

Ijarah Muntahiyah Bittamlik (IMBT) as an Alternative Lease Purchase Method as a Solution to The Rusunawa Ownership System

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Abstract

Article 28H Paragraph (4) of the 1945 Constitution states that: "every person has the right to have private property rights and such property rights shall not be taken over arbitrarily by anyone". So this provision creates a constitutional norm that the implementation of Article 33 paragraph (3) and Article 28H paragraph (4) of the 1945 Constitution, the government needs to ensure the welfare of the community through the construction of residential houses. However, the development of residential housing is experiencing various challenges, these challenges include increasing population growth and urbanization in various regions, including in urban areas. This research aims to answer how what kind of financing and ownership model is effective to encourage ownership of rusunawa (simple rental flats) among low-income people. The method used in the preparation of this research is a juridical-normative approach, namely by examining various laws and regulations and technical conditions related to ownership of rusunawa housing. The result of this study is that one of the problems of rusunawa is that many of the dwellings that have been built become uninhabitable, one of the factors causing this is because the awareness of residents is still low because they feel they do not own the dwelling, for this reason it is necessary to make a breakthrough in the choice of payment methods so that residents have a sense of ownership of the dwelling they live in, one of which is the Ijarah Muntahiyah Bittamlik (IMBT) payment scheme. IMBT can be an alternative financing model and ownership of rusunawa in the Islamic financing system. With IMBT, low-income people can own rusunawa housing gradually and affordably. This research is limited to effective financing and ownership models to encourage ownership of rusunawa housing among low-income communities. This research provides a new concept so that the state can make a breakthrough for residents who rent rusunawa so that they can have housing with legal certainty of ownership, as a manifestation of the mandate of the 1945 Constitution.

Keywords: *Land Registration, BPN, PPAT, Land Mafia*

I. INTRODUCTION

The relationship between humans and the land is so close that it is felt to have a connection that is rooted in the nature of the mind. This is understandable, as the land

is where people live, where they are fed, where they are born, and where they are buried.¹

The existence of land, which is a basic need for every human being, is a fixed object that does not develop or grow, on the other hand, humans continue to grow every time, the rapid increase in the number of people can cause land to be scarce and limited. So that land can also be a very vulnerable thing and has the potential to trigger a social crisis². Thus, it is very important for the role of the State to regulate the lands within its territory so that the government's objectives are achieved. As mentioned in Article 33 paragraph (3) of the 1945 Constitution which states "The land, water and natural resources contained therein shall be under the control of the State and shall be used for the greatest prosperity of the people." As an authority norm (*bevoegdheidsnorm*), Article 33 paragraph (3) has attributed authority to a legal subject, in this case the state, to carry out legal actions against natural resources (land, water, and natural resources contained therein).³

The implementation of Article 33 paragraph (3) of the 1945 Constitution was then born Law Number 5 Year 1960 on Basic Agrarian Regulations (LNRI Year 1960 No. 104-TLN No. 2043) or known as the Basic Agrarian Law (hereinafter abbreviated as UUPA). UUPA is based on eight basic principles as explained in the General Elucidation of UUPA, namely:

1. the principle of nationality (Article 1 jo. Article 9 paragraph (1) of UUPA);
2. the principle of state control rights and the abolition of eminent domain (Article 2 UUPA);
3. The principle of recognition of customary rights (Article 3 of UUPA) and the basis for recognizing customary law as the basis of national agrarian law (Article 5 of UUPA);
4. the principle of social function of land rights (Article 6 UUPA);
5. The principle that only Indonesian citizens can have property rights (Article 9 jo. Article 21 paragraph (1) of the UUPA);
6. the principle of equality between men and women (Article 9 paragraph (2) of the UUPA);
7. agrarian reform and land reform principles (Articles 7, 10, and 17 of the UUPA);

¹ Soetomo, *Pedoman Jual Beli Tanah Peralihan Hak dan Sertipikat*, Malang:Lembaga Penerbitan Universitas Brawijaya Malang, 1981, hlm 1.

² Hasan Djuhaedah, *The Institution of Property Security for Land and Other Objects Attached to Land in the Conception of the Application of Horizontal Separation*. Bandung 1996: PT Citra Aditya Bakti, p.7

³ Urip Santoso (hereinafter Urip Santoso 1), *Agrarian Law; A Comprehensive Study*, Jakarta; Kencana Prenada Media Group, 2012 , him. 153-154.

8. the principle of land planning (Article 14 UUPA).

Then Article 28H Paragraph (4) of the 1945 Constitution states that: "every person has the right to have private property rights and such property rights shall not be taken over arbitrarily by anyone". So this provision creates a constitutional norm that the implementation of Article 33 paragraph (3) and Article 28 H paragraph (4) of the 1945 Constitution, the government needs to ensure the welfare of the community through the construction of residential houses. However, the development of residential housing is experiencing various challenges, these challenges include increasing population growth and urbanization in various regions, including in urban areas.

So to overcome this, vertical housing such as flats, houses and condominiums are built. This will be able to multiply the carrying capacity of the existing land in the city area. It was stated by experts, among others, that the construction of flats is a surefire way to solve the problem of the need for settlements and housing in dense locations, especially in urban areas where the population is always increasing, while land is increasingly limited.⁴

The government through the Ministry of Public Works and Public Housing (PUPR) has updated the regulation on housing subsidies for Low-Income Communities (MBR).

MBR are people who have limited purchasing power, so they need government support to obtain a house. In Law No. 1 of 2011 concerning Housing and Settlement Areas and Law No. 20 of 2011 concerning Flats, it is the responsibility of the state to protect all Indonesians in the implementation of housing through proper flats for a healthy, safe, harmonious and sustainable life. Government Regulation Number 13 of 2021 concerning the Implementation of Flats, Article 1 which reads: "The implementation of flats is the activity of providing, building, managing, and utilizing flats."

The program is the state's obligation to meet the need for affordable housing for low-income people. As the population increases, the need for housing also increases, while housing prices are increasingly soaring and are difficult for low-income people to afford.

Based on these foundations, the government has an obligation to provide decent and affordable flats for the community. This aims to meet the basic needs of the community for housing, as well as realizing justice and equity in meeting these needs.

⁴ Ari S Hutagalung, *Condominium dan Permasalahannya*, Jakarta: Badan Penerbit Fakultas Hukum UI, 2002, hlm 77

One of the government's efforts in providing this solution is to build habitable flats in locations close to where people work at affordable prices.

Based on data from the Ministry of Public Works and Public Housing (PUPR), the number of rusunawa in Indonesia as of December 31, 2023 is 78,080 units. This number is spread across 34 provinces in Indonesia.

The province with the largest number of rusunawa is East Java, with 12,000 units. Followed by West Java with 9,000 units, DKI Jakarta with 7,500 units, and Banten with 4,000 units.⁵

Table 1

Province	Number of Units	Province	Number of Units
East Java	11.750	Southeast Sulawesi	2.125
West Java	8.780	West Sumatra	2.075
DKI Jakarta	7.075	North Kalimantan	2.025
Banten	3.625	Yogyakarta	1.975
Central Java	3.375	Aceh	1.925
North Sumatra	2.925	Lampung	1.875
South Sulawesi	2.875	North Maluku	1.825
East Kalimantan	2.525	West Papua	1.775
Central Java	2.425	Maluku	1.725
Bali	2.325	Papua	1.675
South Sumatra	2.275	West Nusa Tenggara	1.625
North Sulawesi	2.225	East Nusa Tenggara	1.575
South Kalimantan	2.175	Gorontalo	1.525
		TOTAL	78.080

However, the existence of rusunawa has not been maximized due to several factors, among others:

1. The number of rusunawa is still insufficient. Based on data from the Ministry of Public Works and Public Housing (PUPR), the number of rusunawa in Indonesia as of December 31, 2023 is 78,080 units. This number is still insufficient to meet

⁵ Direktorat Jenderal Penyediaan Perumahan Kementerian Pekerjaan Umum dan Perumahan Rakyat (PUPR) <https://data.pu.go.id/dataset/resource/8f7d7f01-bd8c-497f-966b-b1d27bb4fcc0> Tanggal akses: 14 Januari 2024

- the housing needs of low-income people who reach 70 million people.
2. The location of the rusunawa is not strategic. Many rusunawa are built in non-strategic locations, such as on the outskirts of the city or in areas far from public facilities. This makes it difficult for people living in rusunawa to access various facilities needed, such as transportation, markets, schools, and hospitals.
 3. Lack of building feasibility. Many rusunawa are built with poor building quality, such as buildings that are easily damaged or do not have adequate facilities. This causes the flat to become rundown and uncomfortable to live in.
 4. Unprofessional management. Unprofessional management of rusunawa, such as management that is not transparent or there is no strict supervision, is also a factor that causes the existence of rusunawa not to be maximized. This causes people who live in the flat to feel that they have no responsibility to maintain the cleanliness and safety of the flat.⁶

To increase the effectiveness of the existence of rusunawa, efforts need to be made to overcome the factors mentioned above. These efforts include:

1. The government needs to increase the construction of rusunawa. The government needs to increase the construction of rusunawa, both in terms of the number and quality of buildings. The construction of rusunawa must be carried out in strategic locations and affordable for low-income people.
2. The government and local governments need to work together to improve the management of rusunawa. The management of rusunawa must be carried out professionally, such as transparent management and strict supervision. The government and local governments need to work together to increase public awareness to maintain the cleanliness and safety of the flats.
3. In addition, the community also needs to play an active role in maintaining the cleanliness and safety of the flat. The community needs to realize that the flat is a common property and must be maintained together.

To implement the active role of the community in the third point above, especially the residents' awareness of the ownership of the dwelling, a breakthrough ownership system must be made, so that the sense of ownership of the dwelling becomes large and has implications for the awareness of maintaining the dwelling they own.

Therefore, a breakthrough is needed so that rusunawa housing can also be owned with a financing scheme that is in accordance with the ability to pay low-income people.

⁶ Pusat Studi Kependudukan, Universitas Indonesia. (2023). Kebijakan perumahan untuk masyarakat berpenghasilan rendah: Analisis terhadap keberadaan rusunawa di Indonesia. Jakarta: Pusat Studi Kependudukan, Universitas Indonesia.

II. ORIGINALITY OF RESEARCH RESULTS

The fact shows that there are not many research results related to the object of research either in the form of reports, theses, theses or dissertations. But specifically for legal research, with the limitations of the author's ability to trace the results of research in the field of law, there are several studies on the application of the doctrine of equality to the "Principle of Ownership of Residential Flats".

Based on the search results, the author found research in the form of a journal written by Betty Rubiati in 2015 with the title "The Principle of Horizontal Separation in Ownership of Land and Building Rights of Flat Units for Low-Income Communities (Mbr)" which reveals three problems, namely: 1). Does ownership of apartment units in Indonesia already use the principle of horizontal separation of land and buildings. 2). Whether the use of the principle of horizontal separation in the ownership of land and buildings of apartment units can meet the housing needs of MBR. Third, how is the registration of ownership of buildings of apartment units for MBR (Rubiati, 2015).

The dissertation written by Dr. Zanariah of the University of Indonesia (UI) in 2023 with the title, "Analysis of Government Institutional Capacity Development in Facilitating the Provision of Housing for Low-Income Communities (MBR) in Palembang City, South Sumatra Province" which reveals three problems, namely: 1) How to optimize the implementation of housing development for MBR in the regions. 2) How to finance housing more effectively in developing the economy and helping to meet target development goals. (Zanariah, 2015).⁷

III. METHODOLOGY

This research uses a normative juridical or normative legal approach. This research method is a library legal research method where the method or method used in legal research is carried out by examining existing library materials (Soekanto and Mamuji, 2009). The first stage of normative legal research is research aimed at obtaining objective law (legal norms), namely by conducting research on legal issues. The second stage of normative legal research is research aimed at obtaining subjective law (rights and obligations).

IV. RESULT AND DISCUSSION

A. Rusunawa: Definition, History, and Juridical and Normative Aspects

1. Definition of Flat

Rumah Susun Sederhana Sewa (Rusunawa) is a flat built by the government or private sector for rent to low-income people (MBR). Rusunawa is one of the solutions to overcome the housing problem for MBR.⁷

Rusunawa can help improve the quality of life of low-income people. Rusunawa can provide a decent and affordable place to live for low-income people.

Rusunawa can also help improve the social mobility of low-income people. By living in rusunawa, low-income people can more easily access public facilities and employment opportunities.

2. History of Flats in Indonesia

Rusunawa was first built in Indonesia in 1973 by the Ministry of Public Works (PU). The construction of rusunawa was initially intended to accommodate people affected by infrastructure development projects, such as dams, toll roads, and power plants.

In the 1980s, the construction of rusunawa began to expand to accommodate low-income people. In 1992, the government issued Minister of Public Works Regulation No. 20/PRT/M/1992 on Technical Guidelines for the Construction of Simple Rental Flats. This regulation became the legal basis for the construction of rusunawa in Indonesia.⁸

The construction of rusunawa increased in the 2000s. In 2004, the government issued Presidential Regulation No. 102/2004 on the Construction of Simple Rental Flats. This regulation mandates the government to build rusunawa throughout Indonesia.

3. Normative Juridical Aspects of Flats

Rusunawa has a strong legal basis. The construction of rusunawa is regulated in Minister of Public Works Regulation No. 20/PRT/M/1992 on Technical Guidelines for the Construction of Simple Rental Flats and Presidential Regulation No. 102/2004 on the Construction of Simple Rental Flats.

In 2020, the government issued Regulation of the Minister of Public Works and Public Housing Number 10/PRT/M/2020 concerning Amendments to Regulation of the Minister of Public Works and Public Housing Number 20/PRT/M/1992 concerning Technical Guidelines for the Construction of Simple Rental Flats. This regulation is a refinement of the previous regulation to adjust to the development of community needs.

⁷ Departemen Pemukiman dan Prasarana Wilayah, Buku Rusunawa, 2012, hal 5.

⁸ Opcit 12

Rusunawa must meet the standards and requirements stipulated in the laws and regulations. These standards and requirements include technical, administrative, and social aspects.

From a technical aspect, rusunawa must fulfill requirements regarding spatial planning, building structure, utilities, and security. From the administrative aspect, rusunawa must have a building construction permit (IMB) and occupancy permit. From the social aspect, rusunawa must meet the needs of low-income people.⁹

B. Economic Aspects of Flats

1. Economic Aspects from The Occupant's Perspective

Rusunawa is an affordable housing alternative for low-income people. Rusunawa rental prices are generally lower than house or apartment rental prices. This can help reduce the burden of low-income people's expenses for housing costs.

In addition, rusunawa can also help improve the quality of life of low-income people. Rusunawa are generally equipped with adequate facilities, such as electricity, water, security and hygiene. This can provide comfort and safety for residents.¹⁰

2. Economic Aspects from The Manager's Perspective

Rusunawa can be a source of income for the government or private parties who build and manage them. The rental price of the flat can provide a profit for the manager, especially if the flat is in a strategic location.

In addition, rusunawa can also be a means to increase the value of the surrounding land.

This can increase the investment value for landowners around the flat.

Here are some of the economic benefits of rusunawa for the community:¹¹

- 1) Helps reduce the burden of low-income people's expenditure on housing costs.
- 2) Improve the quality of life of low-income people.
- 3) It is a source of income for the government or the private sector that builds and manages it.
- 4) Increase the value of the surrounding land.
- 5) However, rusunawa also has some challenges in the economic aspect, namely:
- 6) Rusunawa rental prices are still relatively high for some low-income people.

⁹ Muhammad Maliki Moersid, MCP., Direktur Pengembangan Permukiman Pedoman pengelolaan dan penghunian Rusunawa, cipta karya, 2014.

¹⁰ Opcit 22.

¹¹ Widina Media Utama. (2014). Analisis Pasca Hunian pada Bangunan Rusunawa. Jakarta: Widina Media Utama, hal 18.

7) The management of the rusunawa has not been optimal, resulting in various problems, such as environmental cleanliness, security, and order.

To overcome these challenges, efforts are needed to increase low-income people's access to rusunawa, as well as improve the quality of rusunawa management.

One of the efforts that can be made is to issue a sharia lease purchase scheme or Ijarah Muntahiyah bittamlik, so that residents whose income increases can become owners of rusunawa, so that the role of the state in providing adequate housing to its people as mandated by Article 28H Paragraph (4) of the 1945 Constitution states that: "everyone has the right to have private property rights and these property rights cannot be taken over arbitrarily by anyone", can be realized.

Based on the data obtained by the author from the website of the Ministry of Public Works and Public Housing and matched with a survey conducted at the Kemayoran flat, Central Jakarta and Pulo Gebang flat, East Jakarta. The author gets data until December 2023 as follows:¹²

Table 2

Location	Type	Rental Price (Rp/month)
Jakarta		
	Type 21	765.000
	Type 36	1.290.000
	Type 45	1.815.000
Bandung		
	Type 21	155.000 - 250.000
Yogyakarta		
	Type 21	500.000 - 600.000
Surabaya		
	Type 21	400.000 - 500.000

¹² Widina Media Utama. (2014). Post-occupancy Analysis of Flats. Jakarta: Widina Media Utama, p. 18.

Medan		
	Type 21	350.000 - 450.000

The rental price of rusunawa in each region can vary depending on several factors, such as location, type of unit, and available facilities.

The following is a brief description of the facilities that are generally available in rusunawa:¹³

- Electricity and water: Flats are generally equipped with electricity and water networks managed by the management.
- Security: Flats generally have security guards who are in charge of maintaining security and order in the flat environment.
- Cleanliness: Flats generally have cleaners whose job is to keep the environment clean.
- Parking: Flats generally have parking areas that can be used by residents.
- Garden: Flats generally have a garden that can be used as a place to relax and exercise.
- Places of worship: Flats generally have a place of worship that can be used by residents.
- Landfill: Rusunawa generally have landfills that are managed by the management.

The relatively expensive rental costs in Jakarta based on interviews with several residents in the Kemayoran flat, Central Jakarta and Pulo Gebang flat, East Jakarta, requested that the flat that had been rented not be increased, even if it was increased, they hoped to be owned in the future.

C. **Ijarah Muntahiyah Bittamlik (IMBT) As An Alternative For Rusunawa Financing**

Ijarah muntahiyah bittamlik (IMBT) is a lease contract that ends with the transfer of ownership of the object of the contract from the lessor (mu'ajir) to the lessee (musta'jir) through a sale and purchase contract or grant after the end of the lease period. IMBT is a new type of contract that is formed as a construction of a lease purchase agreement through the maqāsid ash-sharī'ah approach, "sharia purposes" or "sharia objectives" is an idea in Islamic law that sharia is revealed by God to achieve certain goals, using the m aslahah mursalah method because of the needs and benefits of society.

¹³ <https://pu.go.id/>: <https://pu.go.id/>: <https://pu.go.id/>: <https://pu.go.id/>.

In an IMBT contract, there are two interrelated contracts, namely a lease contract and a sale or grant contract. The lease contract is agreed for a certain period of time, and at the end of the lease period, the lessee has the right to purchase the lease object at a pre-agreed price. The purchase price can be paid in cash or gradually.¹⁴

IMBT has several advantages compared to ordinary lease contracts, namely:¹⁵

- 1) The lessee has the certainty to own the lease object after the expiration of the lease period.
- 2) Tenants can own the rental object in stages, making it more affordable.
- 3) The IMBT agreement is more in line with sharia principles, as it does not contain elements of usury.
- 4) IMBT can be an alternative model of financing and ownership of rusunawa in the Islamic financing system. With IMBT, low-income people can own rusunawa housing gradually and affordably.

Ijarah Muntahiyah Bittamlik (IMBT) Scheme In Lease Purchase Ownership

IMBT (Ijarah Muntahiyah Bit Tamlik) scheme is a financing scheme that combines two contracts, namely a lease contract (ijarah) and a sale and purchase contract (bai'). In an IMBT scheme, the lessee leases an item from the owner for a certain period of time. At the end of the lease period, the lessee has the option to purchase the item at a mutually agreed price.

The IMBT scheme can be a solution for people who want to own a house, but do not have enough funds to buy it in cash. With the IMBT scheme, people can own a house by renting it first, and then own it in full at the end of the lease period.

Here is a brief explanation of the IMBT scheme:

- At the beginning of the rental period, the tenant pays a down payment (DP) to the landlord. The amount of the down payment may vary, depending on the agreement between the tenant and the landlord.
- During the lease period, the tenant pays rent to the landlord on a regular monthly basis. The amount of rent may also vary, depending on the price of the leased goods, the term of the lease, and the prevailing interest rate.
- At the end of the lease period, the lessee has the option to purchase the item at a mutually agreed upon price. The purchase price is usually lower than the

¹⁴ Pedoman Pembiayaan Ijarah Muntahiyah Bittamlik (IMBT) Berdasarkan Fatwa DSN-MUI Nomor 92/DSN-MUI/III/2018 oleh Otoritas Jasa Keuangan (OJK).

¹⁵ Firdaus Muhammad Arwan, Ijarah Muntahiyah Bittamlik Sebagai Konstruksi Perjanjian Sewa Beli, Millah Jurnal of Religion Study vol 19, 2020.

market price.

If the tenant chooses to purchase the item, then the tenant must pay an advance purchase payment (UP) to the landlord. The amount of UP can also vary, depending on the agreement between the tenant and the landlord.

After paying the UP, the tenant then pays the remaining purchase price regularly every month. The amount of the remaining purchase price can also vary, depending on the agreement between the tenant and the landlord.

In short, the IMBT Scheme is as follows:

- a. **IMBT Application:** The party who wants to own a house submits an IMBT application to the IMBT provider (Islamic bank or Islamic financial institution).
- b. **Down Payment:** If the application is approved, the party applying for IMBT must pay an advance payment (DP) to the IMBT provider.
- c. **Lease Period:** The party applying for IMBT starts paying rent regularly every month to the IMBT provider for a certain agreed period of time.
- d. **Buy/Not Buy Option:** At the end of the lease period, the party applying for the IMBT has the option to buy the house or not.
- e. **Non-Purchase:** In case of non-purchase, the party applying for IMBT will lose the right to the house and the down payment that has been paid.
- f. **Purchase:** If choosing to purchase, the party applying for IMBT must pay an advance purchase payment (UP) to the IMBT provider.
- g. **Payment of Remaining Purchase Price:** The party applying for IMBT must then pay the remaining purchase price of the house regularly every month to the IMBT provider.
- h. **Full Ownership:** After paying off the remaining purchase price, the party applying for the IMBT becomes the full owner of the house.

The IMBT scheme has several advantages, among others:

- Renters can own the house by renting it first.
- The lessee has the option to purchase the item at the end of the lease period.
- Renters can save money as the purchase price is usually lower than the market price. However, the IMBT scheme also has some drawbacks, among others:
 - Tenants must pay rent regularly every month.
 - The tenant must pay an advance purchase payment (UP) at the end of the lease period.

- Tenants must pay the remaining purchase price regularly every month.

D. Proof Of Ownership Of A Simple Rental Flat (Rusunawa)

Based on Law (UU) No. 20 Year 2011 concerning Flat Houses, there are two proofs of ownership of flat units (sarusun). Namely the Certificate of Ownership of the Flat Unit (SHM Sarusun) and the Certificate of Ownership of the Building of the Flat Unit (SKBG Sarusun). Of course, the two certificates are not the same. Starting from the designation to the validity period.¹⁶

a. Definition and Land Status of Flat Establishment

Referring to the Flat House Law, Article 1 states that SHM Flat is a proof of ownership of a flat on the land of Hak Milik, Hak Guna Bangunan (HGB), or Hak Pakai on state land, as well as HGB or Hak Pakai on the land of Hak Pengelolaan.

Meanwhile, SKBG Sarusun is a proof of ownership of sarusun on State Property (BMN) / Regional Property (BMD) land or waqf land by way of lease. Based on the above definition, the difference between SHM Sarusun and SKBG Sarusun is the status of land rights on which the building is built. On the other hand, SHM Sarusun is intended for a wide range of flat buyers. Starting from the middle to upper class community. In contrast, SKBG Sarusun is more intended to accommodate low-income people (MBR). Director General of Housing Iwan Suprijanto said, SKBG Sarusun is a new legal instrument regarding proof of ownership of residential units in the form of flats specifically intended for MBR.

The flats are built with the role and participation of development actors who lease land owned by the government in the form of BMN or BMD with a lease period of 60 years.

b. Parties Issuing Certificates

Law (UU) No. 20 Year 2011 on Flats, in Article 47 explained, SHM Sarusun is issued by the district or city land office for each person who qualifies as a land rights holder.

Meanwhile, the SKBG Sarusun, according to Article 48, is issued by the regency/city technical agency in charge and responsible for the building sector.

¹⁶ <https://www.kompas.com/properti/read/2022/08/18/214500721/sama-sama-bukti-kepemilikan-rumah-susun-ini-beda-shm-dengan-skgb>.

V. CONCLUSIONS

Rumah Susun Sederhana Sewa (Rusunawa) is a flat built by the government or private sector for rent to low-income people (MBR). Rusunawa is one of the solutions to overcome the housing problem for MBR. Rusunawa is an affordable housing alternative for low-income people. Rusunawa rental prices are generally lower than house or apartment rental prices. This can help reduce the burden of low-income people's expenses for housing costs.

To increase low-income people's access to rusunawa, as well as improve the quality of rusunawa management, one of the efforts that can be made is to issue a sharia lease purchase scheme or Ijarah Muntahiyah bittamlik, so that residents whose income increases can become rusunawa owners, so that the role of the state in providing adequate housing to its people as mandated by Article 28H Paragraph (4) of the 1945 Constitution states that: "everyone has the right to have private property rights and these property rights cannot be taken over arbitrarily by anyone", can be realized.

The IMBT scheme can be a solution for people who want to own a house, but do not have enough funds to buy it in cash. With the IMBT scheme, people can own a house by renting it first, and then own it in full at the end of the lease period. So that the tenant has the option to own.

The description above can be a solution for the government, that it is the government's obligation to provide a decent place to live for its citizens, in this case the government must position itself as a parent who nurtures his children, not an investor or businessman who does business with his citizens.

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