

CONSULTA; WHEN IS IT NECESSARY

- *Consulta*, should it still be necessary, is proper only if said instruments are denied registration **in writing** by the ROD, setting forth the defects of the instruments or the legal grounds relied upon.

DAR Opinion No. 13, s. 2001
August 21, 2001

CONVERSION; FARMLOT SUBDIVISIONS STILL NEED CONVERSION CLEARANCE

- The fact that there is a housing requirement is an indication to change the use of an agricultural land to residential and this is covered by the definition of "land use conversion". In other words, the slightest change in the agricultural land use to some other non-agricultural use (which in this case is residential), no matter how minimal the area to be covered by such change and even if housing is a secondary purpose, will be interpreted as land use conversion. As such, there is a need to apply for conversion clearance from the DAR.
- The issuance of HLURB Resolution No. 750 (**Liberalizing the Requirements and License to Sell for Farmlot Subdivisions**) is no in accordance with DAR A.O. No. 1, Series of 2002 (**Comprehensive Rules on Land Use Conversion**). It appears that the Board has put emphasis only on the definition of farmlot subdivisions as a *planned community intended primarily for agricultural activity* that became their basis in the issuance of said Resolution without regard on the other use of the land.

DAR Opinion No. 10, S. 2006
January 31, 2006

CONVERSION AND EXEMPTION; OCULAR INSPECTION FEES

- From the provisions of Sec. 1 par. 3(d) of R.A. No. 8532 and Sec. 3.2 and 3.4 of DAR M.C. No. 2, Series of 2002, it is very clear that inspection fees for application for conversion and exemptions being paid by the applicants to the DAR thru RCLUPPI as contained in DAR Administrative Order No. 1, Series of 2002 shall be remitted to the Agrarian Reform Fund. Payment by the applicant of such inspections fees should be made directly to the cashier office of DAR Regional/Central Office. As such, any disbursement of said funds, which includes inspection fees, shall be subject to the existing normal accounting and auditing rules and regulations.

DAR Opinion No. 09, S. 2006
January 27, 2006

CONVERSION; EFFECT OF REVOCATION OF CONVERSION ORDER

- Pursuant to Section 49 of Administrative Order No. 1, Series of 2002 (**2002 Comprehensive Rules on Land Use Conversion**), the effect of the revocation of the conversion order is that the land subject thereof shall be reverted to the status