

REGENT SUKOHARJO  
CENTRAL JAVA  
PROVINCE

SUKOHARJO DISTRICT REGIONAL  
REGULATION NUMBER 1 OF 2024  
ON  
FLATS

WITH THE GRACE OF GOD ALMIGHTY  
THE REGENT OF SUKOHARJO,

- Considering:
- a. that the house is one of the basic human needs that serves as a shelter and supports the implementation of family education, cultural and behavioral growth, and the improvement of the quality of generations;
  - b. that along with the increasing need for housing, the construction of flats is one of the efforts to fulfill the need for comfortable, safe and healthy housing for the community in Sukoharjo Regency;
  - c. that with the enactment of Law Number 6 of 2023 on the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation into Law, Regional Regulation Number 2 of 2012 on Flats needs to be replaced;
  - d. that based on the considerations as referred to in letters a, b, and c, it is necessary to stipulate a Regional Regulation on Flats;

- Remembering :
1. Article 18 paragraph (6) of the Constitution of the Republic of Indonesia  
Indonesia Year 1945;
  2. Law No. 13 of 1950 Concerning the Establishment of Regency Regions within the Province of Central Java as amended by Law No. 9 of 1965 Concerning the Establishment of Batang Level II Region by amending Law No. 13 of 1950 Concerning the Establishment of Regency Regions within the Province of Central Java (State Gazette of 1965 Number 52, Supplement to State Gazette) Number(2757);

3. Law Number 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to State Gazette of the Republic of Indonesia Number 5587) as amended several times most recently by Law Number 6 of 2023 concerning the Stipulation of Government Regulations in Lieu of Law Number 2023. 2 Year 2022 on Job Creation into Law (State Gazette of the Republic of Indonesia Year 2023 Number 41, Supplement to State Gazette of the Republic of Indonesia Number 6856);
4. Law Number 20 of 2011 concerning Flat Houses (State Gazette of the Republic of Indonesia of 2011 Number 108, Supplement to the State Gazette of the Republic of Indonesia Number 5252) as amended several times most recently by Law Number 6 of 2023 concerning Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation into Law (State Gazette of the Republic of Indonesia of 2023 Number 41, Supplement to the State Gazette of the Republic of Indonesia Number 6856);
5. Law Number 11 of 2023 concerning Central Java Province (State Gazette of the Republic of Indonesia of 2023 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 6867);
6. Government Regulation Number 13 of 2021 concerning the Implementation of Flat Houses (State Gazette of the Republic of Indonesia of 2021 Number 23, Supplement to State Gazette of the Republic of Indonesia Number 6625);

By mutual consent

REGIONAL PEOPLE'S REPRESENTATIVE COUNCIL OF SUKOHARJO  
DISTRICT

and

REGENT OF SUKOHARJO

DECIDE:

Establish : REGIONAL REGULATION ON FLATS.

## CHAPTER I

### GENERAL PROVISIONS

#### Section One

#### Definition

#### Article 1

In this Regional Regulation what is meant by:

1. The region is Sukoharjo Regency.

2. The Regional Government is the Regent as an organizing element of the Regional Government who leads the implementation of government affairs which fall under the authority of the autonomous region.
3. Regent is the Regent of Sukoharjo.
4. The Regional Apparatus is an auxiliary element of the Regent and the Regional House of Representatives in the implementation of Government Affairs which fall under the authority of the Region.
5. Flat is a multi-storey building constructed in an environment that is divided into functionally structured parts, both in horizontal and vertical directions and are units that can each be owned and used separately, especially for residential purposes equipped with shared parts, shared objects, and shared land.
6. The implementation of Flat Houses is an activity of planning, development, control and utilization, management, maintenance and care, control, institutional, funding and financing systems, as well as the role of the community which is carried out systematically, integrated, sustainable, and responsible.
7. Unit of Flat, hereinafter referred to as Sarusun, is a unit of Flat whose main purpose is to be used separately with the main function as a place of residence and has means of connecting to public roads.
8. Public Flats are Flats organized to meet the housing needs of low-income people.
9. Special Flats are Flats organized to meet special needs.
10. Commercial Flats are Flats that are organized for profit.
11. Shared Land is a plot of land or land leased for buildings used on the basis of common rights on a non-separate basis on which a Flat is built and its boundaries are stipulated in the building approval requirements.
12. Shared Part is a part of a Flat that is owned non- separately for joint use in the unity of function with the units of the Flat.

13. Shared Objects are objects that are not part of the Flat but are owned jointly and not separately for joint use.
14. Sertifikat Hak Milik Satuan Rumah Susun, hereinafter referred to as SHM Sarusun, is a proof of ownership of Sarusun on land of ownership rights, building use rights or use rights on state land, as well as building use rights or use rights on management rights land.
15. Certificate of Building Ownership of Flat Unit Building, hereinafter referred to as SKBG Sarusun, is a proof of ownership of Sarusun on Regional property in the form of land or waqf land by way of lease.
16. Proportional Comparison Value, hereinafter abbreviated as NPP, is a number that shows the comparison between the Flats to the rights to the Shared Part, Shared Objects, and Shared Land, which is calculated based on the value of the Flats concerned to the total value of the Flats as a whole at the time when the perpetrator of the construction first calculates the overall construction cost to determine the selling price.
17. Low-Income Communities, hereinafter abbreviated as MBR, are people who have limited purchasing power so that they need government support to obtain public flats.
18. Flats Development Actors, hereinafter referred to as Development Actors, are every person and/or government that carries out housing and settlement development.
19. Every Person is an individual or legal entity.
20. Legal Entity is a legal entity established by Indonesian citizens whose activities are in the field of organizing housing and settlement areas.
21. The owner is every person who owns the flat.
22. Occupant is a person who occupies a flat, either as an owner or non-owner.
23. Manager is a legal entity tasked with managing the Flat.

24. The Association of Owners and Occupants of Flat Units, hereinafter abbreviated as PPPSRS, is a legal entity consisting of the owners or occupants of the Flat.
25. Business Licensing is the legality given to business actors to start and run their business and/or activities.
26. Building Approval, hereinafter abbreviated as PBG, is an approval given by the Regional Government to the building owner to build new, change the area, function and classification of buildings and other changes that require technical planning.
27. Defense is a statement in the form of drawings and descriptions made prior to the implementation of Flat construction authorized by the Local Government that shows clear boundaries of each Flat, Shared Part, Shared Object, and Shared Land along with a description of the NPP.
28. Sale and Purchase Binding Agreement is an agreement between the Development Actor and any person to sell and purchase a house or unit of flat which can be made by the Development Actor prior to construction for flat houses or in the process of construction for single houses and row houses made before a notary.

## Second Part

### Purpose

#### Article 2

The purpose of this Regional Regulation is to serve as a guideline in the implementation of Flat Houses in the Region.

## Third Part

### Purpose

#### Article 3

The implementation of Flat House aims to:

- a. to ensure the realization of livable and affordable Flats in a healthy, safe, harmonious, and sustainable environment and to create integrated settlements in order to build economic, social, and cultural resilience in the Region;

- b. increasing the efficiency and effectiveness of space and land utilization, as well as providing green open space in the Region in creating complete, harmonious and balanced residential areas by taking into account the principles of sustainable and environmentally sound development;
- c. reduce the extent and prevent the emergence of housing and slums;
- d. direct the development of urban areas that are harmonious, balanced, efficient, and productive;
- e. meet the social and economic needs that support the lives of Residents and the community while still prioritizing the goal of meeting the needs of decent housing and settlements, especially for MBR;
- f. empowering stakeholders in the field of flat construction;
- g. ensuring the fulfillment of the need for decent and affordable flats, especially for MBR in a healthy, safe, harmonious, and sustainable environment in an integrated housing and settlement governance system; and
- h. provide legal certainty in the provision, occupancy, management, and ownership of Flats in the Region.

## CHAPTER II

### SCOPE

#### Article 4

The scope of this regional regulation includes:

- a. duties and powers of the Regional Government;
- b. coaching;
- c. planning;
- d. types of Flats;
- e. development;
- f. Business Licensing for Legal Entities managing Flats;
- g. control, ownership and utilization;
- h. management;
- i. quality improvement;
- j. PPPSRS;
- k. the role of the community;
- l. rights and obligations;
- m. dispute resolution;
- n. cooperation; and

o. funding.

### CHAPTER III

#### DUTIES AND POWERS OF LOCAL GOVERNMENT

##### Article 5

Government Regional in carry out fostering the implementation of the Flat House is in charge:

- a. formulate policies and strategies in the Region in the field of Flats;
- b. compile plan and program development and development programs for Flats in the Region;
- c. synchronizing and socializing laws and regulations as well as policies and strategies for the implementation of Flats in the Region;
- d. carry out the function of operationalizing the policy of providing and structuring the residential environment of Flats in the Region;
- e. empowering stakeholders in the field of Flats in the Region;
- f. implementing the minimum service standards for Flats;
- g. carry out coordination and facilitation of the preparation and provision of a database of Flats in the Region;
- h. allocate funds and/or development costs to support the realization of Public Flats, and Special Flats;
- i. facilitate the provision of flats for the community, especially for MBR;
- j. facilitate the provision of infrastructure, facilities, and public utilities for the construction of flats for MBR;
- k. implementing Regional policies on the utilization and utilization of engineering technology results in the field of Flats;
- l. reserve or procure land for Public Flats and Special Flats in accordance with the designation of the location for the construction of flats;
- m. facilitate the maintenance and care of infrastructure, facilities, and public utilities of Flats built independently by the community; and
- n. Inventory, record, and map the land, infrastructure, facilities, public utilities, and buildings that are part of the Flats.

### Article 6

Government Regional in carry out fostering the implementation of the Flat House is authorized:

- a. establish policies and strategies in the field of Flats;
- b. compile and refine Regional laws and regulations in the field of Flats;
- c. compile instructions implementation norms, standards, procedures and criteria in the field of Flats;
- d. monitoring and evaluating the implementation of the operationalization of policies and strategies in the field of Flats;
- e. carry out supervision and control of the implementation of Regional laws and regulations, policies, strategies, and programs in the field of Flat Houses;
- f. facilitate the management of Shared Parts and Shared Objects of Public Flats, and Special Flats in the Region;
- g. determine the zoning and location of the construction of Flats;
- h. facilitate cooperation between other local governments and Legal Entities in the Implementation of Flats in the Region;
- i. implementing the use of environmentally friendly technology and design as well as the use of building materials industry that prioritizes domestic resources and local wisdom that is safe for health; and
- j. facilitate the improvement of the quality of Public Flats, and Special Flats in the Region.

## CHAPTER IV

### COACHING

#### Article 7

Government Local Government conduct fostering the implementation of Flat Houses in the Region.

#### Article 8

Guidance as referred to in Article 7 includes:

- a. planning;
- b. setting;



- c. control; and
- d. surveillance.

#### Article 9

- (1) Planning as referred to in Article 8 paragraph (1) letter a, is an integral part of national development planning and is an integral part of regional development planning.
- (2) The planning referred to in paragraph (1) is carried out by the Regional Government in accordance with its level of authority and involves community participation.
- (3) The planning as referred to in paragraph (2) shall be prepared with due regard to national policies and strategies in the field of Flats in accordance with the provisions of laws and regulations.

#### Article 10

The arrangements as referred to in Article 8 paragraph (1) letter b, include:

- a. development;
- b. control, ownership, and utilization;
- c. management;
- d. quality improvement;
- e. institutionalization; and
- f. funding and financing systems.

#### Article 11

Control as referred to in Article 8 paragraph (1) letter c, shall be carried out to ensure the implementation of Flat Houses in accordance with its objectives.

#### Article 12

Supervision as referred to in Article 8 paragraph (1) letter d, includes monitoring and evaluation in accordance with the provisions of laws and regulations.

## CHAPTER V

## PLANNING

## Article 13

- (1) Planning for the construction of Flats in the Region includes:
  - a. determination of the provision of the number and types of Flats;
  - b. establishment of zoning for the construction of flats; and
  - c. determination of the location for the construction of Flats.
- (2) Determination of the provision of the number and types of Flats as referred to in paragraph (1) letter a, is carried out based on target groups, actors, and development resources which include Public Flats, Special Flats, and Commercial Flats.
- (3) Determination of zoning and location for the construction of Flats as referred to in paragraph (1) letter b, and letter c, must be carried out in accordance with the provisions of the regional spatial plan.

## Article 14

- (1) Flats development planning as referred to in Article 13 shall be implemented based on:
  - a. building density;
  - b. population size and density;
  - c. regional spatial plan;
  - d. infrastructure, facilities and public utilities services;
  - e. transportation mode services;
  - f. alternative development concept utilization of flats;
  - g. information and communication services;
  - h. balanced residential concept; and
  - i. analysis of the potential need for flats.
- (2) The guidelines for planning the construction of Flats as referred to in paragraph (1) shall be implemented in accordance with the provisions of laws and regulations.

CHAPTER VI  
TYPES OF FLATS

Article 15

Types of Flats include:

- a. Public Flats;
- b. Special Flats; and
- c. Commercial Flats.

CHAPTER VII  
DEVELOPMENT

Part One

General

Article 16

The construction of Public Flats and Special Flats as referred to in Article 15 letters a and b, can be carried out by non- profit organizations and business entities.

Article 17

The construction of Commercial Flats as referred to in Article 15 letter d, may be carried out by any Person.

Article 18

- (1) Commercial Flats Development Actors are required to provide Public Flats with an area of at least 20% (twenty percent) of the total floor area of Commercial Flats built.
- (2) Public Flats as referred to in paragraph (1) may be located in one area or not in one area.
- (3) Public Flats located in one area with Commercial Flats can be in the form of:
  - a. one Flat building in one Common Land;
  - b. different Flat buildings in one Common Land; or
  - c. different Flat buildings are not in one Common Land.
- (4) Public Flats that are not located in the same area as Commercial Flats must be in the same Region.

## Article 19

- (1) Development Actors who violate the provisions as referred to in Article 18 paragraph (1) are subject to administrative sanctions.
- (2) Administrative sanctions as referred to in paragraph (1) can be:
  - a. written warning;
  - b. restrictions on development activities and/or business activities;
  - c. temporary suspension of construction works;
  - d. imposition of administrative fines; and
  - e. revocation of Business Licenses.
- (3) The procedure for imposing administrative sanctions as referred to in paragraph (2) shall be carried out with the following provisions:
  - a. written warning as referred to in paragraph (2) letter a, shall be given 2 (two) times with a maximum period of each written warning of 5 (five) working days;
  - b. Development Actors who ignore the written warning as referred to in letter a, are subject to administrative sanctions in the form of restrictions on development activities and/or business activities for 14 (fourteen) days;
  - c. Development Actors who ignore the restrictions on development activities and/or business activities as referred to in letter b, are subject to administrative sanctions in the form of temporary suspension of development implementation work 1 (one) time with a maximum period of 5 (five) working days;
  - d. Development Actors who ignore the temporary suspension order on development implementation work as referred to in letter c, shall be subject to administrative fines in accordance with the provisions of laws and regulations;
  - e. Development Actors who have settled administrative fines as referred to in letter d, are obliged to provide Public Flats in accordance with development planning; and

- f. Development Actors who ignore the imposition of administrative fines as referred to in letter d and do not provide Public Flats as referred to in letter e, are subject to revocation of Business Licenses and must complete financing for the provision of Public Flats through cooperation with other Development Actors.

#### Article 20

- (1) Development Actors in carrying out the obligations as referred to in Article 18 paragraph (1), make a letter of intent to carry out the construction of Public Flats.
- (2) The letter of intent as referred to in paragraph (1) shall be submitted together with the PBG application.
- (3) The obligation to carry out the construction of Public Flats as referred to in Article 13 paragraph (1) may be converted into funds for the Construction of Public Flats.
- (4) In the event that the implementation of the construction of Public Flats is converted in the form of funds as referred to in paragraph (3), the Development Performer shall submit a conversion calculation to the agency for the acceleration of housing implementation.
- (5) The conversion proceeds as referred to in paragraph (3) must be submitted to agency accelerate the implementation of housing.
- (6) Calculation of conversion as referred to in paragraph (4) is a managed fund or grant that is calculated based on the conversion calculation formula.
- (7) Further provisions regarding the procedures and mechanism for calculating the conversion as referred to in paragraph (6) shall be implemented in accordance with the provisions of laws and regulations.

#### Article 21

Flats can be built on land:

- a. property rights;
- b. building use rights or use rights on state land;  
and
- c. rights use building or right use a on  
management rights.

## Article 22

In addition to being built on land as referred to in Article 21, Public Flats and/or Special Flats may be built with:

- a. utilization of Regional property in the form of land; or
- b. utilization of waqf land.

## Article 23

- (1) Utilization of Regional property in the form of land for the construction of Flats as referred to in Article 22 letter a, is carried out by way of lease or cooperation in utilization.
- (2) The land as referred to in paragraph (1) must have been issued a land title certificate in accordance with the provisions of laws and regulations.
- (3) Lease or cooperation in utilization as referred to in paragraph (1) shall be carried out in accordance with the provisions of laws and regulations.

## Article 24

- (1) The utilization of waqf land for the construction of Flats as referred to in Article 22 letter b, is carried out by way of lease or utilization cooperation in accordance with the waqf pledge.
- (2) When utilization land waqf as referred to in paragraph (1) is not in accordance with the waqf pledge, can be carried out change designation after obtaining approval and/or written permission from the Indonesian Waqf Board in accordance with the provisions of laws and regulations.
- (3) The change of designation as referred to in paragraph (2) may only be carried out for the construction of Public Flats.
- (4) Lease or utilization cooperation as referred to in paragraph (1) shall be carried out in accordance with sharia principles and the provisions of laws and regulations.
- (5) The utilization of waqf land for Public Flats as referred to in paragraph (1) is carried out in accordance with the provisions of laws and regulations.

## Article 25

- (1) Utilization and utilization of land for the construction of Flats as referred to in Article 23 and Article 24 must be carried out with a written agreement before an authorized official in accordance with the provisions of laws and regulations.
- (2) The written agreement as referred to in paragraph (1) shall at least contain:
  - a. rights and obligations of tenants and landlords;
  - b. the term of the lease on the land;
  - c. certainty of the landowner to get the return of the land at the end of the lease agreement period; and
  - d. the tenant's guarantee of the returned land has no physical, administrative and legal problems.
- (3) The lease period for land as referred to in paragraph (2) letter b, is given for 60 (sixty) years from the signing of the written agreement.
- (4) The determination of land rental rates is carried out by the Regional Government to ensure the affordability of the selling price of Public Flats for MBR.
- (5) The written agreement as referred to in paragraph (2) shall be recorded at the land office.

## Second Part

## Land Provision

## Article 26

- (1) Provision of land for the construction of flats can be done through:
  - a. granting land rights over land directly controlled by the state;
  - b. land consolidation by landowners;
  - c. transfer or relinquishment of land rights by land rights holders;
  - d. utilization of Regional property in the form of land;
  - e. utilization of waqf land;
  - f. utilization of part of state land formerly abandoned land; and/or
  - g. land acquisition for development for the public interest.

- (2) The provision of land as referred to in paragraph (1) shall be carried out in accordance with the provisions of laws and regulations.
- (3) In the event that the construction of Flats is carried out on land with building use rights or use rights on management rights as referred to in Article 21 letter c, Development Actors shall be obliged to settle the status of building use rights or use rights on management rights in accordance with the provisions of laws and regulations before selling the flats concerned.

#### Article 27

- (1) Development Actors who violate the provisions as referred to in Article 26 paragraph (3) are subject to administrative sanctions.
- (2) Administrative sanctions as referred to in paragraph (1) can be:
  - a. written warning;
  - b. imposition of administrative fines; and
  - c. revocation of Business Licenses.
- (3) The procedure for imposing administrative sanctions as referred to in paragraph (2) shall be carried out with the provisions:
  - a. written warning as referred to in paragraph (2) letter a, shall be given 2 (two) times with a maximum period of each written warning of 5 (five) working days;
  - b. Development Actors who ignore the written warning as referred to in letter a, shall be subject to administrative sanctions in accordance with the provisions of laws and regulations;
  - c. Development Actors who have settled administrative fines as referred to in letter b, are required to settle the status of building use rights or use rights on management rights in the case of construction of Public Flats or Commercial Flats; and
  - d. Development Actors who ignore the imposition of administrative fines as referred to in letter b, and do not resolve the status of building use rights or use rights on management rights in the case of construction of Public Flats or Commercial Flats as referred to in letter c, are subject to revocation of Business Licenses.



Article 28

- (1) The construction of Flats is carried out through technical planning, implementation, and technical supervision.
- (2) Technical planning, implementation, and technical supervision as referred to in paragraph (1) shall be carried out in accordance with the provisions of laws and regulations.

Third Section

Development Requirements

Paragraph 1

General

Article

29

Flat construction standards include:

- a. administrative requirements;
- b. technical requirements; and
- c. ecological requirements.

Article 30

- (1) In building Flats, Development Actors are obliged to separate Flats into Flats, Shared Parts, Shared Objects, and Shared Land.
- (2) The Shared Object as referred to in paragraph (1) becomes a Shared Part if it is built as part of a Flatbuilding.
- (3) The separation as referred to in paragraph (1) provides clarity on:
  - a. limit Sarusun which can used separately for each Owner;
  - b. the boundaries and description of the common parts and common objects to which each Sarusun is entitled; and
  - c. the boundaries and description of the common land and the amount of the share to which each Sarusun is entitled.

Article 31

- (1) Development Actors who violate the provisions as referred to in Article 30 paragraph (1) are subject to administrative sanctions.

- (2) Administrative sanctions as referred to in paragraph
  - (1) may take the form of:
    - a. written warning;
    - b. imposition of administrative fines; and
    - c. PBG revocation.
- (3) The procedure for imposing administrative sanctions as referred to in paragraph (2) shall be carried out with the provisions:
  - a. written warning as referred to in paragraph (2) letter a, shall be given 2 (two) times with a maximum period of each written warning of 5 (five) working days;
  - b. Development Actors who ignore the written warning as referred to in letter a, shall be subject to administrative sanctions in accordance with the provisions of laws and regulations; and
  - c. Development Actors who ignore the administrative fines as referred to in letter b, within a period of 7 (seven) days are subject to administrative sanctions in the form of revocation of PBG.

#### Article 32

- (1) The Development Actor makes the separation of the Flat which shall be set forth in the form of drawings and descriptions to be the basis for determining the NPP, SHM Sarusun or SKBG Sarusun, and the sale and purchase binding agreement.
- (2) Picture and description as referred to in paragraph
  - (1) is an Exemplification made prior to the implementation of the construction of the Flat and must be submitted to the Local Government.
- (3) The defense as referred to in paragraph (2) is authorized by the Regent.
- (4) Application for ratification of the Defense as referred to in paragraph (3) shall be made after the Flat is completed.
- (5) In the event of physical changes, space functions, and building functions during the implementation of the construction of the Flat that result in changes to the PBG and changes to the amount of Flat, Shared Object, Shared Part, and Shared Land, an attestation of changes to the Defense must be made.
- (6) Change of Defense as referred to in paragraph (5) is reauthorized by the Regent.
- (7) The defense or change of defense is written in the form of a deed of separation authorized

by the Regent after the issuance of a certificate of function.

### Article 33

- (1) Development Actors who violate the provisions as referred to in Article 32 paragraph (1) and paragraph (2) are subject to administrative sanctions.
- (2) Administrative sanctions as referred to in paragraph
  - (1) can be:
    - a. written warning;
    - b. imposition of administrative fines; and
    - c. PBG revocation.
- (3) The procedure for imposing administrative sanctions as referred to in paragraph (2) shall be carried out with the provisions:
  - a. written warning as referred to in paragraph (2) letter a, shall be given 2 (two) times with a maximum period of each written warning of 5 (five) working days;
  - b. Development Actors who ignore the written warning as referred to in letter a, shall be subject to administrative sanctions in accordance with the provisions of laws and regulations; and
  - c. Development Actors who ignore the administrative fines as referred to in letter b, within a period of 7 (seven) days are subject to administrative sanctions in the form of revocation of PBG.

### Article 34

The separation of Flats as well as drawings and descriptions as referred to in Article 30 and Article 32 shall be carried out in accordance with the provisions of laws and regulations.

### Paragraph 2

#### Administrative Requirements

### Article 35

In carrying out the construction of Flats, Development Actors must fulfill administrative provisions which include:

- a. status of land rights; and
- b. PBG.

### Article 36

- (1) Development Actors must build Flats and their environment in accordance with the function and utilization plan.

- (2) The function and utilization plan as referred to in paragraph (1) must obtain a Business License from the Regent.
- (3) The function and utilization plan as referred to in paragraph (1) is accompanied by a Defense.
- (4) The function and utilization plan as referred to in paragraph (1) forms part of the PBG process.

#### Article 37

- (1) Changes to the function and utilization plan may result in changes to the NPP.
- (2) In the event that there is a change in the function and utilization plan as referred to in paragraph (1) during the construction process or the Flat has been built, PBG must be reapplied.

#### Article 38

- (1) The construction of Flats is carried out based on the calculation and determination of the building floor coefficient and the basic building coefficient adjusted to the carrying capacity and environmental capacity that refers to the regional spatial plan.
- (2) The provisions regarding the building floor coefficient and basic building coefficient as referred to in paragraph (1) shall be exempted in the event that there are restrictions on building heights related to:
  - a. terms security and aviation operational safety; and/or
  - b. local wisdom.

#### Paragraph 3

#### Technical Requirements

#### Article 39

Technical requirements for the construction of Flats consist of:

- a. building layout which includes requirements for location designation as well as building intensity and architecture; and
- b. building reliability which includes safety, health, comfort and convenience requirements.

Article 40

Building codes and building reliability as referred to in Article 39 shall be implemented in accordance with the provisions of laws and regulations.

Paragraph 4

Ecological Requirements

Article 41

The construction of Flats must fulfill ecological requirements that include harmony and balance of environmental functions.

Article 42

The construction of Flats that cause significant impacts on the environment must be equipped with environmental impact analysis requirements in accordance with the provisions of laws and regulations.

Fourth Section

Certificate of Fitness for Function

Article 43

- (1) The Development Performer is obliged to apply for a certificate of function to the Regent after completing all or part of the construction of the Flat as long as it does not conflict with the PBG.
- (2) The Local Government issues a certificate of fitness for function after conducting an inspection of the fitness for function of the Flat Building in accordance with the provisions of laws and regulations.

Article 44

- (1) Development Actors who violate the provisions as referred to in Article 43 paragraph (1) shall be subject to administrative sanctions.
- (2) Administrative sanctions as referred to in paragraph (1) can be:
  - a. written warning; and
  - b. restrictions on business activities.

- (3) The procedure for imposing administrative sanctions as referred to in paragraph (2) shall be carried out with the provisions:
  - a. written warning as referred to in paragraph (2) letter a, shall be given 2 (two) times with a maximum period of each written warning of 5 (five) working days; and
  - b. Development Actors who ignore the written warning as referred to in letter a, are subject to sanctions for limiting business activities in the form of not being able to carry out the handover of Sarusun and are required to apply for a certificate of function.

### Fifth Section

#### Infrastructure, Facilities, and Public Utilities of Flats Environment

#### Article 45

- (1) Development Actors are obliged to equip the Flats environment with infrastructure, facilities, and public utilities.
- (2) Infrastructure, facilities, and public utilities as referred to in paragraph (1) must consider:
  - a. ease and harmony of relationships in daily activities;
  - b. security in case of danger; and
  - c. structure, size, and strength in accordance with its function and use.
- (3) Infrastructure, facilities and public utilities as referred to in paragraph (1) must meet minimum service standards.
- (4) Minimum service standards for infrastructure, facilities, and public utilities are a reference in program planning for achieving minimum service standard targets carried out in stages by the Regional Government.
- (5) The minimum service standards as referred to in paragraph (3) are minimum service standard targets which include:
  - a. type of basic service;
  - b. performance indicators;
  - c. minimum service standard scores; and
  - d. achievement deadline.

- (6) Minimum service standards for infrastructure, facilities, and public utilities are implemented in accordance with the provisions of laws and regulations.

#### Article 46

- (1) Development Actors who violate the provisions as referred to in Article 45 paragraph (1) are subject to administrative sanctions.
- (2) Administrative sanctions as referred to in paragraph (1) can be:
- a. written warning;
  - b. restrictions on development activities and/or business activities;
  - c. temporary suspension of construction works;
  - d. imposition of administrative fines; and/or
  - e. revocation of Business Licenses.
- (3) The procedure for imposing administrative sanctions as referred to in paragraph (2) shall be carried out with the provisions:
- a. written warning as referred to in paragraph (2) letter a, shall be given 2 (two) times with a maximum period of each written warning of 5 (five) working days;
  - b. Development Actors who ignore the written warning as referred to in letter a, are subject to administrative sanctions in the form of restrictions on development activities and/or business activities for 14 (fourteen) days;
  - c. Development Actors who ignore the restrictions on development activities and/or business activities as referred to in letter b, are subject to administrative sanctions in the form of temporary suspension of development implementation work 1 (one) time with a maximum period of 5 (five) working days;
  - d. Development Actors who ignore the temporary suspension of development implementation work as referred to in letter c, are subject to administrative sanctions in accordance with the provisions of laws and regulations;
  - e. Development Actors who have settled the administrative fines as referred to in letter d, shall be obliged to equip the Flats environment with infrastructure, facilities, and public utilities no later than 1 (one) year; and

- f. Development Actors who ignore the imposition of administrative fines as referred to in letter d, and do not equip the Flats environment with infrastructure, facilities, and public utilities by no later than 1 (one) year as referred to in letter e, shall be subject to revocation of Business Licenses and shall be required to complete the financing to equip the Flats environment with infrastructure, facilities, and public utilities through cooperation with other Development Actors.

#### Sixth Section

#### Development Through Foreign Investment Article 47

The construction of Flats can be carried out through foreign investment in accordance with the provisions of laws and regulations.

#### Seventh Section

#### Marketing and Buying and Selling of Flats

#### Article 48

- (1) Development Actors can conduct marketing before the construction of the Flat is carried out.
- (2) In the event that marketing is carried out before the construction of the Flat is carried out as referred to in paragraph (1), the Development Actor must at least have:
  - a. certainty of space allocation;
  - b. certainty of land rights;
  - c. certainty of flat ownership status;
  - d. licensing of flat construction; and
  - e. guarantee for the construction of the flat from the guarantor institution.
- (3) In the event that marketing is conducted prior to the construction of the Flats as referred to in paragraph (2), everything promised by the Development Actors and/or marketing agents shall be binding as a sale and purchase binding agreement for the parties.

#### Article 49

- (1) The sale and purchase process of Sarusun before the construction of the Flat is completed can be done through a sale and purchase binding agreement made before a notary.



- (2) The binding agreement for sale and purchase as referred to in paragraph (1) shall be executed after fulfilling the above certainty requirements:
  - a. land ownership status;
  - b. PBG;
  - c. availability of infrastructure, facilities and public utilities;
  - d. development most at least 20% (twenty percent); and
  - e. things that are agreed upon.

#### Article 50

- (1) The sale and purchase process, which is conducted after the construction of the Flat is completed, is done through a deed of sale and purchase.
- (2) The construction of the Flat is declared complete as referred to in paragraph (1) if it has been issued:
  - a. a certificate of fitness for purpose; and
  - b. SHM Sarusun or SKBG Sarusun.

#### CHAPTER VIII

#### BUSINESS LICENSING OF LEGAL ENTITIES FOR MANAGING FLATS

#### Article 51

- (1) Flat Management must be carried out by a legal entity.
- (2) The Legal Entity as referred to in paragraph (1) must obtain a Business License.
- (3) Business Licensing as referred to in paragraph (2) is given to the legal entity that owns the flat:
  - a. managerial competence in flat management; and
  - b. personnel with building technical competence.
- (4) Managerial competence of Flat management as referred to in paragraph (3) letter a, evidenced by a certificate issued by an authorized institution.
- (5) Personnel with building technical competence as referred to in paragraph (3) letter b, include:
  - a. architectural experts;
  - b. mechanical expert;

- c. electrical experts; and
- d. plumbing experts.

CHAPTER IX  
CONTROL, OWNERSHIP, AND UTILIZATION

Section One  
Mastery of Sarusun

Article 52

- (1) Tenure of a flat in a Public Flat can be done by way of ownership or lease.
- (2) Tenure of Sarusun in Special Flats can be done by way of lease or rent.
- (3) Tenure of a flat in a commercial flat can be done by being owned or rented.
- (4) Tenure of Sarusun by way of lease as referred to in paragraph (1) and paragraph (4) shall be carried out with a written agreement made before an authorized official in accordance with the provisions of laws and regulations.
- (5) The written agreement as referred to in paragraph (5) must be registered with PPSRS.
- (6) The procedures for borrowing and use, lease, or lease purchase as referred to in paragraph (2) and paragraph (3) shall be carried out in accordance with the provisions of laws and regulations.

Second Section  
Flat Ownership

Article 53

- (1) The ownership right to the flat is an individual property right to the flat which is separate from the Joint Right to the Joint Part, Joint Object, and Joint Land.
- (2) Rights to Shared Portion, Shared Object, and Shared Land as referred to in paragraph (1) shall be calculated based on the NPP.

Article 54

- (1) As a proof of ownership of the flat on the land of hak milik, hak guna bangunan, or hak pakai on state land, hak guna bangunan or hak pakai on the land of management rights, SHM of the flat is issued.
- (2) SHM Sarusun as referred to in paragraph (1) shall be issued to every person who qualifies as a land rights holder.
- (3) SHM Sarusun as referred to in paragraph (1) shall constitute an integral unit consisting

of:

- a. a copy of the land book and measurement letter on the joint land rights in accordance with the provisions of laws and regulations;
  - b. a drawing of the floor plan at the level of the flat concerned showing the flat owned; and
  - c. a defense of the amount of the rights to the Joint Portion, Joint Object, and Joint Land for the person concerned.
- (4) SHM Sarusun as referred to in paragraph (1) shall be issued by the land office.
  - (5) SHM Sarusun can be used as debt collateral encumbered by mortgage rights in accordance with the provisions of laws and regulations.

#### Article 55

- (1) As proof of ownership of Sarusun on Regional property in the form of land or waqf land by way of lease, SKBG Sarusun is issued.
- (2) SKBG Sarusun as referred to in paragraph (1) shall constitute an integral unit consisting of:
  - a. copy of the building book;
  - b. a copy of the lease agreement on the land;
  - c. a drawing of the floor plan at the level of the flat concerned showing the flat owned; and
  - d. defense of the amount of the right to the Joint Part and Joint Object in question.
- (3) SKBG Sarusun as referred to in paragraph (1) is issued by the Regional Apparatus that organizes government affairs in the field of housing and settlement areas.
- (4) SKBG Sarusun as referred to in paragraph (1) may be used as debt collateral with fiduciary burden in accordance with the provisions of laws and regulations.
- (5) SKBG Sarusun used as fiduciary debt collateral must be registered with the ministry that organizes government affairs in the field of law.

#### Article 56

The form of SHM Sarusun and SKBG Sarusun and the procedures for their issuance as referred to in Article 54 and Article 54 shall be implemented in accordance with the provisions of laws and regulations.

## Third Section

## Utilization of Flat

## Article 57

- (1) Utilization of Home Flats implemented in accordance with the function:
  - a. occupancy; or
  - b. mix.
- (2) Mixed functions as referred to in paragraph (1) letter b, are a mixture of residential and non-residential functions.
- (3) Mixed functions can be developed in one Flat building or different Flat buildings in one Common Land.

## Article 58

- (1) Utilization of Flats as referred to in Article 57 may change from residential function to mixed function due to changes in the regional spatial plan.
- (2) Changes in function caused by changes in the regional spatial plan as referred to in paragraph (1) shall be the basis for replacing a number of Flats and/or resettling the Owners of Flats that are converted.
- (3) The party that changes the function of the Flat as referred to in paragraph (2) shall guarantee the ownership rights of the Flat.
- (4) Changes in the function of Flats due to changes in the regional spatial plan must obtain PBG.

## Article 59

- (1) Parties that violate the provisions as referred to in Article 58 paragraph (3) are subject to administrative sanctions.
- (2) Administrative sanctions as referred to in paragraph (1) can be:
  - a. written warning;
  - b. restrictions on development activities and/or business activities;
  - c. temporary suspension of construction works;
  - d. imposition of administrative fines; and
  - e. revocation of Business Licenses.
- (3) The procedure for imposing administrative sanctions as referred to in paragraph (2) shall be carried out with the provisions:
  - a. written warning as referred to in paragraph (2) letter a, shall be given 2 (two) times with a maximum period of each written warning of 5 (five) working days;

- b.
- c. parties who ignore the written warning as referred to in letter a, are subject to administrative sanctions in the form of restrictions on development activities and/or business activities for 14 (fourteen) days;
- d. parties who ignore the restrictions on development activities and/or business activities as referred to in letter b, are subject to administrative sanctions in the form of temporary suspension of development implementation work for 1 (one) time with a maximum period of 5 (five) working days;
- e. parties who ignore the temporary suspension of development implementation work as referred to in letter c, shall be subject to administrative sanctions in accordance with the provisions of laws and regulations;
- f. Development Actors who have settled administrative fines as referred to in letter d, must replace the ownership rights of Sarusun no later than 2 (two) years; and
- g. Development Actors who ignore the imposition of administrative fines as referred to in letter d, and do not replace the ownership rights of Flats no later than 2 (two) years as referred to in letter e, are subject to revocation of Business Licenses and must complete financing to replace a number of Flats and/or resettle Owners through cooperation with other Development Actors.

#### Article 60

- (1) Parties that violate the provisions as referred to in Article 58 paragraph (4) are subject to administrative sanctions.
- (2) Administrative sanctions as referred to in paragraph
  - (1) may take the form of:
    - a. written warning;
    - b. restrictions on development activities and/or business activities;
    - c. temporary suspension of construction works; and
    - d. imposition of administrative fines.
- (3) The procedure for imposing administrative sanctions as referred to in paragraph (2) shall be carried out with the provisions:
  - a. written warning as referred to in paragraph (2) letter a, shall be given 2 (two) times with a maximum period of

- b.
- c. each written warning of 5 (five) working days;
- d. parties who ignore the written warning as referred to in letter a, are subject to administrative sanctions in the form of restrictions on development activities and/or business activities for 14 (fourteen) days;
- e. parties who ignore the restrictions on development activities and/or business activities as referred to in letter b, are subject to administrative sanctions in the form of temporary suspension of development implementation work for 1 (one) time with a maximum period of 5 (five) working days; and
- f. parties who ignore the temporary suspension of development implementation work as referred to in letter c, shall be subject to administrative sanctions in accordance with the provisions of laws and regulations.

#### Fourth Section

##### Utilization of Sarusun

##### Article 61

Every person who occupies, inhabits, or owns a flat is obliged to utilize the flat in accordance with its function.

##### Article 62

- (1) Every person who violates the provisions as referred to in Article 61 shall be subject to administrative sanctions.
- (2) Administrative sanctions as referred to in paragraph
  - (1) may take the form of:
    - a. written warning;
    - b. imposition of administrative fines; and
    - c. revocation of SHM Sarusun or SKBG Sarusun.
- (3) The procedure for imposing administrative sanctions as referred to in paragraph (2) shall be carried out with the provisions:
  - a. written warning as referred to in paragraph (2) letter a, shall be given 2 (two) times with a maximum period of each written warning of 5 (five) working days;
  - b. Owners and/or Occupants who ignore the written warning as referred to in letter a, shall be subject to administrative sanctions in accordance with the provisions of laws and regulations; and
  - c. Owners and/or Occupants who ignore the

- d.
- e. administrative fines as referred to in letter b, are subject to administrative sanctions in the form of revocation of SHM Sarusun or SKBG Sarusun.

#### Article 63

- (1) Any person can rent a flat.
- (2) Rental of flat as referred to in paragraph (1) covers individual rights to Sarusun and utilization of Shared Parts, Shared Objects, and Shared Land.

#### Article 64

- (1) Public flats that obtain facilities from the Regional Government can only be owned or rented by MBR.
- (2) Every person who owns a public flat as referred to in paragraph (1) may only transfer its ownership to another party in the event that:
  - a. inheritance; or
  - b. ownership of the Flat after a period of 20 (twenty) years.
- (3) Inheritance as referred to in paragraph (2) letter a, at least must attach:
  - a. proof of ownership in the form of SHM Sarusun or SKBG Sarusun;
  - b. death certificate of the testator;
  - c. letter of will or certificate of inheritance; and
  - d. proof of the nationality of the heir.
- (4) The binding of ownership of Flat Houses after a period of 20 (t w e n t y ) years as referred to in paragraph (2) letter b, can only be carried out by the accelerated housing implementation agency.
- (5) The criteria and procedures for providing ease of ownership of public Sarusun by MBR as referred to in paragraph (1) and the transfer as referred to in paragraph (2) shall be carried out in accordance with the provisions of laws and regulations.

### CHAPTER X

#### MANAGEMENT

#### Article 65

- (1) Flat Management includes operational activities, maintenance, and care of Shared Parts, Shared Objects, and Shared Land.
- (2) The management of Flats as referred to in

paragraph (1) must be carried out by a legal

- (3)
- (4) entity Manager, except for Public Rental Flats, Special Flats.
- (5) The Legal Entity as referred to in paragraph (2) must register and obtain a Business License.

#### Article 66

- (1) In carrying out the management as referred to in Article 65 paragraph (2), the manager is entitled to receive a number of management fees.
- (2) The management fee as referred to in paragraph (1) shall be borne proportionally by the Owner and the Occupant.
- (3) The management costs of Public Rental Flats and Special Flats owned by the Regional Government can be subsidized by the Regional Government.
- (4) The amount of the management fee as referred to in paragraph (1) is calculated based on the real needs of operational, maintenance, and care costs.

#### Article 67

In carrying out its obligations as referred to in Article 65 paragraph (2), the manager may cooperate with individuals and legal entities.

#### Article 68

- (1) Development Actors who build Publicly Owned Flats and Commercial Flats in the transition period before the establishment of PPPSRS are obliged to manage the Flats.
- (2) The transition period as referred to in paragraph (1) shall be determined for a maximum of 1 (one) year from the first delivery of the Sarusun to the Owner.
- (3) Development Actors in the management of Flats as referred to in paragraph (1) may cooperate with managers.
- (4) The amount of management fee of the Flat during the transition period as referred to in paragraph (1) shall be borne by the Development Actor and the Flat Owner based on the NPP of each Flat.
- (5) The owner as referred to in paragraph (4) is proven by ownership:
  - a. deed of sale and purchase; and
  - b. SHM Sarusun or SKBG Sarusun.
- (6) In the event that the Owner does not yet have proof of ownership as referred to in



- (7)
- (8) paragraph (5), the cost of managing the Flat shall be borne by the Development Actor.

#### Article 69

- (1) Development Actors who violate the provisions as referred to in Article 68 paragraph (1) shall be subject to administrative sanctions.
- (2) Administrative sanctions as referred to in paragraph (1) can be:
- a. written warning; and
  - b. restrictions on business activities.
- (3) The procedure for imposing administrative sanctions as referred to in paragraph (2) shall be carried out with the provisions:
- a. written warning as referred to in paragraph (2) letter a, shall be given 2 (two) times with a maximum period of each written warning of 5 (five) working days; and
  - b. Development Actors who ignore the written warning as referred to in letter a, are subject to administrative sanctions in the form of restrictions on business activities in the form of not being able to carry out Marketing and sale and purchase of Sarusun.

#### Article 70

Management of Flats, transition period, and procedures for the first time handover as referred to in Article 65, Article 66, Article 67, and Article 68 shall be carried out in accordance with the provisions of laws and regulations.

### CHAPTER XI

#### QUALITY IMPROVEMENT

#### Article 71

- (1) Quality improvement must be carried out by the owner of the Flat against the Flat:
- a. not fit for function and cannot be repaired; and/or
  - b. may cause danger in the utilization of the Flat building and/or the Flat environment.
- (2) Quality improvement as referred to in paragraph (1) is carried out based on technical recommendations.
- (3) Improvement of the quality of the Flat other

than as referred to in paragraph (1) may be carried out at the initiative of the Flat Owner.

- (4) The initiative to improve the quality of Flats as referred to in paragraph (3) shall be
- (5)
- (6) carried out by:
  - a. Owner for Public Flat owned and Commercial Flat through PPPSRS;
  - b. Owners of Publicly Owned Flats and Commercial Flats built on management rights land, the initiative can be carried out through PPPSRS and management rights holders; or
  - c. Local Government or Owner for Public Rental Flats and Special Flats.
- (7) The initiative to improve the quality of the Flats originating from the Owner as referred to in paragraph (4) letter a must be approved by at least 60% (sixty percent) of PPPSRS members.

#### Article 72

- (1) Owners who violate the provisions as referred to in Article 71 paragraph (1) are subject to administrative sanctions.
- (2) Administrative sanctions as referred to in paragraph (1) can be:
  - a. written warning; and
  - b. demolition order of the flat building.
- (3) The procedure for imposing administrative sanctions as referred to in paragraph (2) shall be carried out as follows:
  - a. written warning as referred to in paragraph (2) letter a, shall be given 2 (two) times with a maximum period of each written warning of 5 (five) working days; and
  - b. The owner who ignores the written warning as referred to in letter a, is subject to administrative sanctions in the form of an order to demolish the flat building within a maximum period of 30 (thirty) days.

#### Article 73

- (1) Improving the quality of flats is carried out in order to protect the ownership rights of every person, whether the owner or occupant, by taking into account social, cultural, and economic factors that are equitable.
- (2) Quality improvement as referred to in paragraph (1) is carried out by rebuilding the Flat.

- (3)
- (4) Redevelopment of Flats as referred to in paragraph (2) shall be carried out through:
  - a. Demolition;
  - b. structuring; and
  - c. development.
- (5) The redevelopment of Flats as referred to in paragraph (3) must be in accordance:
  - a. regional spatial plan;
  - b. investment and development program plans for flats; and
  - c. building and neighborhood planning.

#### Article 74

Determination of the quality improvement of flats as referred to in Article 71 paragraph (1) is the authority of the Regional Government.

#### Article 75

- (1) The initiator of the quality improvement of Flats as referred to in Article 71 paragraph (1) shall:
  - a. notify the plan to improve the quality of the Flat to the Residents at least 1 (one) year prior to the implementation of the plan;
  - b. provide opportunities for owners to provide input on the quality improvement plan; and
  - c. prioritize the old owners to get the upgraded flats.
- (2) The Proponent of improving the quality of the Flats as referred to in paragraph (1) shall collect data on the Owner or Occupant.
- (3) Data collection as referred to in paragraph (2) is carried out to determine the suitability of the number of Sarusun with residential needs.

#### Article 76

- (1) Proponents who violate the provisions as referred to in Article 75 paragraph (1) are subject to administrative sanctions in the form of written warnings.
- (2) The procedure for imposing administrative sanctions as referred to in paragraph (1) shall be carried out with the following provisions:
  - a. written warning as referred to in paragraph (1) shall be given 2 (two) times with a maximum period of each written warning of 5 (five) working days; and

- b. Development Actors who ignore the written warning as referred to in letter a, cannot carry out quality improvement.

#### Article 77

- (1) In the implementation of improving the quality of Flats as referred to in Article 71 paragraph (4) letter a, PPPSRS may cooperate with Development Actors.
- (2) Cooperation as referred to in paragraph (1) shall be carried out based on a written agreement made before an authorized official based on the principle of equality.
- (3) The implementation of improving the quality of Public Flats and Special Flats is carried out by the agency for accelerating the implementation of housing.

#### Article 78

- (1) Development actors are responsible for the implementation of quality improvement, the provision of adequate temporary housing by taking into account the distance factor, facilities, infrastructure, and public utilities, including funding.
- (2) PPPSRS is responsible for the re-occupancy of the old owner after the completion of the quality improvement of the flat.
- (3) In the case of re-occupancy by the former owner as referred to in paragraph (2), the owner shall not be subject to acquisition duty on land and building rights.

### CHAPTER XII

#### PPPSRS

#### Article 79

- (1) Flat owners are obliged to form PPPSRS.
- (2) PPPSRS as referred to in paragraph (1) shall consist of Owners or Occupants who are authorized by the Flat Owners.

#### Article 80

- (1) Owners who violate the provisions as referred to in Article 79 paragraph (1) are subject to administrative sanctions.
- (2) Administrative sanctions as referred to in paragraph
  - (1) can be:
    - a. written warning;
    - b. temporary suspension or permanent suspension of the management of Flats; and
    - c. imposition of administrative fines.

- (3) The procedure for imposing administrative sanctions as referred to in paragraph (2) shall be carried out with the provisions:
- a. written warning as referred to in paragraph (2) letter a, shall be given 2 (two) times with a maximum period of each written warning of 5 (five) working days;
  - b. The owner who ignores the written warning as referred to in letter a, is subject to administrative sanctions in the form of temporary suspension or permanent suspension of the management of the Flat;
  - c. The owner who ignores the temporary suspension or permanent suspension of the management of the Flat as referred to in letter b, shall be subject to administrative sanctions in accordance with the provisions of laws and regulations; and
  - d. The owner who has settled the administrative fine as referred to in letter c, must form PPPSRS no later than 1 (one) year.

#### Article 81

- (1) Development Actors shall facilitate the formation of PPPSRS at the latest before the transition period as referred to in Article 68 paragraph (2) ends.
- (2) In the event that the PPPSRS has been formed, the Development Performer shall immediately hand over the management of the Common Objects, Common Parts, and Common Land to the PPPSRS.
- (3) PPPSRS as referred to in paragraph (1) is obliged to manage the interests of the Owners and Residents relating to the management of ownership of Shared Objects, Shared Parts, Shared Land, and occupancy.
- (4) PPPSRS as referred to in paragraph (1) may form or appoint a manager.

#### Article 82

- (1) Development Actors who violate the provisions as referred to in Article 81 paragraph (1) shall be subject to administrative sanctions.
- (2) Administrative sanctions as referred to in paragraph (1) can be:
  - a. written warning;
  - b. temporary suspension or permanent suspension of the management of Flats; and

- c. imposition of administrative fines.
- (3) The procedure for imposing administrative sanctions as referred to in paragraph (2) shall be carried out with the provisions:
- a. written warning as referred to in paragraph (2) letter a, shall be given 2 (two) times with a maximum period of each written warning of 5 (five) working days;
  - b. The owner who ignores the written warning as referred to in letter a, is subject to administrative sanctions in the form of temporary suspension or permanent suspension of the management of the Flat;
  - c. The owner who ignores the temporary suspension or permanent suspension of the management of the Flat as referred to in letter b, shall be subject to administrative sanctions in accordance with the provisions of laws and regulations; and
  - d. The owner who has settled the administrative fine as referred to in letter c, must form PPSRS no later than 1 (one) year.

#### Article 83

The procedures for managing the interests of Owners and Residents related to occupancy as referred to in Article 81 shall be regulated in the Articles of Association and Bylaws of PPSRS.

#### Article 84

- (1) In the event that the PPSRS decides something related to the ownership and management of the Flat, each member has the same rights as the NPP.
- (2) In the event that the PPSRS decides something related to the interests of the occupancy of the Flat, each member is entitled to cast one vote.

### CHAPTER XIII

#### THE ROLE OF THE COMMUNITY

#### Article 85

- (1) The implementation of Flat Houses is carried out by the Regional Government in accordance with its authority by involving the role of the community.

- (2) The role of the community as referred to in paragraph (1) is carried out by providing input in:
  - a. preparation of development plans for Flats and their neighborhoods;
  - b. implementation of the construction of Flats and their environment;
  - c. utilization of the Flat and its environment;
  - d. maintenance and repair of the Flat and its environment; and/or
  - e. supervision and control of the implementation of Flats and their environment.
- (3) The community can form a Flats development forum.
- (4) The forum as referred to in paragraph (3) has functions and duties:
  - a. accommodate and channel the aspirations of the community in the development of Flats;
  - b. discuss and formulate thoughts on the direction of development of the organization of Flats;
  - c. increase the role and supervision of the community;
  - d. provide input to the Regional Government; and/or
  - e. perform the role of arbitration and mediation in the field of Flat Management.
- (5) The establishment of the Flats Development Forum as referred to in paragraph (3) shall be carried out in accordance with the provisions of laws and regulations.

## CHAPTER XIV

### RIGHTS AND OBLIGATIONS

#### Part One

#### Rights

#### Article 86

- (1) Everyone has the right to live in a decent, affordable, and sustainable flat in a healthy, safe, and harmonious environment.
- (2) In the implementation of the Flat House, every person has the right:
  - a. provide input and suggestions in the preparation of policies and strategies for Flats in the Region;

- b. overseeing stakeholders' compliance with the implementation of policies, strategies, and programs for the development of Flats;
- c. obtain information, conduct research, and develop knowledge and technology of Flats in the Region;
- d. participate in helping to manage information on Flats in the Region;
- e. building flats;
- f. benefit from the organization of the Flat;
- g. obtain adequate compensation for losses suffered directly as a result of the implementation of the Flat; and
- h. file a representative lawsuit to the court against the organization of the Flat that is detrimental to the community.

## Second Part

### Obligations

#### Article 87

In organizing House Flats, Every Person is obliged to:

- a. maintain security, order, cleanliness, and health in the Flat environment;
- b. participate in preventing the implementation of Flat Houses that are detrimental and harmful to others and/or the public interest;
- c. safeguard and maintain environmental infrastructure and facilities as well as public utilities located in the Flats environment; and
- d. supervise the utilization and functioning of infrastructure, facilities, and public utilities in the Flats environment.

#### Article 88

- (1) Every Person who violates the provisions as referred to in Article 87 shall be subject to administrative sanctions.
- (2) Administrative sanctions as referred to in paragraph (1) in the form of a written warning.
- (3) The procedure for imposing administrative sanctions as referred to in paragraph (2) shall be given 2 (two) times with a maximum period of each written warning of 5 (five) working days.



CHAPTER XV

COOPERATION

Article 89

- (1) In organizing Flats in the Region, the Regional Government can cooperate with third parties.
- (2) Cooperation as referred to in paragraph (1) shall be carried out in accordance with the provisions of laws and regulations.

CHAPTER XVI

FUNDING

Article 90

Funding is intended to ensure the availability of funds and sustainable long-term low-cost funds to fulfill the needs of Flats.

Article 91

The source of funds to fulfill the needs of Public Flats comes from:

- a. regional revenue and expenditure budget; and/or
- b. other legal and non-binding sources of funds in accordance with the provisions of laws and regulations.

Article 92

The funds as referred to in Article 91 are utilized to support:

- a. implementation of Public Flats; and/or
- b. granting assistance and/or ease of construction of Public Flats.

CHAPTER XVII

TRANSITIONAL PROVISIONS

Article 93

Business Licenses that have been issued prior to the promulgation of this Regional Regulation are declared to remain valid until the period stipulated in the Business license expires.

CHAPTER XVIII  
CLOSING PROVISIONS

Article 94

When this Regional Regulation comes into effect, Regional Regulation of Sukoharjo Regency Number 2 of 2012 concerning Flats (Regional Gazette of Sukoharjo Regency Year 2012 Number 7, Supplement to Regional Gazette of Sukoharjo Regency Number 199), shall be revoked and declared invalid.

Article 95

This Regional Regulation shall come into force on the date of promulgation.

In order that everyone may know it, it is ordered that this Regional Regulation be promulgated by placing it in the Regional Gazette of Sukoharjo Regency.

Established in Sukoharjo  
on February 23, 2024  
BUPATISUKOHARJO,

ttd.

ETIK SURYANI

Promulgated in  
Sukoharjo on February  
23, 2024

REGIONAL SECRETARY  
OF SUKOHARJO  
REGENCY,

ttd.

WIDODO

REGIONAL SHEET OF SUKOHARJO DISTRICT YEAR 2024  
NUMBER 1

REGISTER NUMBER OF LOCAL REGULATIONS OF SUKOHARJO DISTRICT,  
CENTRALJAVA PROVINCE : (1-32/2024)

EXPLANATION OF  
SUKOHARJO DISTRICT REGIONAL  
REGULATION NUMBER 1 OF 2024  
ABOUT FLATS

I. GENERAL

According to the provisions of Article 28H paragraph (1) of the 1945 Constitution of the Republic of Indonesia, every person has the right to live in prosperity, physically and mentally, to have a place to live, and to have a good and healthy environment. Residence has a strategic role in the formation of character and personality as well as an effort to build a whole, self-reliant, independent and productive human being. Local governments are responsible for ensuring the fulfillment of the right to housing in the form of decent and affordable housing. This can be seen from the fact that there are still many people who have not been able to live in a decent house. Fulfillment of housing needs can be done through the construction of flats as part of housing development. The construction of Flats is expected to be able to encourage regional development which is also a solution to improving the quality of settlements in Sukoharjo Regency. To realize the occupancy of Flats that are orderly administration, safe, comfortable, peaceful, clean environment, reduce the number of slums, and increase the access of low-income people to livable homes, it is necessary to regulate Flats through Regional Regulations.

II. ARTICLE BY

ARTICLE Article 1

Clear enough.

Article 2

Clear enough.

Article 3

Clear enough.

Article 4

Clear enough.

Article 5

Clear enough.

Article 6

Clear enough.

Article 7

Clear enough.

Article 8

Clear enough.

Article 9

Clear enough.

Article 10

Clear enough.

Article 11

Clear enough.

Article 12

Clear enough.

Article 13

Paragraph (1)

Letter a

Clear enough.

Letter b

Zoning for the construction of flats refers to the regional spatial plan.

Letter c

Clear enough.

Paragraph (2)

Clear enough.

Paragraph (3)

Clear enough.

Article 14

Paragraph (1)

Letter a

Clear enough.

Letter b

Clear enough.

Letter c

Clear enough.

Letter d

Clear enough.

Letter e

Clear enough.

Letter f

Clear enough.

Letter g

Clear enough.

Letter h

What is meant by "balanced residential" is housing or residential environment that is built in a balanced manner between Commercial Flats and Public Flats.

Letter i

Clear enough.

Paragraph (2)

Clear enough.

Article 15

Letter a

Sufficiently

clear

Letter b  
Special Flats are intended for:

- a. Industrial workers, are people who work as laborers or industrial workers in industrial areas;
- b. people residing in the country's border areas;
- c. Fishing communities, are communities that live in coastal areas and make a living as fishermen;
- d. Disaster-affected communities are communities directly affected by disasters of national scale and/or impact;

- e. Communities affected by central government development programs, are communities that must leave their original residence due to the impact of central government development programs or activities;
- f. people who live in scattered locations on outer islands, remote areas, and disadvantaged areas;
- g. social community and those with special needs, namely health workers, the elderly, social welfare service providers (PPKS), the poor, people with disabilities, orphans, and/or abandoned children who socially require attention and assistance;
- h. learners;
- i. outstanding community; and/or
- j. sports

players. Letter c

Clear

enough Article 16

Clear enough.

Article 17

Clear enough.

Article 18

Paragraph (1)

The obligation to provide Public Flats is evidenced by a technical building plan document that describes the construction plan of Commercial Flats and Public Flats.

Paragraph (2)

Clear enough.

Paragraph (3)

Letter a

What is meant by "one Flat building in one Common Land" is one Flat building consisting of Public Flats and Commercial Flats built on one Common Land.

Letter b

What is meant by "different Flats in one Common Land" are Public Flats and Commercial Flats built separately on one Common Land.

Letter c

What is meant by "different flat buildings not on one Common Land" are Public Flats and Commercial Flats that are built separately not on one Common Land.

Paragraph (4)

Clear enough.

Article 19

Clear enough.

Article 20

Clear enough.

Article 21

Clear enough.

Article 22

Clear enough.

Article 23

Clear enough.

Article 24

Clear enough.

Article 25

Paragraph (1)

Clear enough.

Paragraph (2)

Clear enough.

Paragraph (3)

Clear enough.

Paragraph (4)

Clear enough.

Paragraph (5)

What is meant by "recorded at the land office" is recorded in the land book and on the land title certificate.

Article 26

Paragraph (1)

Letter a

Clear enough.

Letter b

What is meant by "land consolidation" is the rearrangement of control, ownership, use, and utilization of land in accordance with the regional spatial plan in an effort to provide land for the purpose of building Flats.

Letter c

What is meant by "transfer of land rights" is a sale, purchase, grant, or exchange of land rights.

What is meant by "relinquishment of land rights" is a relinquishment made by the holder of land rights in the presence of an authorized official to become land directly controlled by the state.

Letter d

Clear enough.

Letter e

Clear enough.

Letter f

Clear enough.

Letter g

Clear enough.

Paragraph (2)

Clear enough.

Paragraph (3)

Clear enough.

Article 27

Clear enough.



Article 28

Clear enough.

Article 29

Letter a

What is meant by "administrative requirements" are licenses required as a condition for the construction of Flats.

Letter b

What is meant by "technical requirements" are requirements relating to building structure, building security and safety, environmental health, comfort, and others related to building design, including the completeness of infrastructure and environmental facilities.

Letter c

What is meant by "ecological requirements" are requirements that fulfill the environmental impact analysis in terms of the construction of Flats.

Article 30

Paragraph (1)

What is meant by "Common Parts", among others, are foundations, columns, beams, walls, floors, roofs, gutters, stairs, elevators, hallways, ducts, pipes, electricity, gas and telecommunications networks.

What is meant by "Common Objects", among others, are meeting rooms, plants, landscaping buildings, social facilities buildings, places of worship, playgrounds, and parking lots that are separate or integrated with the structure of the Flat building.

Paragraph (2)

Clear enough.

Paragraph (3)

Clear enough.

Article 31

Clear enough.

Article 32

Clear enough.

Article 33

Clear enough.

Article 34

Clear enough.

Article 35

Clear enough.

Article 36

Clear enough.

Article 37

Clear enough.

Article 38

Paragraph (1)

What is meant by "building floor coefficient" is the ratio between the total floor area of the building and the area of the parcel/plot/block designation.

What is meant by "basic building coefficient" is the ratio between the area of the ground floor of the building and the area of the parcel/plot/block designation.

Calculation and determination of the building floor coefficient and basic building coefficient, including the height of the building on a site in accordance with the provisions of the building and environmental planning.

Paragraph (2)

Clear enough.

Article 39

Letter a

What is meant by "location designation" is a provision regarding the type of function or combination of functions of a Flat building that may be built in a certain location or area.

What is meant by "building intensity" is the technical provisions regarding the density and height of the Flat building required in a particular location or area which includes the basic building coefficient, building floor coefficient, and number of building floors.

## Letter b

What is meant by "safety requirements" is the ability of the Flat building to support the load as well as to prevent and overcome fire and lightning hazards.

Health requirements include ventilation systems, lighting, sanitation, and the use of building materials.

Comfort requirements include the comfort of movement space and inter-room relationships, indoor air conditions, views, and the influence of vibration levels and noise levels.

Convenience requirements include ease of connection to, from, and within the Flat building as well as facilities and infrastructure in the utilization of the Flat building.

## Article 40

Clear enough.

## Article 41

What is meant by "harmony and balance of environmental functions" is harmony between the artificial environment, natural environment and socio-culture, including the nation's cultural values that need to be preserved.

## Article 42

Clear enough.

## Article 43

## Paragraph (1)

What is meant by "fit for function" is the functioning of all or part of the Flat building that can guarantee the fulfillment of the requirements for building procedures and the reliability of the Flat building in accordance with the functions stipulated in the PBG and the function and utilization plan.

What is meant by "part of the construction of a Flat" is one Flat building or more of the entire Flat building plan that is horizontally separated and separated by a construction unit in an environmental unit.

## Paragraph (2)

Clear enough.

## Article 44

Clear enough.

## Article 45

## Paragraph (1)

What is meant by "neighborhood of Flats" is a plot of land with clear boundaries on which Flats are built, including infrastructure, facilities, and public utilities which as a whole constitute a unit of settlement.

What is meant by "infrastructure" is the basic physical completeness of the Flat's residential environment that meets certain standards for decent, healthy, safe, and comfortable living needs including road networks, drainage, sanitation, clean water, and garbage bins.

What is meant by "facilities" are facilities in the residential environment of Flats that function to support the organization and development of social, cultural, and economic life including socio-economic facilities (education, health, worship and commerce) and public facilities (green open spaces, recreation areas, sports facilities, public cemeteries, government facilities, and others).

What is meant by "public utilities" is supporting equipment for the service of the residential environment of flats which includes electricity networks, telephone networks, and gas networks.

## Paragraph (2)

Clear enough.

## Paragraph (3)

Clear enough.

## Paragraph (4)

Clear enough.

## Paragraph (5)

Clear enough.

## Paragraph (6)

Clear enough.

## Article 46

Clear enough.

## Article 47

Clear enough.

Article 48

Paragraph (1)

Clear enough.

Paragraph (2)

Letter a

Certainty of spatial designation is shown through a city plan certificate that has been approved by the local government.

Letter b

The certainty of land rights is shown through land title certificates.

Letter c

The certainty of the status of tenure of the Flat must be explained to prospective buyers, which is shown based on the defense authorized by the Regional Government.

Letter d

Licensing for the construction of Flats is shown through the PBG.

Letter e

collateral for the construction of Flats can be in the form of bank or non-bank support letters.

Paragraph (3)

Clear enough.

Article 49

Paragraph (1)

Clear enough.

Paragraph (2)

Letter a

Clear enough.

Letter b

Clear enough.

Letter c

Clear enough.

Letter d

What is meant by "at least 20% (twenty percent) buildability" is 20% (twenty percent) of the construction volume of the Flat building that is being marketed.

Letter e

What is meant by "things that are promised" is the condition of the Flats built and sold to consumers who are marketed, including through promotional media, among others, the location of the Flats, the shape of the Flats, building specifications, the price of the Flats, infrastructure, facilities, and public utilities of the Flats, other facilities, and the time of handover of the Flats.

Article 50

Paragraph (1)

The sale and purchase deed is made before a notary land deed official for SHM Sarusun and a notary for SKBG Sarusun as evidence of the transfer of rights.

Paragraph (2)

Clear enough.

Article 51

Paragraph (1)

Clear enough.

Paragraph (2)

Clear enough.

Paragraph (3)

Clear enough.

Paragraph (4)

What is meant by "authorized institution" is an agency or institution that has been accredited to organize education and training in the management of Flats.

Paragraph (5)

Clear enough.

Article 52

Clear enough.

Article 53

Clear enough.

Article 54

Clear enough.

Article 55

Clear enough.

Article 56

Clear enough.

Article 57

Paragraph (1)

Clear enough.

Paragraph (2)

What is meant by "non-residential function" is life support for the residents of the Flat. Examples: business premises and meetinghalls

Paragraph (3)

Clear enough.

Article 58

Clear enough.

Article 59

Clear enough.

Article 60

Clear enough.

Article 61

Clear enough.

Article 62

Clear enough.

Article 63

Clear enough.

Article 64

Paragraph (1)

Clear enough.

Paragraph (2)

Letter a

What is meant by "inheritance" is the transfer of rights that occurs by law with the death of the testator.

Letter b

Clear enough.

Paragraph (3)

Clear enough.

Paragraph (4)

Clear enough.

Paragraph (5)

Clear enough.

Article 65

Paragraph (1)

What is meant by "maintenance" is an activity to maintain the reliability of building buildings and their infrastructure and facilities so that they are always fit for function.

What is meant by "maintenance" is the activity of repairing and/or replacing building parts, components, building materials, and/or infrastructure and facilities so that the building remains fit for function.

Paragraph (2)

Clear enough.

Paragraph (3)

Clear enough.

Article 66

Paragraph (1)

Clear enough.

Paragraph (2)

What is meant by "proportional" is that operational and maintenance costs are borne by the residents, while maintenance costs are borne by the owner.

Paragraph (3)

Clear enough.



Paragraph (4)

Clear enough.

Paragraph (5)

Clear enough.

Article 67

Clear enough.

Article 68

Paragraph (1)

What is meant by "Public Flat owned" is a Flat organized to meet the housing needs of the MBR and its control by being owned.

What is meant by "transition period" is the period when the Sarusun has not been fully sold.

Paragraph (2)

Clear enough.

Paragraph (3)

Clear enough.

Paragraph (4)

Clear enough.

Paragraph (5)

Clear enough.

Paragraph (6)

Clear enough.

Article 69

Clear enough.

Article 70

Clear enough.

Article 71

Paragraph (1)

Clear enough.

Paragraph (2)

What is meant by "technical recommendation" is the result of an inspection of the function feasibility of the Flat conducted in accordance with statutory provisions.

Paragraph (3)

Clear enough.

Paragraph (4)

Clear enough.

Paragraph (5)

Clear enough.

Article 72

Clear enough.

Article 73

Clear enough.

Article 74

Clear enough.

Article 75

Clear enough.

Article 76

Clear enough.

Article 77

Clear enough.

Article 78

Clear enough.

Article 79

Paragraph (1)

Clear enough.

Paragraph (2)

The power of attorney from the owner to the tenant is limited to occupancy, for example, in determining the amount of dues for security, cleaning, or social services.

Article 80

Clear enough.

Article 81

Clear enough.

Article 82

Clear enough.

Article 83

Clear enough.

Article 84

Paragraph (1)

Clear enough.

Paragraph (2)

What is meant by "each member is entitled to cast one vote" is that if the flat has been occupied, the owner's vote can be authorized to each occupant of the flat. If the flat has not been occupied, each owner's name only has one vote even though the owner concerned owns more than one flat.

Article 85

Clear enough.

Article 86

Clear enough.

Article 87

Clear enough.

Article 88

Clear enough.

Article 89

Clear enough.

Article 90

Clear enough.

Article 91

Clear enough.

Article 92

Clear enough.

Article 93

Clear enough.

Article 94

Clear enough.

Article 95

Clear enough.

ADDITIONAL REGIONAL SHEET OF SUKOHARJO REGENCY NUMBER 319