

Permasalahan Hukum Dalam Pembangunan dan Pengelolaan Rumah Susun Apartemen Setiabudi Residences

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Abstrak

Tesis ini membahas permasalahan yang dihadapi pengembang dalam pembangunan dan pengelolaan Apartemen Setiabudi Residences. Tujuan penelitian guna mengetahui apakah pengembang telah mematuhi seluruh ketentuan tentang rumah susun. Penulisan tesis ini menggunakan penelitian kepustakaan berdasarkan sumber hukum primer, sekunder dan tertier. Pembangunan apartemen telah memenuhi persyaratan perijinan yang ditentukan, namun perubahan tampak dan layout lobby tidak sesuai dengan IMB. Jual beli satuan rumah susun dilakukan, sebelum bangunan selesai berdasarkan pemesanan, namun isi surat pesanan belum sesuai dengan Kep. MENPERA No.11/KPTS/1994. Pengembang selaku perhimpunan penghuni sementara melakukan pengelolaan dengan menunjuk badan pengelola profesional dan telah membantu pembentukan perhimpunan penghuni yang defenitif.

.....This thesis emphasize on the problems facing throughout the construction and management of Apartment Setiabudi Residences. The purpose of this study is to find out whether the developer already fulfills all the requirements related to constructions and management of a strata title building. This study using documentary researched from primary, secondary and tertiary sources. The construction process already fulfill all the licenses required, however the changed of lobby layout is violate the Building Permit. The marketing of the apartment had been made before the constructions finished (pre project selling) through reserve system, however contents of the booking form is not comply with the Ministry of Housing Decree (Kep. MENPERA) No. 11/KPTS/1994. As the interim Owner Association, developer had managed the apartment through an appointed professional building management and helped to established definitive owners association.