10, 2001, PIO-2 staff headed by Dir. Felino M. Cortez, together with BF Homes security officers, conducted a 4-car motorcade around BF Homes Subdivision. During the motorcade, letters and information materials were distributed to all the houses. Announcement was made inviting all property owners to participate in the project activity entitled "Titulo Ko Sigurado Ako: by bringing copy of their title and tax declaration to the BF Homes Gymnasium, for recording during the period November 14-18, 2001 from 9:00 a.m. to 5:00 p.m. Streamers were also posted at the gates of the subdivision. The activities started at about 9:30 a.m. and lasted until 12:00 noon.
4. On November 12, 2001 a Field Validation Training participated in by PIO=2 Support Staff, was conducted. Among the topics were:

- LAMP Overview; Purpose of Field Validation;
- Methodology for Validation; and Conflict Resolution.

Resources speakers were Lewis Haley; Bryan Peñafiel; and Emil Pugongan.

Prior to beginning the field verification, the pilot area was broken up into 4 equally sized areas to allow the field verification team to have workable sized areas to collect data from and to reduce the queuing time of respondents.

Actual field validation activities commenced on November 14, 2001 at 9:00 a.m.

The field validation team set up in the BF Subdivision Clubhouse. As subdivision contained 36 blocks broken into the 4 areas, four tables were setup. As each person arrives with their documentation, Tax receipts and or Transfer Certificate of Title (TCT). The form set out in Annex No 4 was filled out with each customer, who presented their documents. Where the customer owned a property that required the title within the registry to be re-constituted, the staff were able to assist in filing in the form for the request to re-constitute.

Results of the field verification Activities

The whole BF Homes Subdivision is about 51 hectares composed originally of two subdivision plans, namely: (LRC) PSD-133236 with 750 home lots, and (LRC) PCS-16317 with 66 home lots for a total of 816 home lots. The second plan (LRC) PCS-16317 and the additional home lots was identified during field trips and added to Area 1. Field trips around the subdivision also identify at least 150 vacant lots. The field trips also help determine that blocks 1 and 2 of (LRC) PSD-133236 comprising of 30 lots with an approximate area of 1.8 hectares have been purchased by DPWH, and now forms part of the NGCHP, although this information does not appear in the Assessor’s Tax Information sheets.

There were four (4) property owners already waiting when the team arrived. However at the end of the day, only 18 titles were recorded. The turn out during the next two days were also discouraging because only 9 and 20, respectively, were recorded. It was thought that may be because most property owners are working, so a greater turn out was expected during the weekend, however, on Saturday morning November 17, 2001 only a few responded, so the assistance of the Parish Priest was sought. He agreed to make an announcement during the anticipated mass and early Sunday mass, to convey the need of the project for the cooperation of the property owners. On Sunday November 18, 2001 thirty titles were recorded. Out of the 600 listed members of the BF Homeowners Association, only 99 had responded during the 5 day field activity. As shown in the table below.

Date	Area 1	Area 2	Area 3	Area 4	Total
Nov 14	8	1	8	1	18
Nov 15	5	0	1	3	9
Nov 16	12	3	1	4	20
Nov 17	7	3	5	7	22
Nov 18	12	6	6	6	30
5 days	44	13	21	21	99

Three of the respondents also filed applications for the administrative reconstitution of their titles.

Conclusion

The base camp method of data collection enabled us to collect only 16% over a period of 5 days, which is not very encouraging. It is necessary to collect as much data as possible, so we have to go back to the subdivision and try the house to house method of data collection.

The low number of respondents could be narrowed down to a number of reasons

- Complacency, the owners are within a secure subdivision, know they have clear title to their property and are not interested in supporting the Pilot. (based on interviews with the homeowners)
- The person living on the property is not the owner, ie they are renting or leasing the property, so they do not have any of the documents that we need.
- The owners may not have been available at the time, eg on holidays or the person who received the information (pamphlets or letters) did not take the information seriously and did not pass it on to the owner.

Also as all the titles required to carry out the office verification had not been obtained the assumption that for future field verification activities it will not be necessary to visit properties where there is office verification could also not yet be fully tested.

Records of the DPWH should be accessed to determine the exact details of the land purchased by DPWH, which now forms part of the NGCHP.

Recommendations

The main concern was the low percentage of participation in the field verification by the homeowners. Those who did participate supported our initial assumptions that the records are fairly accurate and that the area in the tax records that may not have been updated is the ownership. Unfortunately we were unable to access many of the title records to carry out an office validation prior to the field verification. This leaves the problem of determining if the sample is sufficient to allow us to conclude that our assumptions are correct.

A number of options have been proposed, these are:

- 1) Adopt a door-to-door approach to obtain the information required and also to survey the owners in an attempt to establish why the participation rate was so low.
- 2) Renew requests to the Registry of Deeds for the searching of the rest of the titles that will allow the office verification of the records.
- 3) Test that the approach used in the pilot area is sound by using it in an area that is not as well established and defined as this area. This would require a third pilot study.
- 4) Access the records of the DPWH to determine the exact details of the land purchased by DPWH, which now forms part of the NGCHP.
- 5) The conduct of the next pilot where the presence of informal settlers is expected should be designed in a such a way that it would enable us to gather relevant statistics that will provide information to support Government with the policy and legislative changes. The scope of the field validation needs to consider the informal settlers issues and should not just to test procedures for the field validation of records.