



MANAGEMENT OF GREEN PRAMUKA CITY APARTMENT DIRECTLY BY THE DEVELOPER WITHOUT INVOLVEMENT OF THE ASSOCIATION OF UNIT OWNERS AND RESIDENTS (PPPSRS)

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ABSTRACT

This study focuses on the dynamics of condominium ownership as a form of vertical housing in urban areas of Indonesia, which involves not only the ownership of private space but also rights and obligations over common areas. The issues that arise are closely related to legal, social, and governance aspects, particularly in the utilization and management of shared facilities, which often lead to conflicts among residents. The research method employed is a qualitative approach with normative-juridical and empirical analysis. Data were obtained through literature review, regulatory analysis, and in-depth interviews with condominium residents, managers, and other relevant stakeholders. The findings indicate that there remains a gap between the legal regulations governing condominium ownership and actual practices in the field. The main obstacles lie in weak supervision, low legal awareness among residents, and overlapping authorities between managers and unit owners. The implications of this research emphasize the importance of strengthening more operational regulations, enhancing managerial capacity, and providing legal education to the community in order to create harmonious and equitable condominium governance.

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1. INTRODUCTION

The increase in the urban population in Indonesia, particularly in Jakarta, has had significant consequences for housing demand patterns (Carolin & Kurniati, 2025; Januari et al., 2024). According to data from the Central Statistics Agency (BPS) in 2023, Indonesia's urbanization rate has reached more than 56 percent and is projected to rise to 67 percent by 2035 (Hadi et al., 2024; Hastuti & Rifa'i, 2024). This growth has triggered land scarcity and soaring land prices in urban areas, making condominiums or apartments a rational choice for urban communities to meet their housing needs. Vertical housing is not only regarded as a solution for space efficiency but also as a representation of the modernization of urban lifestyles (Nisa & Zahra, 2025; Tarigan, 2025). However, the physical development of condominiums has not always been accompanied by the strengthening of fair and participatory governance, particularly in fulfilling residents' rights and ensuring legal certainty in housing management.

Empirical evidence shows a serious gap between regulations and actual practice. Green Pramuka City Apartment in Jakarta is a concrete example, where, despite the handover of units to owners long ago, the Association of Unit Owners and Residents (PPPSRS) has not yet been established in accordance with Law Number 20 of 2011 on Condominiums and its implementing regulations (Meutia & Hermawan, 2024). As a result, all aspects of estate management including the determination of service charges (Iuran Pengelolaan Lingkungan/IPL), the use of shared facilities, and the enforcement of internal rules are unilaterally controlled by the developer. This condition creates an unequal relationship between residents and the developer, as residents lose the institutional mechanism that should represent their collective interests. Such a situation not only weakens residents' legal position but also creates a governance vacuum that has the potential to trigger social conflicts.

A number of international studies have highlighted the importance of resident organizations in apartment governance. Setiaprimeswari (2023) demonstrated that resident associations function as oversight mechanisms to balance developers' power. Furthermore, Rafif & Puspitasari (2024) found that the absence of formal resident organizations increases the potential for social conflict and lowers the quality of life in vertical housing. A study by Ishak & Hos (2025) in Habitat International also showed that resident participation through collective organizations can enhance transparency, accountability, and sustainability in housing management. Nevertheless, these studies have not specifically addressed the Indonesian context, particularly the issue of weak legal implementation and the absence of local government involvement in facilitating the establishment of PPPSRS as mandated by law.

This gap serves as an important foundation for this research. Unlike previous studies that have emphasized managerial or sociological dimensions, this study specifically situates the issue of the PPPSRS within the juridical framework and urban governance in Indonesia. It addresses the gap by examining how the absence of a PPPSRS at Green Pramuka City Apartment impacts the weak legal standing of residents, the dominance of the developer, and the minimal role of the local government as a supervisory body. Thus, this research not only contributes to the body of literature on vertical housing governance but also enriches the discourse on the importance of legal certainty and participation in urban living spaces.

The novelty of this study lies in its approach, which integrates positive legal analysis with social perspectives on vertical housing governance practices. It highlights the issue of state absence (government inaction) as a structural factor exacerbating the imbalance of power between developers and residents. From this perspective, the study offers a more comprehensive analytical framework for understanding condominium issues, not merely as administrative concerns but also as a reflection of a micro-democratic crisis in urban governance.

Based on this background, the primary objective of this research is to analyze the legal, social, and administrative implications of the non-establishment of the PPPSRS at Green Pramuka City Apartment in Jakarta. The study seeks to reveal how developer dominance in apartment management affects residents' rights and to examine the extent of local government responsibility in carrying out its legal mandate. The urgency of this research lies in its contribution to strengthening public legal and social awareness, as well as providing policy recommendations to support the creation of participatory and equitable governance in Indonesia's vertical housing system.

2. RESEARCH METHODS

The research method employed in this study is normative legal research with a juridical-sociological approach (Suganda, 2022). Normative legal research is conducted to examine the positive legal norms regulating condominium management, particularly Law Number 20 of 2011 on Condominiums and its implementing regulations. This research aims to identify the legal authority, rights, and obligations of the parties involved, as well as the juridical implications of the non-establishment of the Association of Unit Owners and Residents (PPPSRS). Meanwhile, the juridical-sociological approach is used to understand how these legal norms are implemented in practice by examining the social realities occurring at Green Pramuka City Apartment in Jakarta, as a concrete case that reflects the inconsistency between legal provisions and their implementation.

The types and sources of data used consist of primary and secondary data. Primary data were obtained through in-depth interviews with key informants, namely residents of Green Pramuka City Apartment, representatives of the developer, and local government officials related to condominium management. These data serve to illustrate experiences, perceptions, and management practices in the field. Meanwhile, secondary data were obtained from a literature review of legislation, court decisions, scientific journals, official reports, and relevant literature on vertical housing governance and the PPPSRS institution.

Data collection techniques included document study, observation, and semi-structured interviews. Document study was used to systematically examine various regulations related to condominium management. Observation was conducted to gain an empirical overview of the apartment management conditions, including

interaction patterns between residents and the developer. Semi-structured interviews were employed to explore in depth the challenges, expectations, and perceptions of stakeholders regarding the existence of the PPPSRS.

The collected data were analyzed using a qualitative descriptive-analytical method. The analysis was carried out in three stages: data reduction, data presentation, and conclusion drawing. Data reduction was conducted by selecting information relevant to the research focus, data presentation was organized in systematic narratives linking legal norms with field findings, and conclusion drawing was achieved through legal interpretation and governance theory to identify the substantive meaning of the phenomenon studied.

Data validity was ensured through source triangulation, namely by comparing information from various types of data (legal documents, interviews, and observations) to obtain a comprehensive and valid picture. With this method, the study is expected to provide a holistic understanding of the legal and governance issues of condominiums in Indonesia, as well as to contribute both academically and practically to strengthening the PPPSRS institution as a micro-democratic instrument within vertical housing environments.

3. RESULT AND ANALYSIS

In the rapidly growing vertical housing system in Indonesia's urban areas, condominiums have emerged as an efficient housing solution amidst limited land availability and soaring land prices (Safira et al., 2024). Condominiums, particularly in the form of apartments, do not only concern private living spaces but also include joint ownership of certain areas such as corridors, gardens, parking lots, emergency stairways, as well as essential facilities like elevators and clean water networks (Febrianty & Mkn, 2023). Therefore, condominium management carries its own complexity, as it involves collective rights and shared interests that cannot be regulated unilaterally.

To ensure that the interests of condominium owners and residents are protected and managed in a democratic, transparent, and accountable manner, Indonesian law mandates the establishment of the Association of Unit Owners and Residents (PPPSRS). In a juridical context, the PPPSRS functions as a legitimate forum for collective participation, representing residents in decision-making processes regarding condominium management, including the regulation of the use of common property, shared areas, and jointly owned land.

Law Number 20 of 2011 on Condominiums explicitly stipulates that the establishment of the PPPSRS is a legal obligation that must be facilitated by the developer no later than one year after the first handover of condominium units to owners (Aulia, 2021). This provision reflects the state's recognition of the importance of a resident representative institution to ensure inclusive and equitable condominium governance.

However, in practice, the implementation of this provision has not proceeded as mandated in many condominiums. There are cases where developers continue to hold full control over housing management, even long after the condominium units have been handed over and occupied. One striking example is Green Pramuka City Apartment, where, even years after its operation began, the PPPSRS has yet to be established. This situation raises questions about the legitimacy of the management being carried out, as well as the legal standing of residents who, *de facto*, already own condominium units but, *de jure*, lack an institutional body to represent and advocate for their collective interests.

The absence of a PPPSRS in condominium governance is not merely an administrative violation; it also affects the fulfillment of citizens' constitutional rights to participate in managing their own living environment. In the context of a democratic rule-of-law state, citizen participation is an indispensable element. Therefore, unilateral management by developers without the presence of a PPPSRS risks creating power imbalances, undermining principles of justice, and opening space for governance practices that are neither transparent nor accountable.

Furthermore, the weak role of local government in supervising and enforcing the obligation to establish a PPPSRS exacerbates the problem. The local government, particularly in this case the Provincial Government of DKI Jakarta, should act as a facilitator and supervisor to ensure that every developer complies with the laws and regulations governing condominiums. The lack of firmness in implementing this legal obligation reflects an institutional void that should otherwise protect citizens from unilateral domination in the management of their living spaces.

Legal Provisions on Condominium Management Authority under Law Number 20 of 2011

Within the Indonesian legal system, condominiums represent a form of vertical housing that has its own legal characteristics, distinct from horizontal housing such as landed houses (Sofian, 2022). Vertical housing creates a dual ownership relationship: individual ownership of condominium units and joint ownership of common areas, shared objects, and shared land (Athallah et al., 2024). Therefore, the management of condominiums requires a special governance model grounded in the principles of participation and representation of residents.

The specific legal framework regulating condominium management is contained in Law Number 20 of 2011 on Condominiums. This law establishes the legal structure regarding the rights and obligations of

condominium unit owners and residents, developers, and other parties involved in condominium governance. One of the key provisions of this law concerns the residents' representative body, the Association of Unit Owners and Residents (PPPSRS), which is legally mandated to exercise collective authority in condominium management.

The existence of the PPPSRS is a manifestation of the principle of democracy in the governance of vertical housing (Zachman & Fauzia, 2021). The PPPSRS is not merely an ordinary association; it is a legally recognized legal entity authorized to represent the interests of condominium unit owners and residents in all matters related to the management of common areas, shared objects, and shared land. This is reinforced in Article 75 paragraph (1) of Law Number 20 of 2011, which stipulates: "Condominium management shall be carried out by the association of unit owners and residents."

Meanwhile, Article 75 paragraph (2) of the same law explicitly stipulates that developers have a legal obligation to facilitate the establishment of the PPPSRS no later than one year after the first handover of condominium units to their owners. Thus, it is not only the owners who are obliged to organize themselves, but the developer also bears a juridical responsibility to provide space and administrative support for the formation of this organization.

If the developer continues to manage the common property and other shared assets beyond the one-year period after the first handover without forming a PPPSRS, such action is in explicit violation of positive legal norms. In administrative law theory, authority that is not exercised in accordance with the time limits or procedures stipulated by legislation loses its legitimacy. Therefore, permanent management by the developer after that one-year period becomes legally invalid, as it exceeds the authority granted by law.

Furthermore, Article 1 point 9 of Law Number 20 of 2011 explains that common objects, common areas, and shared land are inseparable parts of the ownership rights of condominium units. This means that when a person lawfully becomes the owner of a condominium unit, they automatically acquire proportional rights over those shared parts. Consequently, the developer cannot unilaterally manage or make decisions regarding these objects without first obtaining approval from unit owners through the PPPSRS.

In practice, without the existence of a PPPSRS, residents lack a legitimate legal instrument to reject or review policies made by the developer. This creates a power imbalance between condominium unit owners and the developer. In fact, the establishment of the PPPSRS is intended to bridge this relationship within an equal legal framework, ensuring that residents' collective rights are protected and exercised democratically.

Furthermore, the Condominium Law not only emphasizes the importance of establishing the PPPSRS as a legal mandate but also underscores the significance of active citizen participation in managing their own living environment. This aligns with the values of democracy and good governance, where decision-making on matters concerning shared interests must be carried out through deliberation and collective agreement. In the absence of a PPPSRS, such deliberative mechanisms disappear, and important decisions including those related to maintenance fees, the use of common land, or the utilization of facilities are made unilaterally by the developer, which is inherently prone to conflicts of interest.

Unilateral management by developers also opens the door to non-transparent practices, such as fee collection without accountability, denial of access to information, and profit-taking from shared assets without any mechanism of responsibility. In this context, the rights of condominium unit owners to information, control, and participation in decision-making concerning their living environment are reduced or even entirely lost.

The implications of such practices extend not only to administrative matters but also to property rights guaranteed by law. Within the Indonesian legal system, ownership rights over condominium units are absolute and constitutionally protected. Therefore, if a developer manages the common property without representative consent from the owners, the developer has, *de facto*, violated the legally recognized collective ownership rights.

The foregoing discussion demonstrates that the establishment of a PPPSRS constitutes a non-negotiable legal necessity, as it directly concerns the legitimacy of management and the protection of residents' rights. Consequently, developer-led management that continues without the formation of a PPPSRS beyond one year after the initial handover of condominium units cannot be considered legally valid, as it contravenes Law No. 20 of 2011 as well as the principles of justice and transparency that underlie condominium governance law.

Juridical Analysis of the Legitimacy of Unilateral Management by Developers Without PPPSRS

Within the framework of a democratic rule of law, every act or decision undertaken by a legal subject must consistently adhere to prevailing legal norms, both formal and material (Wibowo, 2025). The fundamental legality principle asserts that no power, authority, or action is valid unless it is explicitly grounded in governing legal provisions (Utami et al., 2025). Accordingly, in the context of condominium management, any form of administration concerning common parts, common objects, and common land must possess clear legal legitimacy and may not be carried out unilaterally by any party, including the developer.

Law No. 20 of 2011 on Condominiums explicitly stipulates that the management of condominiums is not the absolute authority of the developer, but rather the responsibility of the Association of Owners and Residents of Condominium Units (PPPSRS) as the official organization representing the collective interests of owners and residents. Article 75 paragraph (1) states that the management of condominium units shall be carried out by the PPPSRS, while paragraph (2) requires the developer to facilitate the establishment of the PPPSRS no later than one year after the first handover to the owners. This provision implies that after the one-year period, the official management must transition from the developer to the PPPSRS.

If the developer continues to directly and unilaterally manage the condominium without initiating the formation of the PPPSRS within the stipulated timeframe, such conduct may be juridically classified as exceeding its legal authority. In administrative law theory, this is known as *ultra vires*, an act performed by a legal subject beyond the limits of authority conferred by law. Constitutionally, such practice is also incompatible with the rule of law principle under Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which affirms that Indonesia is a state based on law, thereby requiring every action in the public domain to be founded upon legitimate and valid legal norms.

Furthermore, within the doctrinal framework of public law, there exists an important principle known as legal standing, namely a formal requirement that must be fulfilled for a subject to lawfully act on behalf of another person or group. In this context, only the PPPSRS has the legal standing to represent the collective interests of condominium unit owners in managing the common objects, common parts, and common land. Therefore, a developer who continuously undertakes management without the presence of a PPPSRS has legally lost its lawful position as a manager and lacks any legitimate legal authority.

The consequences of management carried out without a valid legal basis extend beyond administrative issues and also cause material harm to condominium unit owners. Non-transparent management may result in the imposition of charges or fees that cannot be justified (Puspaningsih, 2021). Residents may be burdened with significant financial obligations without clarity of use and without their participation in the decision-making process. This constitutes a violation of the principles of accountability and participation, which should serve as the pillars of sound condominium governance.

Moreover, unilateral management by the developer without the establishment of a PPPSRS clearly contravenes the principle of good governance, which requires accountability, transparency, effectiveness, efficiency, and stakeholder participation. In the context of condominium management, resident participation is crucial, as they are the ones most directly affected by policy decisions in their residential environment—whether in terms of financial burdens, comfort, or security. Without their involvement through the PPPSRS, management becomes authoritarian and potentially arbitrary.

In practice, many developers justify their continued management of condominiums by arguing that the formation of a PPPSRS is not yet feasible or that residents are not ready to self-manage. Such reasoning is legally indefensible, as the Law explicitly sets a timeframe and mechanism for establishing a PPPSRS. The failure to form a PPPSRS is not solely the responsibility of the residents, but also constitutes negligence on the part of the developer for failing to fulfill its legal obligations.

From the perspective of consumer protection, unilateral management by developers without resident representation through the PPPSRS may also be classified as a violation of consumer rights. Under Law No. 8 of 1999 on Consumer Protection, every consumer is entitled to comfort, security, and safety in the use of goods and/or services, as well as to clear and accurate information. In the condominium context, residents are consumers of the management services provided by the developer. When they lack access to financial information, lack voting rights, and are unable to control the use of maintenance funds, their position as consumers is weakened, exposing them to potential losses.

Therefore, it can be concluded that unilateral management of the common objects, common parts, and common land of a condominium by a developer without the establishment of a PPPSRS cannot be legally justified. Such conduct contravenes the spirit and provisions of Law No. 20 of 2011, as well as the fundamental principles of governance law, administrative law, and consumer protection law. The State and local governments in this case, the Provincial Government of DKI Jakarta as the competent authority bear responsibility to ensure consistent enforcement of the law and to sanction any violations that occur in order to guarantee legal certainty and the protection of the rights of citizens residing in condominiums.

The Role of Local Government in Ensuring the Establishment of PPPSRS and Fair Housing Management

Within Indonesia's condominium management system, local government plays a highly strategic role (Tayang et al., 2024). Beyond being a key stakeholder in urban planning and spatial regulation, local government is also responsible as the executor of public policy to guarantee the fulfillment of citizens' rights in the realm of housing and settlements, including vertical housing such as condominiums. This role is explicitly reflected in various statutory provisions, particularly in Law No. 20 of 2011 on Condominiums, which normatively emphasizes the importance of local government participation in facilitating, supervising, and overseeing

condominium management especially with regard to the establishment of the Association of Owners and Residents of Condominium Units (PPPSRS).

The PPPSRS is a representative body that acts as the legal extension of unit owners and residents in managing the common parts, common objects, and common land. Its establishment cannot be regarded as an optional policy but as a legal necessity that must be facilitated by the developer and supervised by local government. This obligation arises not merely as a procedural formality, but as a safeguard of the collective rights of residents to participate actively and exercise lawful control over their living environment. Therefore, when the formation of a PPPSRS does not proceed as required, it amounts to a violation of the fundamental principles of democratic and equitable housing governance.

In practice, however, there exists a significant gap between legal norms and actual implementation. The Provincial Government of DKI Jakarta, as the competent authority over condominiums in the capital, has yet to demonstrate success in ensuring the establishment of PPPSRS across various apartment complexes, including in the case of Green Pramuka City. Despite repeated complaints and reports from residents, whether through administrative channels or public media, there has been no serious or concrete intervention from the local government to provide effective facilitation or legal certainty for residents.

This situation reflects a serious institutional problem in the local government's role as a provider of public services. When the State fails to intervene effectively to protect its citizens from potential abuse of power by developers, the principle of the rule of law comes into question. The absence of government action not only creates a prolonged legal vacuum but also indirectly legitimizes developers to continue unilateral management without a lawful basis. If such conditions persist, systemic neglect may arise, with broad implications for the future governance of condominiums.

As the local representative of the State, local government should act actively and progressively to ensure the implementation of legal provisions concerning PPPSRS (Kusudarmanto, 2024). Oversight must go beyond the mere formality of reporting and extend to substantive measures that ensure citizen participation, equitable rights, and equal legal protection. Local government should develop early-detection mechanisms for condominiums experiencing stagnation in PPPSRS formation and provide facilitation teams capable of mediating between developers and residents to establish a management structure consistent with legal principles and social justice.

In terms of law enforcement, it must also be emphasized that local governments hold the authority to impose administrative sanctions on developers who fail to fulfill their obligation to facilitate the establishment of a PPPSRS in accordance with statutory provisions. Such sanctions may include temporary suspension of management permits, revocation of facility function certificates, or referral to law enforcement agencies if criminal elements are found. Firm enforcement is necessary to affirm that the law cannot be subordinated to mere business interests and to provide real protection for citizens.

Furthermore, strengthening the institutional capacity of local government is indispensable. Authorities must ensure that relevant agencies possess competent human resources, integrated monitoring systems, and access to accurate, up-to-date data on condominium status and institutional arrangements (Aditya W & Ripa'i, 2025). Technology-based approaches such as the development of online reporting systems and real-time monitoring of developer compliance may serve as strategic solutions to enhance the efficiency and responsiveness of local governments in addressing these issues.

Equally important is cross-sectoral collaboration, which is key to reinforcing the role of local government. The involvement of civil society organizations, resident communities, academics, and legal professional associations can create a more participatory and inclusive monitoring ecosystem. With such synergy among stakeholders, the formation of PPPSRS becomes not only a formal responsibility of government and developers, but also a collective agenda that reflects participatory democracy in housing management.

Accordingly, strengthening the role of local government in ensuring the establishment of PPPSRS is a strategic step that is not only important in terms of administrative law but also essential to safeguarding the integrity of housing law, protecting the collective rights of citizens, and fostering urban governance that is fair and inclusive. Local government must act as an active agent in realizing the constitutional mandate of the right to adequate, safe, and dignified housing for every citizen.

4. CONCLUSION

This study concludes that the existence of the Association of Owners and Residents of Condominium Units (PPPSRS) is an essential requirement for establishing lawful, transparent, and equitable condominium governance. The main findings indicate that unilateral management practices by developers without the establishment of a PPPSRS not only contravene Law No. 20 of 2011 but also undermine residents' constitutional rights to participate in managing their living environment. This highlights that a condominium is not merely a

private space but also a domain of collective ownership that requires active citizen participation. Accordingly, the PPPSRS must be understood not only as an administrative body but also as a housing democracy instrument that guarantees legitimacy, justice, and the sustainability of vertical housing governance. The contribution of this research lies in affirming the juridical aspects of the limits of developer authority and the urgency of local government involvement in ensuring the establishment of PPPSRS. Academically, this study expands the understanding of the concept of *ultra vires* in the context of condominium governance and enriches the literature on the legal relationships between developers, residents, and government. Nevertheless, this study has certain limitations, as its primary focus remains on a specific case in a major urban area. Other variables, such as differences in residents' socio-economic characteristics, geographic variations, and cultural factors, have not been fully addressed. Therefore, further research is needed to explore broader dynamics through comparative approaches both across regions and across different types of condominiums. The findings are expected to serve as a foundation for formulating more comprehensive, equitable, and adaptive policies that respond to the needs of Indonesia's urban society.

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