

Regulation on Flats and Its Development in Indonesia

Sitti Rahmawati*, Aminuddin Salle**, A.M. Yunus Wahid**, Farida Patittingi**

*Doctoral Student, Postgraduate Programme, Hasanuddin University, Indonesia

**Professor, Faculty of Law, Hasanuddin University, Indonesia

Abstract

The basis of the regulation regarding flats and development in Indonesia is contained in the 1945 Constitution of the Republic of Indonesia, then specifically stated in Law No. 5 Year 1967 concerning the Basic Agrarian Law, Law No. 1 Year 2011 concerning Housing and Housing Settlements, Law No. 20 Year 2011 concerning Flats, and Government Regulation No. 88 Year 2014 concerning Fostering the Implementation of Housing and Settlement Areas. Because Government Regulation No. 88 Year 2014 only regulates development and its procedures, therefore in accordance with Article 118 of Law No. 20 Year 2011 for matters that have not been further regulated, the implementing regulations still used in the Law No. 16 Year 1986 concerning Flats, namely Government Regulation Number 04 Year 1988 concerning Flats.

Keywords: regulation, developmen, flats, Indonesia.

I. Introduction

The national development goals based on Pancasila and the 1945 Constitution of the Republic of Indonesia are to realize physical and spiritual well-being for all Indonesians in a fair and equitable manner. The main element of people's welfare is the fulfillment of housing needs, which are basic needs for every Indonesian citizen and family, according to their dignity and human dignity. One of the problems in achieving welfare is the fulfillment of housing needs for the community. Housing is not only seen as a means of living, but housing is one of the basic human needs, which functions in supporting the implementation of education in the family and improving the quality of future generations and self-identity and creating a good life order in society. The development of the nation and the state will succeed if the quality of its human resources (HR) including excellence and superiority in quality of human resources does not only depend on formal education in schools, but also informal and non-formal education, especially in the family environment and the surrounding community. Herein lies the importance of applying a new paradigm of housing and settlements as an instrument of human development.¹

In Article 28 H paragraph (1) of the 1945 Constitution it is stated that every person has the right to live in a prosperous, physical and spiritual life, to live in, and to have a good and healthy environment and the right to obtain health services.² Housing has a strategic role in the formation of the character and personality of the nation as well as an effort to build a complete Indonesian human, self-sufficient, independent and productive. Therefore, the state is responsible for ensuring the fulfillment of the right to housing in the form of a decent and affordable house. Based on this in order to carry out the fulfillment of community needs for housing, the government issued a policy on housing development in accordance with the 2015-2019 National Medium-Term Development Plan (RPJMN), one of which is housing and residential areas including decent and affordable drinking water and sanitation and prioritized in order to improve the standard of living of the bottom 40 percent of the population.³ The 2015-2019 National Medium-Term Development Plan (RPJMN) is the third stage of the National Long-Term Development Plan (RPJPN) 2005-2025 which has been stipulated through Law Number 17 Year 2007 concerning the National Long-Term Development Plan for 2025. The substance formulated in The RPJMN is basically to provide direction as well as a reference or guideline for the government, society and business world as well as other components of the nation, in an effort to realize national goals in the five-year period.⁴

The need for housing has also increased in Indonesia, as has happened to the world community, especially in urban communities, where the population is very large, forcing the government and the private sector to carry out development, especially in the housing sector. Housing development is one of the important

¹ Eko Budihardjo. 2014. *Reformasi Perkotaan*. PT Kompas Media Nusantara. Jakarta. p.139.

² The 1945 Constitution is accompanied by amendments.

³ Kementerian Perencanaan Pembangunan Nasional/ National Development Planning Agency. 2014. *Buku 1 Agenda Pembangunan Nasional RPJMN 2015-2019*. Jakarta. p. 96.

⁴ A.M. Yunus Wahid. 2014. *Pengantar Hukum Tata Ruang*. PT Fajar Interpretama Mandiri. Jakarta. p. 161.

things in the regional development strategy, which involves broad aspects in the field of population, and is closely related to economic development and social life in the framework of strengthening national security. Residence or occupancy is a basic requirement for every citizen of the city. In an effort to fulfill the need for a residence, an environment is ready to build and the area is ready to build, along with supporting facilities and infrastructure. However, the limited urban land has caused the price of these houses to be high, while the purchasing power of the people, especially those with low income is very limited. The high price of housing has led to other challenges in developing and developing decent settlements for city residents, especially low-income communities.

Normatively, the implementation of housing and residential areas and flats has been refined in accordance with the demands of the development of the current situation and anticipating future developments. The two regulations in question are the Law of the Republic of Indonesia Number 1 Year 2011 concerning Housing and Settlement Areas and the Law of the Republic of Indonesia Number 20 Year 2011 concerning Flats has mandated the duties, authorities and responsibilities of each stakeholder in coordination, integration and synergy in the implementation of housing and residential areas and the implementation of flats. Provisions regarding flats have been regulated by Law No. 16 Year 1985 concerning Flats, but in its development, the law is not in accordance with the development of the law, the needs of everyone in occupancy, ownership and utilization of flats. In addition, the influence of globalization, culture, and the lives of the people and the dynamics of society make the law inadequate as a guideline in the arrangement of the implementation of flats.

The actions of the government which has revised the Republic of Indonesia Law Number 8 of 1985 concerning Flats with the issuance of Law of the Republic of Indonesia Number 20 Year 2011 concerning new Flats show that there is a legal reform as a process of testing various formulations of laws and regulations - invitations that apply and to it a number of changes are implemented to achieve efficiency, justice and also the opportunity to obtain justice according to applicable law.¹ The construction of flats is an appropriate way to solve the problem of the needs of settlements and housing in a dense location, especially in urban areas where the population is always increasing, while land is becoming increasingly limited and as a government effort to meet urban communities will be a decent board healthy environment. The construction of flats certainly can also lead to the opening of city space so that it becomes more relieved and in this case also helps the rejuvenation of the city, so that more days the slums are reduced and then become neat, clean and orderly areas.

Authority is "Right to exercise powers; to implement and enforce laws; to exact obedience; to command; to judge. Control over; jurisdiction. Often synonymous with power".² The implementation of vertical housing or flats is the responsibility of the government in this case, namely the Ministry of Public Works and Public Housing through the Directorate of Housing Provision which is intended for Low-Income Communities (MBR), Indonesian National Army/Police, Civil Servants (PNS), Students, Industrial Workers and Santri (student). Flats that are intended for low-income communities by leasing called simple rental flats (rusunawa) are constantly being developed to obtain adequate results in providing services to the community, helping district/city governments in rearranging housing and settlements in their territory and encouraging effectiveness and less and less land use efficiency.

Based on an evaluation report on the implementation of 2017 activities of the Ministry of Public Works and Public Housing (PUPR) which has been published through the official website www.pu.go.id on June 8, 2017, the flat which will be built by the Directorate General of Special Supply of Rusunawa development activities from the target of 550,000 units from 2015 to 2017 can only be realized 36,975 units through funding sources from the State Budget 31,490 units and from funding sources from the APBD as many as 5,485 units. While beneficiaries of rental apartments in 2017: Industrial workers 377 units (2.84%); 2. PNS 522 units (2.84%); 3. Students 885 units (3.94%); 4. Santri 570 units (4.30%); 5. Indonesian National Army/Police 130 units (0.98%) and 6. MBR 10,769 units (81.26%). One of the special things. regulated by the government is the partisanship of the lower income community in accordance with Law Number 1 Year 2011 concerning Housing and Settlement Areas in Article 3 letter (b) which states supporting the arrangement and development of the region and proportional population distribution through the growth of residential and residential areas in accordance with spatial planning to realize a balance of interests, especially for the MBR.³ Likewise, in Law Number 20 Year 2011 concerning Flats in Article 54 paragraph (1), it is affirmed that public institutions that obtain facilities from the government can only be owned or rented by the MBR.⁴ In this connection, the

¹ Teguh Prasetyo. 2017. *Pembaharuan Hukum Perspektif Teori Keadilan Bermartabat*. Setara Press. Malang. p. 5.

² Henry Campbell Black. 1978. *Black's Law Dictionary*, Amerika Serikat: West Publishing.co. p. 121

³ Law Number 1 Year 2011 concerning Housing and Settlement Areas

⁴ Law Number 20 Year 2011 concerning Flats

government and/or local government must fulfill the housing needs of low-income communities by providing easy development and acquisition of houses through a gradual and sustainable housing development planning program. The ease of development and acquisition of homes for low-income communities, by providing facilities, in the form of financing, infrastructure development, facilities, and public utilities.

The development of rusunawa (Simple Flats for Rent) is now being intensified by the government, precisely the Ministry of Public Works and Public Housing. The construction of flat, including rusunawa, which is intended for students throughout Indonesia, is included in one of the central government programs known as the "Thousand Tower Program". This program is one of the strategic policies deemed appropriate because it sees Indonesia's population growth which is quite fast per year. It is known that the average population growth of Indonesia is 2.5 percent per year so that by 2025 according to demographers the population of Indonesia will reach twice the current amount.¹ Therefore, a long-term plan is needed in the future to anticipate population needs for residential or residential areas.

The existence of student rusunawa built on several campuses other than as a decent living facility and close to the campus environment, for first year students, can also be a vehicle for learning for students living in vertical housing. By living in a flat, students can completely complete the transition period of life development and get to know the socio-culture of higher education institutions and campus communities who live in flat apartments. Apart from being a comfortable residence for students, Rusunawa is also a place to foster students so that they have adequate intellectual, social, economic and spiritual qualities. Therefore, it is necessary to plan and design residential facilities for students in the form of rusunawa as student facilities, to improve the quality of student learning facilities that exist as an effort to optimize the intellectual, social, emotional, and spiritual potential of the student so that students are able to thoroughly recognize and resolve problems that occur in the surrounding environment, including those in the Rusunawa areas.

Based on this, the actual procurement of flat housing as a facility to support student occupancy includes basic things that need special attention from the central and regional governments, as well as the university, especially for big cities. And in accordance with government policies, precisely the Ministry of Public Works and Public Housing about the development of rusunawa development, so that each region competes to build student apartments in each university. Students in this case as a community also as objects not only to enjoy the added value arising from the construction of flat towers, but more importantly to ensure the realization of flats that are livable and affordable for students so that the efficiency and effectiveness of space utilization, reducing area also prevents emergence housing and slums around universities. But based on the results of the preliminary research that the researchers have done, there are student rusunawa which have not been inhabited due to collapsed rusunawa buildings, causing rusunawa to be uninhabited and there are also rusunawa which are not in accordance with their designation for low-income communities and Indonesian citizens. Based on the explanation, the problems that will be examined in this paper are What are the regulations regarding flats in Indonesian law? What is the arrangement regarding technical development of flats in Indonesia? and how is the arrangement regarding Simple Rental Flats (Rusunawa)?

II. Research Method

The type of research used is the type of normative legal research, using a legal and case approach.² Data collection techniques are conducted through library research by studying and reviewing a number of national legal rules and international agreements, textbooks, research papers, legal journals, legal dictionaries, and then analyzed descriptively.

III. Results and Discussion

A. Regulations of Flats in Indonesia

Regarding the origin of property rights and unsatisfactory as a basis for justifying the existence of property rights. "The theory of occupatio hardly provides a reasonable accent of the origin of property, and it is even less satisfactory as justification of property".³ Domicile according to Lord Crandworth of England is

¹ Prijono Tjiptoherijanto. 2001. *Proyeksi Penduduk, Angkatan Kerja, Tenaga Kerja, dan Peran Serikat Pekerja dalam Peningkatan Kesejahteraan*. Artikel Perencanaan Pembangunan. Jakarta. hal.6.

² Peter Mahmud Marzuki, *Penelitian Hukum*, Jakarta: Prenadamedia Group, 2005, p. 35

³ George Whitecross Paton. 1972. *A Textbook of Jurisprudence*. Oxford University Press. London. p. 539.

“permanent home”.¹ One form of occupancy that is regulated in the laws and regulations is housing in the form of flats in Article 22 of Law Number 1 Year 2011 concerning Housing and Settlement Areas so that the two laws and regulations become the legal basis for making apartment houses, namely Law Number 20 Year 2011 concerning Flats.

The regulations related to flats are as follows:

1. Article 20 and Article 28 H of the 1945 Constitution of the Republic of Indonesia
2. Law No. 5 Year 1967 concerning the Basic Agrarian Law
3. Law No. 1 Year 2011 concerning Housing and Settlement Areas
4. Law No. 20 Year 2011 concerning Flats
5. Government Regulation No. 88 Year 2014 concerning Fostering the Implementation of Housing and Settlement Areas

Thomas R. Dye defines state policy as "whatever you want to do or not to do".² All legislation concerning the flat above requires regulations as technical implementation issued by the ministry responsible for implementing the apartment project policy. Following are some technical rules regarding flats:

1. Minister of Public Works Regulation No. 60/prt/1992 concerning technical requirements for the construction of flats;
2. Minister of Public Works Regulation No. 14/PERMEN/M/2007 concerning managing simple rental apartments;
3. Minister of Public Works Regulation No. 11/PRT/M/2013 concerning the analytical guidelines on the unit price of work in the field of public works;
4. Regulation of the Minister of Public Works and Public Housing No. 20/PRT/M/2015 concerning amendments of Minister of Public Works Regulation No. 20/prt/m/2014 concerning housing finance liquidity facilities in the context of acquiring houses through credit/real estate financing for low income communities;
5. Regulation of the Minister of Public Works and Public Housing No. 1/PRT/M/2018 about development assistance and management of flats.

A set of assumptions, concepts, values, and practices that constitutes a way of viewing reality for the community that shares them.³ Before the dissolution of Law No. 20 Year 2011 concerning Flats, regulations regarding flats are regulated in Law No. 16 Year 1986 concerning Flats with Government Regulation No. 4 Year 1988 concerning Fostering the Implementation of Housing and Settlement Areas as implementing regulations. Because the regulation does not yet have a substitute as set out in Article 118 letter b All laws and regulations which are implementing regulations of Law Number 16 Year 1985 concerning Flats are declared to remain valid insofar as they do not conflict or have not been replaced with new implementing regulations based on this Law.

But the government regulation has been too long and is not suitable for the current context, this is based on the changes in Law No. 16 Year 1986 concerning Flats Housing into Law No. 20 Year 2011 concerning Flats. So that new government regulations are designed in lieu of Government Regulation No. 4 Year 1988 concerning Fostering the Implementation of Housing and Settlement Areas by Government Regulation No. 88 Year 2014 concerning Fostering the Implementation of Housing and Settlement Areas. Legal effectiveness was put forward by Anthony Allot⁴ that:

¹ R.H. Graveson, 1969, *Conflict of Laws, Sweet and Maxwell*. London, p. 187.

² Thomas R. Dye. 1978. *Understanding Public Policy*. Englewood Cliffs. N.J. 7632: Prentice Hall. Inc. 3rd. p. 3.

³ McGregor, S.L.T., & Murnane, J. A. 2010. Paradigm, methodology and method: Intellectual integrity in consumer scholarship. *International Journal of Consumer Studies*, Vol 34(4), p. 419-427

⁴ Antony Allott. 1980. *The Limits of Law*. Butterworths. London, p. 29

“Effective laws should generally do what they are designed to do if some failure occurs, there should be the possibility and means of easy rectification. If the necessity comes to apply the law in different or new circumstances, the law should be sufficiently adaptable”.

B. Arrangement Regarding Technical Development of Flats in Indonesia

Several articles in Law No. 20 Year 2011 require further regulations. Following are some articles that require implementing regulations through government regulations:

1. Article 6 regulates the guidance that must be carried out by the government towards flats with Article 12 requiring further regulations through government regulations. Because the matters stipulated in the article are too general and need technical guidance on how to develop flats
2. Article 16 paragraph 2 concerning the obligation to provide public flats requires the existence of further government regulations regulating through article 16 paragraph 4. In order to provide certainty to whom the obligation to provide flats is imposed.
3. Article 18 concerning utilization of waqf land for flats through article 20 paragraph 5 to be further regulated in government regulations to regulate further procedures on how to use waqf land in the construction of flats.
4. Article 25 and 26 concerning the separation of flats and drawings and descriptions through Article 27 require technical regulations through government regulations. How is the separation between flat and stream, shared parts, shared objects, and shared land which is separated by drawing and description.
5. Article 47 and 48 concerning the form of the SHM for the period and the periodic SKBG and the procedure for issuing it through article 49 must be regulated in government regulations. So that in the formation of a social SHM and social resource SKBG have a guideline in carrying out the formation and procedures for its formation.
6. Article 56 to 59 concerning the management of flats, transitional periods and procedures for the first submission based on Article 60 must be regulated in government regulations. So that there is certainty who should manage the apartment, how the management procedures, how the status of the apartment when it has not been submitted to the manager, as well as procedures for the handover of the government to the management.
7. Articles 61 to 68 regulate the improvement of the quality of flats based on article 69, then on how to improve the quality of flats, what must be done in improving the quality of flats, who has a role in improving the quality of flats will be more regulated further in government regulations. So that suggests that there must be a technical regulation that regulates further.
8. Article 70 and 71 regulate the control of the implementation of flats. Control in terms of licensing, inspection, and inspection. These matters need to be further regulated in a government regulation as mandated by article 71 paragraph 2.
9. Article 72 regulates the assignment and establishment of an implementing body. In the article, it is not explained who has the duty to provide flat towers. Then it needs to be further regulated in the government regulation regarding who is given the mandate to make flat provision in accordance with Article 73.
10. Articles 74 to 77 regulate the association of owners and residents of apartment units. For the process of how the formation of associations of owners and occupants of apartment units and those involved in their formation will be regulated in government regulations in accordance with Article 78.

11. Articles 79 through 88 concerning the form and procedure for providing incentives to the actors of construction of public flats and special flats as well as assistance and facilities to low-ability communities. In this case the government, both at the central, provincial and regional levels, regarding the procedure for its implementation will be further regulated in more detail in the government regulations as referred to in article 88 paragraph 4.
12. Article 107 and article 108 govern administrative sanction, procedures and administrative penalties. In the article it is only explained about the types of sanctions provided but of the magnitude and the procedure need to be further regulated in government regulation in accordance with article 108 paragraph 3.

In the law also some articles require the ministerial regulation for further arrangements. Here is the article of law No. 20 Year 2011 which requires a ministerial regulation:

1. Article 40 concerning minimum service standards for infrastructure, facilities and public utilities. Further provisions regarding this article will be regulated in ministerial regulations in accordance with article 40 paragraph 4.
2. Article 57 concerning the procedure for calculating the amount of processing costs. For more detailed arrangements regarding the procedure for calculating the amount of processing costs, it will be regulated in a ministerial regulation in charge of buildings in accordance with Article 57 paragraph 5.
3. Article 96 on the role of the community in the implementation of flats and development forums. The extent to which the role of the community in the implementation of the flats and development of the flats will be poured into the ministerial regulation in accordance with the provisions of article 96 paragraph 6.

In accordance with the above explanation then to find out the more rational rules that have been set forth in Law No. 20 Year 2011 About the Flats. Therefore we must refer the above articles with Government Regulation No 88 Year 2014 on Construction of Housing and Settlement Areas.

First, articles 6 to 12 of Law No. 20 Year 2011. Article 6 paragraph 1 stipulates that guidance includes planning, regulation, regulation and supervision. And paragraph 2 stipulates that ministerial guidance conducts cross-sectoral, cross-regional, and cross-stakeholder coordination, both vertically and horizontally.

Government Regulation No 88 Year 2014 About Construction of Housing and Settlement Areas. If we look back at Article 6 to Article 12 of Law No. 20 Year 2011 all technical matters relating to housing have been regulated in Government Regulation No. 88 Year 2014. Due to Government Regulation No. 88 Year 2014, it only regulates the guidance and procedures, therefore according to Article 118 of Law No. 20 Year 2011 on matters not yet regulated, then for the implementation of the regulation still use the implementation rules used in the Law No. 16 Year 1986 About Arriving House is Government Regulation 04 Year 1988 About The Flats.

Furthermore, Article 16 paragraph 2 of Law No. 20 Year 2011 stipulates that the provision of housing is not regulated entirely in Government Regulation No 4 Year 1988, so it is necessary if further regulated in the government regulation when the government makes a government regulation on a new settlement. Because of the technical aspects of housing provision requires a legal basis in its implementation.

Article 18 to article 20 of Law No. 20 Year 2011 regulates the use of wakaf land in the construction of the flats. Further guidance on the use of wakaf land in rusun development is also not regulated in Government Regulation No. 4 Year 1988, being in the supply or construction of a flats having administrative requirements set in the third section on administrative requirements. In that section, it does not regulate how administrative requirements for wakaf land uses are in development. Article 25 and article 26 of Law No. 20 Year 2011 governs separation of flats as well as drawings and descriptions. The separation of flats is further regulated in Article 38 to Article 41 of Government Regulation No. 4 Year 1988. Separation of rights to apartment units is stipulated in article 38, article 39, and article 40. Management of flats is also regulated in Article 17 through article 28 Regulation of the Minister of Public Works and Public Housing No. 1/PRT/M/2018 concerning assistance in the

construction and management of flats which are divided into 3 sub, namely General Section, Operational Activities, and Maintenance and Maintenance Section.

The general section regulates general matters in the management of flats. The second part regulates operational activities in managing flats such as personnel administration, administration, and financial administration. And the third part regulates what is the object of care and maintenance. For the transition period and procedure for receiving flats not regulated in Government Regulation No. 4 of 1988, only the handover of state property is regulated in Article 16 of the Regulation of the Minister of Public Works and Public Housing No. 1/PRT/M/2018 concerning development assistance and management of flats, along with arrangements regarding this matter:

1. The completed flats are handed over by the Minister to the recipients of flats.
2. The handover preparation as referred to in paragraph (1) is carried out from the first handover of the construction work to the final handover of the construction work.
3. The final handover as intended in paragraph (2) shall be accompanied by a functionally qualified certificate.
4. The handover mechanism as referred to in paragraph (1) shall be conducted in accordance with the provisions of the laws and regulations.

The settings for the first transition period and direction should be regulated further, because the above arrangement is still not set in detail. So it needs to be included in the new rules when it is made a implementing regulation about flat. Article 61 up to article 68 of Law No. 20 Year 2011 regulates the improvement of the quality of flats. Not regulated further in its operating regulations. Therefore it is important to be included in the next rule. Because the guarantee of improving the quality of flats is very important, in order to realize the ideals of the nation as outlined in the constitution.

C. Arrangement regarding Simple Rental Flats (Rusunawa)

Article 70 and article 71 of the Law No. 20 Year 2011 regulates the management of the arrangement of the apartment. It is also not regulated in the law enforcement. It is regulated in the ministerial regulation, Article 47 Minister of Public Works Regulation No. 14/PERMEN/M/2007, following the contents of the regulation:

1. In order to supervise and control the management of rusunawa, before the handover of temporary management assets to recipients of temporary management assets, rusunawa buildings are registered as state property by the power of users of state property.
2. Supervision and control of the management of rusunawa as referred to in paragraph (1) shall be carried out by the recipient of temporary management assets to the management body and occupants to realize the objectives and target groups of the management of the rusunawa and security and order.
3. Residents can play a role as well as supervise and control the management of rusunaw.
4. The role of residents as referred to in paragraph (3) is carried out by submitting reports and complaints to the management body.
5. If the occupant's participation as referred to in paragraph (3) does not receive a response, then the occupant can report to the recipient of the temporary asset management. (6) Further provisions regarding the participation of residents are regulated by the management body after coordinating with the Minister.

Article 72 of Law Number 20 Year 2011 regulates the assignment and establishment of implementing agencies. This has not been regulated in implementing regulations. There is an implementing agency for flats that is very important to regulate to ensure that the implementation of flats is running effectively and evaluating things that are considered not good in terms of the implementation of the apartment policy.

Article 79 to article 88 of Law No. 20 Year 2011 regulates the forms and procedures of granting incentives to general builders and specialized flat developers as well as assistance and ease to low-income communities. For the granting of intensive arrangements to general builders and special housing units are not regulated in Government Regulation No 4 of 1988. Intensive granting to the perpetrators of development related to the cost of building a house by the developer, therefore the related rules are set in Minister of Public Works Regulation No. 11/PRT/M/2013 on guidelines on the analysis of the unit price of the job in the field of public works. So the intensive delivery is given in accordance with the standard that has been set up in the regulation.

Article 107 and Article 108 of Law No. 20 Year 2011 regulates administrative sanctions, procedures and amount of administrative fines. This matter is not further regulated in the implementing regulations. How is the technical implementation of sanctions when violators occur as regulated in article 107. So it is necessary to make implementing rules for this matter. So that it has a legal basis in the technical administration of administrative sanctions.

IV. Conclusion

Based on the results, the author can conclude three things, Firstly, arrangement of the flats in Indonesia is contained in the 1945 Constitution of the Republic of Indonesia, Law No. 5 Year 1967 on the Basic Agrarian Law, Law No. 1 Year 2011 on Residential Housing and Settlement, Law No. 20 Year 2011 on Flats, and Government Regulation No 88 Year 2014 on Construction of Housing and Settlement Areas. Secondly, the technical arrangement for the developments of the flats in Indonesia is in Chapter 6 to Article 12 of Law No. 20 Year 2011, all related technical matters have been regulated in Government Regulation No. 88 Year 2014. Because Government Regulation No. 88 Year 2014 only regulates development and its procedures, therefore in accordance with Article 118 of Law No. 20 Year 2011 for matters that have not been further regulated, the implementing regulations still used in the Law No. 16 Year 1986 concerning Flats, namely Government Regulation Number 04 Year 1988 concerning Flats. Third, supervision and control of rusunawa management, before the handover of temporary management assets to recipients of temporary management assets, rusunawa buildings are registered as state property by the power of users of state property, supervision and control of management of rusunawa is carried out by the recipient of temporary management assets to the management body and occupants to realize the objectives and target groups of the rusunawa management and security and order.

References

- A.M. Yunus Wahid. 2014. *Pengantar Hukum Tata Ruang*. PT Fajar Interpratama Mandiri. Jakarta.
- Antony Allott. 1980. *The Limits of Law*. Butterworths. London.
- Data rusunawa yang akan dibangun berdasarkan Laporan Evaluasi Pelaksanaan Kegiatan tahun 2017 Kementerian Pekerjaan Umum dan Perumahan Rakyat (PUPR), accessed at www.pu.go.id on June 8, 2017.
- Eko Budihardjo. 2014. *Reformasi Perkotaan*. PT Kompas Media Nusantara. Jakarta.
- George Whitecross Paton. 1972. *A Textbook of Jurisprudence*. Oxford University Press. London.
- Henry Campbell Black. 1978. *Black's Law Dictionary*, Amerika Serikat: West Publishing.co.
- Kementerian Perencanaan Pembangunan Nasional/Badan Perencanaan Pembangunan Nasional. 2014. *Buku 1 Agenda Pembangunan Nasional RPJMN 2015-2019*. Jakarta.
- McGregor, S.L.T., & Murnane, J. A. 2010. Paradigm, methodology and method: Intellectual integrity in consumer scholarship. *International Journal of Consumer Studies*, Vol 34(4).
- Peter Mahmud Marzuki, 2005, *Penelitian Hukum*, Prenadamedia Group Jakarta, Edisi Revisi.
- Prijono Tjiptoherijanto. 2001. *Proyeksi Penduduk, Angkatan Kerja, Tenaga Kerja, dan Peran Serikat Pekerja dalam Peningkatan Kesejahteraan*. Artikel Perencanaan Pembangunan. Jakarta.
- R.H. Graveson, 1969, *Conflict of Laws, Sweet and Maxwell*. London.
- Teguh Prasetyo. 2017. *Pembaharuan Hukum Perspektif Teori Keadilan Bermartabat*. Setara Press. Malang.
- Thomas R. Dye. 1978. *Understanding Public Policy*. Englewood Cliffs. N.J. 7632: Prentice Hall. Inc. 3rd.