

Perlindungan hukum terhadap pembeli rumah susun dalam perjanjian pengikatan jual beli Urbana Residence Karawaci = Urbana Residence Apartment Karawaci buyers legal protection in the preliminary sale and purchase agreement

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Abstrak

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Tesis ini membahas mengenai klausula dalam perjanjian pengikatan jual beli, khususnya mengenai masalah kesesuaian isi perjanjian dengan peraturan perundangundangan yang berlaku dan perlindungan terhadap pembeli rumah susun. Penelitian ini menggunakan metode penelitian yuridis normative. Rumah susun berkembang dari tuntutan kebutuhan akan tempat tinggal di kota besar tidak diimbangi dengan ketersediaan tanah dan harga tanah yang mahal. Penjualan sebelum pembangunan selesai dimungkinkan dengan melakukan perjanjian pengikatan jual beli. Bentuk perjanjian tersebut sudah disiapkan oleh pengembang. Akibatnya, pembeli harus menerima perjanjian tersebut. Dari hasil penelitian ini dapat disimpulkan bahwa terdapat beberapa klausula yang kurang memberikan perlindungan hukum kepada pembeli rumah susun.

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ABSTRACT

This thesis discusses the binding clauses in the preliminary sale and purchase agreement, particularly on the congruence of the agreement with the legislation and the legal protection of the buyers. This research used juridical norms approach as research method. The growing demands of housing in big city are not supported with the availability of the land and expensive land prices. It is possible to do preliminary sale before the development is completed by signing the preliminary sale and purchase agreement. The agreement has been prepared by the developer in standard form contract. As a result, the buyers must accept the agreement as is. The research concluded that some clauses are not complying with the legislation yet and not provide sufficient legal protection to the apartment buyers.;This thesis discusses the binding clauses in the preliminary sale and purchase agreement, particularly on the congruence of the agreement with the legislation and the legal protection of the buyers. This research used juridical norms approach as research method. The growing demands of housing in big city are not supported with the availability of the land and expensive land prices. It is possible to do preliminary sale before the development is completed by signing the preliminary sale and purchase agreement. The agreement has been prepared by the developer in standard form contract. As a result, the buyers must accept the agreement as is. The research concluded that some clauses are not complying with the legislation yet and not

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