

ABSTRACT

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“THE LEGAL POSITION OF THE ASSOCIATION OF OWNERS AND TENANTS OF FLAT UNIT IN THE MANAGEMENT OF FLAT HOUSES RESIDENTS (Case Study No. 299 PK / Pdt / 2019)”

(viii + 104 Pages; 2 tables; 1 attachment)

The construction of flat is an alternative way of dealing with population density in big cities such as in Jakarta. There are 2 (two) types of ownership in flat, ownership that is privately owned and ownership that is jointly owned by the owners of the flat. The jointly owned ownership includes common shares, common objects, and common land in the flat. In order for the joint ownership to be maintained properly, it is necessary to form The Association Of Owners And Tenants Of Flat (PPPSRS). In the statutory regulations in Law No. 16 of 1985 regarding flats which were replaced by Law No. 20 of 2011 regarding flats and Government regulations No. 4 of 1988 regarding flats, it has been stipulated regarding the position and authority of PPPSRS in regulating common shares, common objects, and common land. But in practice, there are still parties who wants to own this joint ownership of the flat such as the case that happened in Condominium Rajawali Edelweiss Tower. The purpose of this research is to be able to analyze the legal position of PPRSH-KRME as legal entity based on Law No. 16 of 1985 regarding flats and the validity of PPRSH-KRME in managing joint ownership based on case No. 299 PK/Pdt/2019 by using normative research methods that are analyzed qualitatively. The result of this research is that PPPSRS has a position as a legal entity based on law and PPRSH-KRME has the authority and obligation to use and manage jointly owned ownership in the flat.

References: 36 (1984-2020)

Keywords: Flat, Association of Owner and Tenant of Flat Unit (PPPSRS), legal position