

*Indonesian Journal of Agrarian Law*  
Vol. 2 Issue 3 (2025) 168–184  
DOI: <https://doi.org/10.15294/jal.v2i3.31128>  
Available online since: November 30, 2025

Indonesian Journal of  
**Agrarian Law**  
<https://journal.unnes.ac.id/journals/jal/index>

# From Sprawl to Sky: Legal Barriers to Affordable Vertical Housing Amid Landed Home Preferences in Semarang

**Wei Jie Tan**  
Singapore Management University  
Tan@gmail.com

**Aprilia Puspitasari Putri Legiman**  
Universitas Negeri Semarang, Semarang, Indonesia  
apriliapuspitasari23@mail.unnes.ac.id

**Aiman Abd Hakim**  
Universiti Malaya  
hakim@gmail.com

**Muhammad Azka Robbi**  
Universitas Islam Negeri Walisongo Semarang  
robbi@gmail.com

✉ Corresponding email:  
apriliapuspitasari23@mail.unnes.ac.id

---

## Abstract

Public preference for landed housing in Semarang City poses a serious challenge to the development of affordable vertical housing, such as apartments. This article analyzes the factors influencing this preference and examines the legal

regulations regarding vertical housing in Indonesia, particularly in Semarang City. Through a normative legal approach and qualitative data, it is found that cultural factors, social status, land ownership, and minimal public awareness of vertical housing influence the low public interest in apartments. Meanwhile, legal regulations regarding vertical housing are scattered across various regulations and have not provided concrete solutions to the accessibility of affordable vertical housing. Therefore, regulatory harmonization and responsive public policy interventions are needed to address the dynamic housing needs in urban areas like Semarang.

### Keywords

*Landed housing, vertical housing, public preference, Semarang City, housing regulations.*

### A. Introduction

Rapid population growth and urbanization in Semarang City have led to an increasing demand for decent and affordable housing. This phenomenon has prompted various forms of housing provision, including vertical housing such as rental low-cost flats (Rusunawa) and ownership low-cost flats (Rusunami). However, to date, the community in Semarang still shows a strong preference for landed housing over vertical housing. Landed homes are perceived to offer more spaciousness, greater privacy, and align with Javanese culture, which emphasizes land ownership as a symbol of stability.

Landed housing refers to residential units built directly on land and owned or rented privately, while vertical housing refers to multi-story residential buildings occupied collectively, such as apartments or flats. Amid limited land availability in urban areas, vertical housing should be an efficient and strategic solution, both spatially and environmentally. However, in reality, the development of vertical housing in Semarang has not achieved optimal results. Data from the Central Bureau of Statistics (BPS) indicates that the majority of the population still resides in landed homes, while

Rusunawa or affordable vertical housing remains partially occupied and is often perceived as a "last resort" option.

This phenomenon presents legal challenges in formulating and implementing government policies related to vertical housing development. The government, through Law No. 1 of 2011 on Housing and Settlement Areas and Government Regulation No. 14 of 2016 on Housing Implementation, has promoted the development of flats as a long-term solution. Additionally, the Ministry of Public Works and Housing (PUPR) has issued Ministerial Regulation (Permen) PUPR No. 14 of 2017 on Minimum Service Standards for Flats. However, these regulations have not fully addressed social realities and local community preferences.

The gap between policy and public preference is not merely administrative but touches on social, cultural, and economic aspects. Semarang's community culture, which remains deeply tied to the concept of "house and land" as part of family identity, contributes to the low interest in vertical housing. On the other hand, existing flats often fail to meet expected livability standards in terms of infrastructure, accessibility, and social environment.

This issue concerns not only individual preferences but also legal and public policy aspects. Public preference for landed housing potentially hinders the implementation of vertical housing policies designed to address land scarcity and the need for adequate housing. Therefore, it is necessary to further examine: what factors lead Semarang residents to prefer landed homes, how legal regulations on vertical housing are structured in Indonesia and Semarang, and what legal challenges exist in promoting affordable vertical housing in Semarang.

#### Research Questions:

1. What factors make the people of Semarang prefer landed housing?
2. How are vertical housing regulations structured in

## Indonesia and Semarang City?

3. What legal challenges exist in promoting affordable vertical housing in Semarang?

This study aims to:

1. Analyze the social, cultural, and economic factors that lead Semarang residents to prefer landed housing.
2. Examine the legal regulations on vertical housing at both national and local levels in Semarang City.
3. Identify the legal challenges faced in promoting the development of affordable vertical housing in Semarang.

Research Benefits:

1. Provide scientific understanding regarding public preferences for housing types.
2. Serve as input for the government in formulating housing policies based on local needs.
3. Contribute academically to the development of housing law.

Theoretical Framework:

1. Housing Preference Theory: Housing preference results from the interaction of economic, social, cultural, and psychological factors. According to consumer behavior theory in housing, decisions about where to live are influenced by perceived utility, affordability, and symbolic value. In the Indonesian context, particularly in Semarang, landed housing is not only seen as a physical necessity but also as a symbol of economic success, family stability, and social status. Abraham Maslow's theory of human needs is also relevant in explaining why landed homes are preferred. A house is considered to fulfill basic needs (physiological and safety), while also

representing self-actualization for many Javanese people who highly value the concept of "owning one's own land."

2. **Legal Responsiveness Theory:** In legal science, the theory of legal responsiveness emphasizes that effective law is sensitive to societal needs. If regulations do not align with cultural structures and local values, they risk becoming "dead laws." This is particularly relevant in the context of vertical housing, where many regulations are formulated top-down without considering the actual preferences of communities toward housing models they perceive as more suitable.
3. **Positive Legal Basis:** Normatively, the development of vertical housing is based on several legal instruments, including:
  - a. **Law No. 1 of 2011 on Housing and Settlement Areas** – States that housing provision must guarantee access to decent housing, including through the construction of flats in densely populated areas.
  - b. **Law No. 20 of 2011 on Flats** – Details legal provisions regarding the management, ownership, and occupancy of flats, providing a basis for developing vertical housing for low-income communities.
4. **Government Regulation No. 12 of 2021 on the Implementation of Housing and Settlement Areas** – Provides mechanisms for the construction of flats by central and local governments and private actors.
5. **Ministerial Regulation (Permen) PUPR No. 14 of 2017 on Minimum Service Standards for Flats** – Regulates technical standards and minimum quality requirements that flats must meet to be habitable.

Despite these normative foundations, implementation

and social acceptance of vertical housing remain significant legal challenges, especially in cities that traditionally uphold land and landed housing values.

This study employs a socio-legal approach, examining law in relation to social realities. Data were collected through a literature review of relevant laws and regulations, secondary data from related institutions (BPS, Housing Department, Ministry of PUPR), and analysis of scientific literature on spatial planning and housing law. The research is descriptive-analytical, focusing on aligning regulations with public preferences.

## **B. Factors Leading Semarang Residents to Prefer Landed Housing**

Semarang City, as one of Central Java's growth centers, faces significant challenges in providing decent and affordable housing for its residents. Rapid urbanization and population growth are the main drivers of increasing housing demand each year. In this context, efficient land use is essential, especially as land scarcity becomes increasingly evident in urban areas.

The Indonesian tradition of preferring landed housing as an ideal residential form remains strong in Semarang. Landed homes are not only viewed as places to live but also as symbols of social status, family heritage, and tangible land ownership. Greater land availability, ease of renovation, and better privacy are reasons that reinforce public preference for landed housing, even if it means living in the city's outskirts.

Meanwhile, vertical housing, such as flats, despite being introduced long ago as an urban housing solution, has not become the primary choice. Various social, economic, and cultural barriers contribute to resistance toward this housing model. Moreover, legally, there are challenges in formulating regulations that support vertical housing at both national and local levels. Legal frameworks regarding flats, ownership management, and government responsibility in ensuring affordability and habitability still require

strengthening.

In this context, it is important to further examine the roots of public preference for landed housing, the current legal framework regulating vertical housing, and the legal challenges in promoting affordable vertical housing as a future housing solution.

Public preference for landed housing in Semarang cannot be separated from multidimensional factors, including cultural, social, economic, psychological, and geographical aspects. The following is a detailed explanation of each aspect:

### 1. Cultural and Social Aspects

Historically, the Javanese community, including those residing in Semarang, has a strong attachment to land. Land and landed home ownership are viewed as symbols of social status, economic stability, and inheritance for future generations. The cultural value of “mikul dhuwur mendhem jero” encourages people to value homes as intergenerational dwellings. Landed homes provide flexibility in building traditional houses or homes with yards consistent with local culture, such as the presence of a pendopo (traditional Javanese pavilion) and garden.

Moreover, social values such as mutual cooperation (gotong royong) and neighborly interaction are considered easier to cultivate in landed housing environments than in vertical housing. Some studies indicate that vertical housing fosters more individualistic social relationships due to spatial limitations and reduced interaction.

### 2. Economic Aspects

Although the government claims that flats are more affordable, reality shows that many landed homes in Semarang’s outskirts—such as in Genuk, Mijen, and Gunungpati—are competitively priced or

even cheaper than Rusun units. Other economic reasons include:--Landed homes are not burdened with shared management costs, such as maintenance fees in flats. Landed homes can be expanded or modified at the owner's expense. --The resale value of landed homes tends to increase faster due to direct land ownership.

### 3. Psychological Aspects

The psychological comfort experienced by landed home occupants stems from the feeling of "fully owning their own space." They are free to arrange layouts, build gardens, keep pets, and carry out daily activities without being bound by internal rules, as in flats. Landed homes are also perceived as safer during emergencies such as earthquakes, fires, or pandemics, due to unrestricted access.

### 4. Geographical and Accessibility Aspects

Development patterns in Semarang have tended to spread outward, making land outside the city center still available and relatively affordable. In contrast, flats are usually built in city centers or on government land, which is limited and more expensive to develop. This makes landed homes in certain areas more accessible to Low-to-Middle Income Communities (LMIC).

### 5. Perception of Vertical Housing

Many people still view vertical housing as an "emergency housing option" or suboptimal, associating it with specific social groups and limited mobility. Additionally, negative experiences with poorly maintained, deteriorating, or prematurely damaged flats further strengthen resistance to this housing type.

## C. Legal Regulations on Vertical Housing in Indonesia and Semarang City

From a legal perspective, regulations on vertical

housing are normatively established in various laws and regulations. However, discrepancies between legal frameworks and implementation realities often occur. The following is a detailed analysis of national regulations, local policies, and implementation evaluation:

## 1. National Legal Basis

Key regulations governing vertical housing include:

- a. Law No. 20 of 2011 on Flats – The primary legal framework for flat development, categorizing flats into Public Flats, Commercial Flats, and Special Flats. Article 3 states that flats aim to provide decent and affordable housing to promote efficient land use.
- b. Law No. 1 of 2011 on Housing and Settlement Areas – States that the government is responsible for ensuring housing availability for all, including through vertical housing in densely populated areas.
- c. Government Regulation No. 12 of 2021 on Housing and Settlement Areas (PP PKP) – Details responsibilities of central and local governments, construction procedures for flats, and criteria for habitability.
- d. Ministerial Regulation (Permen) PUPR No. 14 of 2017 on Minimum Service Standards for Flats – Regulates construction quality, management systems, and facility comfort standards that flat managers must meet.

## 2. Local Government Policies (Semarang City)

Semarang City has formally included vertical housing as a strategy in spatial planning and regional development documents, including:

- a. Semarang City Spatial Plan (RTRW) 2011–2031,

identifying densely populated areas as targets for flat development.

- b. Semarang City Medium-Term Development Plan (RPJMD) 2021–2026, which includes targets for reducing slum areas and providing decent housing for low-income communities through vertical approaches.

However, implementation faces several challenges:

1. Flat construction locations often do not match community accessibility needs (e.g., far from workplaces or schools).
2. Lack of fiscal incentives for private developers to build affordable flats.
3. Weak coordination between the Housing Department, Spatial Planning Department, and Social Service in data synchronization and planning.

Implementation Evaluation and Problems, several legal issues arise in practice:

1. Absence of a specific local regulation (Perda) detailing the use and management of flats in Semarang.
2. Lack of clear dispute resolution mechanisms between flat residents and managers.
3. Limited legal aid for communities regarding the transfer of ownership rights, especially in ownership flat (Rusunami) schemes.

#### **D. Legal Challenges in Promoting Affordable Vertical Housing in Semarang**

Although vertical housing development has been promoted by the government as a solution to land scarcity, its implementation faces various legal challenges. These challenges are not only normative (legal rules) but also relate

to technical implementation, institutional coordination, and socio-cultural resistance. The following is a detailed breakdown:

### 1. Absence of Specific and Binding Local Regulations

Semarang City currently lacks a specific local regulation (Perda) comprehensively governing vertical housing in terms of planning, construction, utilization, and management. As a result:

- a. There are no local standards for developers or the public to follow.
- b. Inter-agency coordination is hindered due to unclear legal roles and authorities.
- c. The public lacks a strong legal basis to claim rights or seek assistance if problems arise in vertical housing.

This absence forces implementation to rely on sectoral central policies, often less relevant to urban conditions like Semarang.

### 2. Weak Enforcement and Monitoring of Livability Standards

Another issue is weak law enforcement regarding livability standards as stipulated in:

- a. Law No. 1 of 2011 on Housing and Settlement Areas.
- b. Ministerial Regulation (Permen) PUPR No. 14 of 2017 on Minimum Service Standards for Flats.

In many cases, flat construction focuses only on physical aspects, neglecting livability factors such as:

- a. Access to clean water, electricity, ventilation, and natural lighting.

- b. Waste management systems.
- c. Public facilities such as open spaces, playgrounds, or places of worship

Some vertical housing units in Semarang have experienced rapid quality deterioration due to insufficient supervision and guidance from the local government.

### 3. Unclear Ownership and Rights Transfer Schemes

Vertical housing, especially ownership flats (Rusunami), involves more complex ownership schemes than landed homes. Many people are still confused about:

- a. The process of rights transfer from developers to consumers (strata title certificates).
- b. Management rights over shared land and common areas (e.g., elevators, emergency stairs).
- c. Conflicts between residents and managers (e.g., maintenance fees and parking rights)

Many cases occur where residents do not understand that they only own the housing unit, not the land, leading to disputes when additional fees are imposed or when flats are demolished for redevelopment.

### 4. Lack of Legal and Fiscal Incentives for Developers

Private developers are reluctant to build vertical housing for low-income communities (LMIC) because:

- a. Profits are lower compared to commercial housing.
- b. Absence of legal incentives such as simplified permits or tax relief.
- c. Complicated and non-transparent land acquisition

and permitting processes.

Although Law No. 20 of 2011 explicitly encourages private sector involvement in providing flats for LMIC, without strong fiscal support and legal guarantees, the private sector tends to avoid these social projects.

#### 5. Social Rejection and Lack of Legal Education for the Public

Many residents are unwilling or refuse relocation to vertical housing due to:

- a. Lack of understanding of rights and obligations as flat residents.
- b. Fear of losing ownership rights or inability to pass housing to descendants
- c. Trauma from previous failed or abandoned flat projects

The absence of comprehensive legal education and socialization leads to low public trust in vertical housing programs. Moreover, the lack of structural legal aid or lawyers for flat residents worsens their bargaining position when facing legal issues.

## **E. Conclusion**

Public preference for landed housing in Semarang City remains dominant. This is due to factors such as perceived comfort, larger land availability, more reasonable prices in suburban areas, and local culture prioritizing land ownership. Meanwhile, although vertical housing is projected as a long-term solution to land scarcity and population growth, it has not become the primary choice due to social, technical, and legal obstacles.

Legally, vertical housing development faces several challenges: limited specific local regulations, weak monitoring of housing standards, complexity in ownership

and management, minimal legal incentives for developers, and community resistance due to lack of legal education. This situation indicates that providing vertical housing is not merely a technical construction issue but also requires structured regulatory and social support.

### Suggestions

1. **Establish Specific Local Regulations:** The Semarang City government should immediately draft and enact a Local Regulation (Perda) on Vertical Housing, covering ownership systems, governance, and housing livability standards. This Perda should be developed participatively with input from communities, academics, and developers.
2. **Strengthen Public Education and Socialization:** Legal education on residents' rights and obligations in flats should be enhanced, including understanding of strata title ownership and long-term benefits of vertical housing. This effort can be carried out through collaboration with universities, BPN (National Land Agency), and NGOs.
3. **Provide Incentives for Developers:** Central and local governments should provide incentives such as accelerated permitting, tax relief, financing subsidies, and easier land access for developers committed to building affordable flats for low-income communities.
4. **Improve Monitoring and Housing Quality:** Enforcement of minimum flat standards must be strictly implemented from construction to management stages. A special flat monitoring body at the city level should be established or empowered.
5. **Integrate Vertical Housing into Spatial Planning (RTRW):** Vertical housing must be clearly integrated into Semarang City's Spatial Plan (RTRW) to provide a legal basis for permits and construction, and to prevent future spatial conflicts.

## E. References

- Agnesia, Minda G, Djoys A Rantung, and Lamhot Naibaho. "Analisis Teori Hirarki Kebutuhan A. Maslow Dalam Pemanfaatan Media Teknologi Bagi Pendidikan Anak Usia Dini." *Jurnal Pendidikan Tambusai* 8, no. 1 (2024): 2614–3097.
- Anwar, Widya Fransiska F. "Perubahan Preferensi Penghuni Terhadap Aspek Lingkungan Pada Perumahan Rawa Urug." *Tesa Arsitektur, Journal of Architectural Discourses*, 2018.
- Candra Puspita Ningtyas, Munawir Makmur, and Muammar Makmur. "Kajian Persepsi Konsumen Terhadap Keputusan Pembelian Perumahan Di Kota Kendari." *Journal Publicuho* 6, no. 4 (2023): 1381–92. <https://doi.org/10.35817/publicuho.v6i4.282>.
- Harahap, Fitri Ramdhani. "Dampak Urbanisasi Bagi Perkembangan Kota Di Indonesia." *Society* 1, no. 1 (2013): 35–45. <https://doi.org/10.33019/society.v1i1.40>.
- Leks, Eddy merek. "Analisis Dan Evaluasi Peraturan Perundang-Undangan Tentang Perumahan Rakyat." Pusat Perencanaan Pembangunan hukum Nasional, 2013, 1–269.
- Mahulae, Boy Pardamean, and S Sunarti. "Optimalisasi Pengelolaan Rusunawa Di Kota Semarang." *Jurnal Pengembangan Kota* 9, no. 2 (2021): 245–58. <https://doi.org/10.14710/jpk.9.2.245-258>.
- Pramesta, Lendhia Maharani, Ari Subowo, and Kismartini Kismartini. "Implementasi Kebijakan Pengelolaan Rumah Susun Sederhana Sewa Kaligawe Semarang." *Journal Of Public Policy And Management* 13, no. 2 (2024). <https://ejournal3.undip.ac.id/index.php/jppmr/article/view/43161>.

- Pramudiana, Ika Devy, Sri Roekminiati, and Nihayatus Sholichah. "Keberlanjutan Rumah Susun Sederhana Milik (Rusunami): Solusi Hunian Layak Bagi Masyarakat Berpenghasilan Rendah Di Surabaya" 4 (2025).
- Purwanto, Agus Budi, Dimpos Manalu, Edi Suprpto, Hasrul Hanif, Ronald Muh. Ferdaus, Sulastriyono, and Totok Dwi Diantoro. *Hutan Jawa: Kontestasi Dan Kolaborasi*. Zhurnal Eksperimental'noi i Teoreticheskoi Fiziki, 2013.
- Rubiyati, Betty. "Kepemilikan Rumah Susun Umum Yang Dibangun Di Atas Tanah Barang Milik Negara/Daerah." *Acta Diurnal Jurnal Ilmu Hukum Kenotariatan Dan Ke-PPAT-An* 6, no. 2 (2023): 206–20. <https://doi.org/10.23920/acta.v6i2.1337>.
- Siregar, Zulfirman, Dyah Harian, and Nina Widowati. "Strategi Pembangunan Tata Kota Di Kota Semarang." *Paper Knowledge. Toward a Media History of Documents*, 2014, 1–9.
- Sulaiman. "HUKUM RESPONSIF: HUKUM SEBAGAI INSTITUSI SOSIAL MELAYANI KEBUTUHAN SOSIAL DALAM MASA TRANSISI (Responsive Law: Law as a Social Institutions to Service of Social Need in Transition)." *Jurnal Hukum Samudra Keadilan* 9, no. 2 (2014): 12.
- Tania, Coreen Katrina. "Perancangan Hunian Vertikal Sebagai Tempat Tinggal, Berkreasi, Dan Berinspirasi." *Jurnal Sains, Teknologi, Urban, Perancangan, Arsitektur (Stupa)* 4, no. 1 (2022): 257. <https://doi.org/10.24912/stupa.v4i1.16965>.
- Vertikal, Hunian, Sewa Buruh Berkonsep, Pemberdayaan Penghuni, Indra Lukman, Lily Mauliani, and Anggana Fitri Satwikasari. "Hunian Vertikal Sewa Buruh Berkonsep Pemberdayaan Penghuni." *Jurnal Arsitektur PURWAKARTA* 3, no. 1 (2019): 37–46. <https://jurnal.umj.ac.id/index.php/purwarupa/article/view/2301/3009>.
- Zahrany, Fathiyah, Marsyanda Addelia Iqlima, Dhiyanita

Sabrina, Aqshal Panggas Gemilang, Andhina Putri Heriyanti, and Amnan Haris. "Perubahan Lahan Terbangun Di Sekitar Kawasan Universitas Negeri Semarang." Seminar Nasional Ipa Xiii, 2023, 621–30.

\*\*\*

### **Acknowledgment**

Recognize those who helped in the research, especially funding supporter of your research. Include individuals who have assisted you in your study: Advisors, Financial support, or may other parties involved on the research.

### **Funding Information**

Please provide funding information of the research

### **Conflicting Interest Statement**

Please state any conflicting interests of this publication and research. If there is no, please type: The authors state that there is no conflict of interest in the publication of this article.

### **Publishing Ethical and Originality Statement**

All authors declared that this work is original and has never been published in any form and in any media, nor is it under consideration for publication in any journal, and all sources cited in this work refer to the basic standards of scientific citation.

### **Generative AI Statement**

Authors must acknowledge the use of AI in their work to ensure transparency and maintain trust with their audience. As generative AI becomes an integral tool for content creation, it is crucial to disclose its involvement in the process. This helps clarify the role AI played in generating ideas, drafting text, or enhancing creativity. Acknowledging AI usage also supports ethical standards, ensuring that authorship remains clear and that credit is properly attributed.

Such transparency fosters responsible AI integration and upholds the integrity of both the creative process and the final work.