

PENGUNAAN KONSEP STRATA TITLE PADA PERTOKOAN

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ABSTRACT

This thesis has chosen the title 'The use of concept of Strata Title in Shopping Complex'. The background of this title was selected in the presence of shops that claim to use the concept of Strata Title in the possession of the booth. In answering this question is used normative empirical research method with emphasis on the mall in Surabaya, with a comparative legal approach to analyze.

The research found two important things that is concerning the ownership rights to land and building management shops.

In connection with the ownership of land, shops booth which states use the concept of Strata Title in Indonesia cannot be held as stipulated in Article 20 of Law No. 5 of 1960. Stan shops only be mastered on land where there is a period of land tenure. With the end of the status of land together resulted in the abolishment of the Unit Ownership Flats. Mall booth owner who uses the concept of Strata Title has the right individual who is determined by the descriptions and the floor plan and drawing together the right situation and to be based by the Proportional Value Comparison.

As for the shopping complex building management found that the store does not use the concept of strata title ownership stands in shops and shopping complex building management. Statement by the developers of strata title application is only limited means of marketing to attract buyers stand. It is identified that the building not managed by the body corporate which is a residents association in a concept known as strata title. Management of the studied buildings in shopping center are still on developers. The owners, however, do not pay attention to booth management model applicable to the building where the stand is owned. The reason is the owner of the booth did not have enough time to take care of the management of shops and submit fully to the developer.

The conditions of ownership and management structure that occurred in Surabaya shops do not provide strength to stand owners of land and ignoring the rights of owners of buildings stand in the management of shopping centers. Therefore advised the management to use the concept of strata title buildings in the future.

KEYWORD : CONCEPT STRATA TITLE