

Pengelolaan perhimpunan rumah susun di apartemen mediterania palace residences Kemayoran = The maintenance of condominium s association of residents on mediterania palace residences Kemayoran apartment

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Abstrak

[ABSTRAK

Bahwa dalam rumah susun di Indonesia, terdapat satuan rumah yang dapat dimiliki secara terpisah dan ada pula pemilikan bersama atas bagian bersama, benda bersama, dan tanah bersama sesuai dengan nilai perbandingan dan proporsionalnya. Hal ini menyebabkan perlunya dilakukan pengaturan mengenai penggunaan dan pengelolaannya yang dilakukan oleh Perhimpunan Penghuni sebagai badan hukum yang bertanggung jawab mengurus kepentingan bersama para pemilik dan penghuni rumah susun. Perhimpunan Penghuni diatur dalam Undang-Undang Rumah Susun Nomor 16 tahun 1985 dan juga terhadap Undang-Undang Rumah Susun Nomor 20 Tahun 2011. Perhimpunan Penghuni diberi kedudukan sebagai badan hukum yang memiliki Anggaran Dasar dan Anggaran Rumah dan dapat melakukan tindakan hukum ke luar dan ke dalam atas nama pemilik dengan wewenang yang dimilikinya untuk mewujudkan ketertiban dan ketenteraman dalam lingkungan rumah susun. Tetapi banyak perhimpunan penghuni yang tidak melaksanakan tugasnya dengan baik dengan tidak mementingkan kesejahteraan para penghuni dan pemilik rumah susun. Hal ini pun terjadi pada Apartemen Mediterania Palace Residences Kemayoran, dimana perhimpunan penghuni yang seharusnya menjadi sarana untuk meningkatkan kesejahteraan justru menjadi batu sandungan yang mengambil hak-hak para penghuni rumah susun.

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ABSTRACT

Whereas, for the condominium in Indonesia, there is a unit of condominium which can be owned separately and can be owned jointly upon the joint property, joint asset, and joint land in accordance with each of the party's calculation and proportionality. These would cause the needs of the regulatory regarding its use and maintenance, which conducted by Resident's Association as a legal entity which responsible to maintain the joint interest of the owners and residents of the condominium. Resident's Association is regulated under the Law of Condominium No. 16 Year 1985 and as well the Law of Condominium No. 20 Year 2011. Resident's Association is given the authority as the legal entity and having its own articles of association and articles of maintenance which entitle to conduct a legal action outside and inside on behalf of the owners with its given

authorization to implement the safety and tranquility of the condominium's environment. However, there are Resident's Association which not implement its duty with good faith by not pursue the wealth of the residents and owners of the condominium. These also happens on the Mediterania Palace Residences Kemayoran Apartment, whereby the Resident's Association who are obliged to be the facility to improve the wealth of the residents, precisely became the hindrance and (illegally) detain the rights of the condominium residents.;Whereas, for the condominium in Indonesia, there is a unit of condominium which can be owned separately and can be owned jointly upon the joint property, joint asset, and joint land in accordance with each of the party's calculation and proportionality. These would cause the needs of the regulatory regarding its use and maintenance, which conducted by Resident's Association as a legal entity which responsible to maintain the joint interest of the owners and residents of the condominium. Resident's Association is regulated under the Law of Condominium No. 16 Year 1985 and as well the Law of Condominium No. 20 Year 2011. Resident's Association is given the authority as the legal entity and having its own articles of association and articles of maintenance which entitle to conduct a legal action outside and inside on behalf of the owners with its given authorization to implement the safety and tranquility of the condominium's environment. However, there are Resident's Association which not implement its duty with good faith by not pursue the wealth of the residents and owners of the condominium. These also happens on the Mediterania Palace Residences Kemayoran Apartment, whereby the Resident's Association who are obliged to be the facility to improve the wealth of the residents, precisely became the hindrance and (illegally) detain the rights of the condominium residents.;Whereas, for the condominium in Indonesia, there is a unit of condominium which can be owned separately and can be owned jointly upon the joint property, joint asset, and joint land in accordance with each of the party's calculation and proportionality. These would cause the needs of the regulatory regarding its use and maintenance, which conducted by Resident's Association as a legal entity which responsible to maintain the joint interest of the owners and residents of the condominium. Resident's Association is regulated under the Law of Condominium No. 16 Year 1985 and as well the Law of Condominium No. 20 Year 2011. Resident's Association is given the authority as the legal entity and having its own articles of association and articles of maintenance which entitle to conduct a legal action outside and inside on behalf of the owners with its given authorization to implement the safety and tranquility of the condominium's environment. However, there are Resident's Association which not implement its duty with good faith by not pursue the wealth of the residents and owners of the condominium. These also happens on the Mediterania Palace Residences Kemayoran Apartment, whereby the Resident's Association who are obliged to be the facility to improve the wealth of the residents, precisely became the hindrance

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