

Indonesian Journal of Agrarian Law

ISSN: 3110-6633 (Online)

Vol. 3 Issue 3 (2026) 1559-1602

DOI: <https://doi.org/10.15294/jal.v3i3.41839>

Available online since: May 29, 2026



Implementation Of DKI Jakarta Regulation Number 7 Of 2010 Concerning Building Construction Of Boarding Houses In Tanjung Duren Sub- District, West Jakarta

Aqilah Belva Nathania

Universitas Negeri Semarang, Indonesia

Email Address. aqilahbelvaa@students.unnes.ac.id

□ Corresponding email: aqilahbelvaa@students.unnes.ac.id

Abstract

This study examines the implementation of DKI Jakarta Provincial Regulation Number 7 of 2010 concerning Building Construction in controlling the construction of unlicensed boarding houses in Tanjung Duren Village, West Jakarta. Problems arise because although the regulation requires every building to have a Building Construction Permit (PBG), in practice many boarding house owners still build without complying with applicable licensing procedures. This study aims to analyze the effectiveness of the regulation's implementation and identify factors that cause community

non-compliance with building permit obligations. The research method used is an empirical juridical approach with a statutory regulatory approach and a sociological approach through document studies, observations, and interviews with relevant informants. The results show that the implementation of the regulation has not been effective. Law enforcement tends to be reactive and administrative, such as imposing fines, without being followed by firm preventive or repressive measures. In addition, weak inter-agency coordination, limited supervision, and the complexity of the licensing process also contribute to the low level of community compliance. This study contributes to providing an empirical picture of the gap between legal norms and community practices in controlling boarding house construction. Therefore, it is necessary to increase the socialization of regulations, simplify licensing procedures, and strengthen supervision by local governments so that the implementation of regulations can run more effectively.

Keywords

Building Permits, Building Construction Permit (PBG), Boarding Houses, Legal Compliance, Building Control.

A. Introduction

Currently, population density in urban areas is increasing. This population density results in an increase in the need for housing, both permanent housing and temporary housing in the form of boarding houses, as is the case in West Jakarta City. Based on data from the National Statistics Agency (BPS), in 2025 West Jakarta became the area with the second largest population in the Special Region of Jakarta Province after East Jakarta City, namely 23.29% (twenty-three cities twenty-five percent) of the total population. Population density is also seen from population density data per kilometer, West Jakarta also ranks second after Central Jakarta with 19,898 people/km² achieved in 2025. The large population and high density in West Jakarta City indicate the pressure of urbanization and the need for housing in West Jakarta is also increasing.

Specifically, population density in West Jakarta can be

seen in the Tanjung Duren Urban Village area, which is located in the Grogol Petamburan District. According to BPS data, Tanjung Duren Urban Village has a relatively high population density compared to several other urban villages in the Grogol Petamburan District.¹ North Tanjung Duren Urban Village recorded a population density of 18,899 people/km², while South Tanjung Duren Urban Village reached 15,493 people/km². This figure places Tanjung Duren as one of the densely populated areas in West Jakarta, although it is still below urban villages such as Wijaya Kusuma which reached 32,333 people/km², or Jelambar Urban Village with 22,636 people/km².

The Tanjung Duren area is known as a central district because it is home to several shopping centers, universities, and residential areas for the region's indigenous population. This high population density increases the need for temporary housing for students and workers working in the area. Pressure on the availability of temporary housing has led to the emergence of boarding houses, both those built with and without permits in accordance with applicable regulations. In Tanjung Duren Village, the high population density is directly proportional to the increasing number of boarding houses, including those built without proper permitting procedures. This situation indicates a gap between the community's housing needs and compliance with building regulations, which should be instruments for controlling spatial planning and protecting the safety of residents. This situation not only reflects the increasing need for temporary housing but also highlights serious problems in compliance with building permit laws.

Temporary housing, commonly referred to as "indekos," is defined by the Big Indonesian Dictionary (KBBI) as an arrangement in which an individual resides in another person's home, with or without meals, in exchange for a periodic payment, typically on a monthly basis.² The term

¹ Badan Pusat Statistik Provinsi DKI Jakarta, Provinsi DKI Jakarta Dalam Angka 2025.

² Kamus Besar Bahasa Indonesia, "Indekos," diakses 9 Maret 2026, <https://kbbi.web.id/indekos>

“mengindekoskan” refers to the act of providing accommodation and, in some cases, meals to occupants for an agreed payment. In this study, the term “kos-kosan” is used to denote boarding houses, defined as residential buildings that offer rooms for rent to individuals for a specified period.

Boarding house businesses targeting out-of-towners who need a place to stay for a specific period of time, with amenities tailored to suit a wide range of tenant budgets, are an attractive passive income option.³ Boarding houses generally fall into the category of MSMEs (Micro, Small, and Medium Enterprises), particularly those with capital below IDR 10 billion (excluding land and buildings) or annual turnover of up to IDR 4.8 billion.⁴ MSMEs are businesses capable of expanding employment opportunities and providing broad economic services to the community. They can play a role in the process of equalizing and increasing community income, encouraging economic growth, and contributing to national stability.

Regulations regarding permits for building construction are regulated by Law Number 28 of 2002 concerning Building Construction, as last amended by Law Number 11 of 2020 concerning Job Creation. These regulations include provisions regarding the function of buildings, building requirements at each stage of building construction, and safety provisions.⁵ At the regional level, DKI Jakarta Provincial Regulation Number 7 of 2010 concerning Building

³ Ayu Risqi Marina, “Intip Pajak Bisnis Kos-Kosan,” Direktorat Jenderal Pajak, 8 Agustus 2022, <https://pajak.go.id/id/artikel/intip-pajak-bisnis-kos-kosan>

⁴ Ningsih, A. S., R. Fidiyani, R. Rasdi, A. Ramli, D. Muhtada, H. L. Hanum, et al., “Peningkatan Pemahaman Legalitas Usaha Bagi Pelaku Usaha Kecil Menengah Pada Masyarakat Desa Mergosari Kabupaten Wonosobo,” *Jurnal Pengabdian kepada Masyarakat Nusantara* 6, no. 1 (2025): 867–875.

⁵ Undang-Undang Nomor 28 Tahun 2002 tentang Bangunan Gedung, Lembaran Negara Republik Indonesia Tahun 2002 Nomor 134, sebagaimana telah diubah dengan Undang-Undang Nomor 11 Tahun 2020 tentang Cipta Kerja, Lembaran Negara Republik Indonesia Tahun 2020 Nomor 245

Construction (Perda Number 7 of 2010) is the legal basis governing the construction of buildings in the DKI Jakarta Province.⁶ This regional regulation was established as an implementation of the provisions of higher laws and regulations, specifically Law Number 28 of 2002 concerning Building Construction, which regulates the principles, requirements, and construction of buildings nationally. With this regional regulation, the regional government has the authority to regulate more specifically the construction of buildings in accordance with the characteristics of the DKI Jakarta region.

In the context of building permits, the Regional Regulation serves as a normative basis that requires any person or entity that will construct, modify, expand, reduce, or maintain a building to first obtain a permit from the regional government. Through this regulation, Regional Regulation Number 7 of 2010 functions as a legal instrument for the regional government in controlling building construction to comply with spatial plans, guarantee the safety and comfort of building users, and create order in the implementation of development in the DKI Jakarta area. Therefore, every building, including buildings used as boarding houses, is in principle required to comply with the licensing provisions as stipulated in the regional regulation.

Sebagai suatu bentuk bangunan yang digunakan untuk kegiatan hunian sekaligus memiliki nilai ekonomi, rumah kos termasuk dalam kategori bangunan gedung. Bangunan gedung merupakan salah satu unsur penting dalam penyelenggaraan kegiatan masyarakat, baik untuk tempat tinggal maupun untuk kegiatan usaha. Berdasarkan Pasal 1 ayat (1) Perda Nomor 7 Tahun 2010, yang dimaksud dengan bangunan gedung adalah wujud fisik hasil pekerjaan konstruksi yang menyatu dengan tempat kedudukannya, sebagian atau seluruhnya berada di atas dan/atau di dalam tanah dan/atau air, yang berfungsi sebagai tempat manusia melakukan kegiatannya, baik untuk hunian, kegiatan

⁶ Peraturan Daerah Provinsi DKI Jakarta Nomor 7 Tahun 2010 tentang Bangunan Gedung, Lembaran Daerah Provinsi DKI Jakarta Tahun 2010 Nomor 7.

keagamaan, kegiatan usaha, kegiatan sosial, budaya, maupun kegiatan khusus lainnya. Dengan demikian, bangunan yang digunakan sebagai rumah kos termasuk dalam kategori bangunan gedung sehingga penyelenggaraanya harus memenuhi ketentuan peraturan perundang-undangan yang mengatur mengenai bangunan gedung.

In the context of building permits, the Regional Regulation serves as a normative basis that requires any person or entity that will construct, modify, expand, reduce, or maintain a building to first obtain a permit from the regional government. Through this regulation, Regional Regulation Number 7 of 2010 functions as a legal instrument for the regional government in controlling building construction to comply with spatial plans, guarantee the safety and comfort of building users, and create order in the implementation of development in the DKI Jakarta area. Therefore, every building, including buildings used as boarding houses, is in principle required to comply with the licensing provisions as stipulated in the regional regulation.

In practice, in Tanjung Duren, boarding houses are built and operated without fulfilling these licensing requirements, either in the form of PBG or SLF, resulting in governance violations.⁷ The reality on the ground shows that many boarding house owners still ignore these obligations, either due to limited information, the perception that licensing procedures are complicated and expensive, or the belief that small-scale boarding houses do not require formal legality.

The phenomenon of unlicensed boarding houses in the Tanjung Duren area is also evident in various enforcement actions carried out by the West Jakarta Public Order Agency (Satpol PP). Several official reports from the local

⁷ Based on normative findings from raids and actions taken by the West Jakarta Satpol PP against boarding houses in the North and South Tanjung Duren areas as reported in Jakarta News, "110 Boarding House Residents in South Tanjung Duren Caught in Raids"; Jakarta News, "121 Boarding House Residents in North Tanjung Duren Caught in Raids"; and National Corner, "Allegedly Unlicensed Boarding House in North Tanjung Duren Disturbs Residents...".

government and media indicate that in recent years the West Jakarta Satpol PP has conducted raids on boarding house owners and managers in both North and South Tanjung Duren, including on buildings suspected of being unlicensed and causing unrest among residents. On September 19, 2025, the West Jakarta Satpol PP took action against the owner of a boarding house suspected of not having a permit and allegedly being used for prostitution. Local residents expressed concern about the existence of the boarding house in their area, which was suspected of being unlicensed and serving as a place for prostitution. It was stated that residents had filed complaints with the North Tanjung Duren Urban Village, but there had been no action taken to raise residents' suspicions. This indicates that violations of boarding house permits are not merely potential, but a real, recurring problem at the local level.⁸

A previous study noted that many boarding house owners do not yet have a NIB (National Registration Certificate) and are unfamiliar with the OSS (Land Use System). They also consider boarding houses to be small businesses that do not require permits.⁹ Another study in the area surrounding Semarang State University (UNNES) confirmed that many boarding house owners do not understand the OSS system and consider permits merely an administrative burden. However, most of this research is descriptive and focuses on specific educational areas, so it has not specifically examined the dynamics of legal compliance in the context of dense urban areas like Tanjung Duren, which have distinct social, economic, and spatial characteristics.¹⁰

⁸ Satpol PP Jakbar akan Tindak Pemilik Kos di RW 01 Tanjung Duren Utara, Kota Administrasi Jakarta Barat (19 September 2025), <https://barat.jakarta.go.id/berita/satpol-pp-jakbar-akan-tindak-pemilik-kos-di-rw-01-tanjung-duren-utara>.

⁹ Faisol, S. A., Tinambunan, H. S. R., Sanjaya, A. W., Setiawati, A. D., Kusuma, F. I. S., Rahmat, D., & Krishnandya, K. (2025). Pelatihan Perizinan Berusaha Bagi Pemilik Kos Sekitar Kampus Unesa 5 Dalam Mendukung Tata Kelola Properti Yang Legal. *Jurnal Pengabdian Mitra Masyarakat*, 5(1), 39-41.

¹⁰ Kusuma, W. R., Perdana, D. A., Putra, B. T., & Majid, M. G. D. (2025). UPAYA PENDAMPINGAN HUKUM BAGI PEMILIK KOS DI

The main limitation of previous studies lies in the lack of in-depth analysis of the relationship between legal structure, legal substance, and legal culture in boarding house licensing practices.¹¹ However, as Lawrence M. Friedman argues, legal effectiveness is determined not only by the existence of regulations, but also by the performance of law enforcement agencies and the level of public awareness. Therefore, this study seeks to fill this gap by empirically examining the implementation of Regional Regulation No. 7 of 2010 at the sub-district level, while also analyzing the social, economic, and cultural factors that influence boarding house owners' non-compliance behavior.¹²

The novelty of this research lies in its integrative approach, which combines administrative law analysis, compliance theory, and urban spatial planning perspectives within a single framework. Unlike previous research that tends to view licensing as a purely administrative issue, this study views unlicensed boarding houses as a socio-legal phenomenon that has a broad impact on the order of urban space, environmental quality, and social relations between residents. Thus, this research is not only oriented towards formal legal aspects but also highlights the social and economic implications of the practice of building unlicensed boarding houses.

This study aims to analyze the implementation of Article 5 of DKI Jakarta Provincial Regulation Number 7 of 2010 concerning Building Construction in the construction of boarding houses in Tanjung Duren Village, West Jakarta, and to identify factors that cause community non-compliance with building permit obligations. Specifically, this study is directed at understanding licensing practices at the local level,

WILAYAH UNNES TERKAIT IZIN DAN PAJAK. *Jurnal Multidisiplin Ilmu Akademik*, 2(2), 276-287.

¹¹ Lawrence M. Friedman, *The Legal System: A Social Science Perspective* (New York: Russell Sage Foundation, 1975), in the section "When Is Law Effective?", discusses that the effectiveness of law depends on the integration of legal substance, structure, and culture.

¹² Perda Provinsi DKI Jakarta No. 7 Tahun 2010, Pasal 5

the obstacles faced by both boarding house owners and government officials, and the legal and social implications of the existence of unlicensed boarding houses. By using the legal system approach proposed by Lawrence M. Friedman, this study not only focuses on the normative aspects of licensing, but also explores the structural, substantive, and cultural dimensions of law that shape community compliance behavior. The results of this study are expected to contribute to the development of licensing policies that are more effective and responsive to the needs of urban communities, as well as enrich empirical legal studies in the fields of spatial planning and building permits.

This study uses an empirical legal research method with a qualitative approach through a juridical-sociological study. This approach was chosen because it allows researchers to understand law not only as a normative text, but as a social practice that exists in society. Primary data was obtained through in-depth interviews with purposively selected informants, including boarding house owners and officers from the West Jakarta Public Works, Spatial Planning and Land Agency (Suku DCKTRP). In addition, direct observations were conducted on the condition of the boarding house buildings and their surrounding environment to obtain an empirical picture of the practice of building boarding houses without permits. Secondary data was collected from various sources, such as laws and regulations, official government documents, mass media reports, and relevant scientific literature.

Data analysis was conducted interactively through the stages of data reduction, data presentation, and conclusion drawing. Data obtained from interviews and observations were analyzed using Lawrence M. Friedman's legal system theory framework, which divides legal effectiveness into three components: legal structure, legal substance, and legal culture. This approach was used to identify factors influencing public compliance with building permit obligations, while simultaneously evaluating the performance of law enforcement officers in monitoring and prosecuting violations. Data validity was tested through source and method triangulation techniques to ensure the validity of the

research findings. The research location was deliberately chosen in Tanjung Duren Village, West Jakarta, considering the high population density and the high number of cases of unlicensed boarding houses in the area based on BPS data and media reports.

B. Licensing and Supervision Practices for Boarding Houses in Tanjung Duren Subdistrict

1. Normative licensing procedures in the DCKTRP Sub-Department

Historically, the Tanjung Duren area during the Dutch East Indies era was known as a plantation and agricultural area. The name "Tanjung Duren" itself is thought to originate from the region's geographical conditions, which consist of lowlands (tanjung) and are abundant with durian trees.¹³ Currently, the Tanjung Duren area is divided into two sub-districts within the Grogol Petamburan District administration: North Tanjung Duren and South Tanjung Duren. Geographically, South Tanjung Duren borders North Tanjung Duren to the north and west. In this study, the author does not specifically mention the location of the sub-district where the research was conducted to maintain the confidentiality of the informants' identities and the businesses they own.

Picture 1 Tanjung Duren Administrative Map and West Jakarta RDTR Map



Source : Muhammad Taufik, *Peta Administrasi Tanjung Duren Utara*, Scribd, November 07 2023.

¹³ Pemerintah Kota Administrasi Jakarta Barat, "Kelurahan Tanjung Duren Selatan," diakses 10 Maret 2026, <https://barat.jakarta.go.id/kelurahan/tanjung-duren-selatan>

According to Government Regulation Number 16 of 2021, building classifications in Indonesia are established to ensure health, safety, and environmental order.¹⁴ These classifications take into account several factors, including complexity, permanence, fire hazard, seismic zoning, location, height, and ownership status.¹⁵ If a building does not comply with the established classification, it has the potential to cause various negative impacts, ranging from air pollution and waste generation, to social disruption in the form of discomfort for the surrounding community, and even economic losses for the building owner and occupants.

Based on research findings through interviews conducted at the West Jakarta Public Works, Spatial Planning, and Land Agency (DKCTRP), the licensing mechanism for boarding house construction in Tanjung Duren Village has been normatively designed quite comprehensively. It is explained that building construction applicants can obtain permits by visiting the consultation counter to request permits related to the planned building. In the initial application stage, applicants are required to clearly state the purpose and function of the planned building, whether it is intended for residential use, commercial use, or specific infrastructure such as a billboard. Determining this function serves as the basis for determining the technical and administrative requirements that must be met in the licensing process. This is because each building has a function and building classification that must be adjusted to the location designation regulated in the RDTR and the building function listed in the PBG.¹⁶

When an applicant submits a PBG application, they will

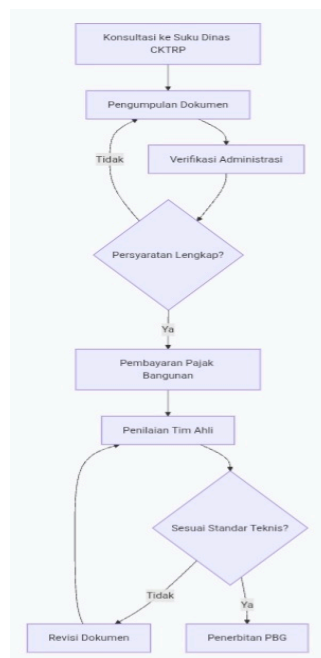
¹⁴ Peraturan Pemerintah Nomor 16 Tahun 2021

¹⁵ Halim, A. (2021). ANALISIS YURIDIS PERUBAHAN KLASIFIKASI BANGUNAN GEDUNG YANG TIDAK SESUAI DENGAN PERSETUJUAN BANGUNAN GEDUNG MENURUT PERATURAN PEMERINTAH NOMOR 16 TAHUN 2021. *Wasaka Hukum*, 9(2), 371-382.

¹⁶ Situngkir, R. "Peralihan Izin Mendirikan Bangunan Menjadi Persetujuan Bangunan Gedung Berdasarkan Undang-Undang Nomor 11 Tahun 2020 Tentang Cipta Kerja." *Iuris Studia: Jurnal Kajian Hukum* 2, no. 3 (2021): 664–672.

be given the opportunity to explain their proposed development needs. During the process, they will also receive an explanation of the procedural steps they must go through, from document verification and requirements review to a technical hearing. Once the application has been verified, they will be given a building tax payment form. During the consultation phase, applicants are required to submit several documents, such as land certificates, technical investigation results such as soil and soil sondir reports, and personal or business identification. Furthermore, applicants are required to obtain written permission from the surrounding community. This permit is not only interpreted as an administrative procedure but also as a social control instrument to prevent environmental conflicts and disturbances resulting from the construction and operation of boarding houses.

Diagram 1 Application Process PBG



Source : Primary data, results of the author's field observations 2026

The different tax payment schemes for boarding houses with more than ten rooms result in stricter reporting

requirements. If boarding house owners add rooms without submitting a change or reporting it to the relevant authorities, such actions could result in legal consequences. This is because, in addition to providing licensing services, the DCKTRP also oversees the building's compliance with the issued permit documents.

This oversight is carried out through periodic inspections comparing the physical condition of the building on site with the technical drawings and data listed in the PBG. If discrepancies are found, such as the addition of rooms or structural changes that do not comply with the permit, the building owner may be subject to administrative sanctions ranging from warnings to fines in accordance with applicable regulations.

In the context of preventing violations, the DCKTRP has an implementing unit at the sub-district level known as the DCKTRP Sector. This sector is tasked with monitoring and patrolling its work area to identify any construction activities taking place without permits or without a PBG (Building Permit). If construction is discovered to have occurred before a permit is issued, enforcement action will be taken in stages, ranging from warning letters, temporary suspension of construction activities, to further sanctions if violations persist.

Structurally, this mechanism demonstrates a hierarchical oversight system, encompassing both administrative inspections and field monitoring. However, its effectiveness still depends on the level of compliance of building owners and the consistency of oversight implementation at the regional level.

A representative from the West Jakarta Public Works, Spatial Planning, and Land Agency (DCKTRP) stated that the successful enforcement of permit requirements depends heavily on public awareness and legal compliance.¹⁷ He stated that the existence of building permits is not intended to complicate matters, but rather serves as a control instrument to ensure that every building constructed has

¹⁷ Interview with Mr. Rafael Timothy Hasibuan, Senior Assistant Professional Staff Structure. Thursday, February 5, 2026

undergone a technical feasibility test. Without a permit, there are concerns that construction will be carried out unplanned and fail to comply with technical standards relating to structural safety, building layout, and mechanical and electrical aspects.

It was further explained that building permits are part of the government's responsibility to ensure the safety and orderliness of building construction. Through an administrative evaluation process and technical assessment by a team of professionals, the government ensures that building plans comply with applicable technical standards and spatial planning regulations. Therefore, permits serve not only an administrative function but also a control and monitoring mechanism for building quality and safety.

A new permit is issued after the building plan is deemed to meet the established technical requirements. Once the permit is issued, the building owner is required to carry out construction in accordance with the approved drawings and technical specifications attached to the permit document. Any deviations from the approved drawings during construction may constitute grounds for corrective action or administrative enforcement.

To understand further, the author conducted further interviews with the owner of an unlicensed boarding house in the Tanjung Duren area. The informant was Mrs. XX, the owner of a boarding house business that has been established since 2006. It is known that Mrs. XX owns a three-story boarding house business, this building has 4 hallways and 23 rooms. Mrs. XX is known to not have a permit for her boarding house business, either IMB/PBG, SLF or proof of building ownership. In 2025, Mrs. XX just applied for a NIB for her business, NIB also she applied for the need to meet the requirements for loan applications for business owners. The boarding house occupied by 32 people, filled with workers, has a reason why Mrs. XX did not apply for a permit. Mrs. XX herself explained that although the boarding house she owns has more than 10 rooms, it is a small-to-medium scale boarding house. The occupants are also fluctuating because they can move at any time which affects the equality of income each month.

During her time running her boarding house, Ms. XX stated that she had never been visited or inspected by government officials, including the Public Order Agency (Satpol PP), the Civil Service Police Unit (DCKTRP), or the sub-district office. Consequently, Ms. XX had never received a warning letter from the government, let alone experienced a raid or the sealing of her boarding house. She also claimed to be unaware of any government enforcement efforts against boarding houses in the area.

Normatively, Mrs. XX herself understands that obtaining permits for her business is crucial, particularly for legal certainty and the sale value of the building.¹⁸ However, in practice, operating a boarding house in her neighborhood is a common practice. Most of her neighbors who also operate boarding houses do not have official permits, so this situation is seen as normal and does not create social pressure for administrative compliance.

Regarding the plan to obtain a complete permit, Ms. XX has not yet made a definitive decision. According to her, factors that might encourage boarding house owners to obtain permits include a simple, straightforward process and affordable fees.¹⁹ Furthermore, she expressed reservations about boarding house businesses being subject to taxes or government revenue payments. This is based on the consideration that her boarding house is a small- to medium-scale business with fluctuating occupancy rates because residents can move at any time. This situation results in unstable monthly income, unlike upper-middle-class boarding houses or boarding houses with daily payment systems that resemble hotel mechanisms and have the potential for more consistent income.

This situation indicates a low level of legal awareness among the public regarding building permit requirements.

¹⁸ Interview, Mrs. XX., Informant of an unlicensed boarding house in Tanjung Duren Subdistrict, Wednesday, February 25, 2026, 16.50 WIB

¹⁹ Interview, Mrs. XX., Informant of an unlicensed boarding house in Tanjung Duren Subdistrict, Wednesday, February 25, 2026, 16.50 WIB

According to Soerjono Soekanto, public legal awareness is related to the level of knowledge, understanding, attitudes, and behavior toward applicable laws. In practice, the change in the permit system from IMB to PBG has not always been accompanied by public understanding of these provisions.

The PBG serves as a regulatory instrument to ensure that buildings within a community are maintained in an orderly manner and in harmony with their surroundings. This regulation is expected to create order and environmental harmony, allowing residents to carry out their daily activities safely and comfortably. Furthermore, the PBG's regulatory function also aims to ensure that approved buildings are utilized according to their intended purpose and to prevent misuse of building functions that could potentially disrupt the community.

On the other hand, the issuance of permits by the government is also related to regional revenue. Regional revenue is a crucial element in supporting the progress and development of a region.²⁰ Without adequate revenue sources, the implementation of regional autonomy can encounter obstacles, potentially hindering the development process. Therefore, the issuance of permits, including Building Permits, can also contribute to increasing regional revenue. With the PBG, building owners can utilize buildings according to their approved functions, thereby supporting economic activity and regional development.

However, through the results of interviews with informant Mrs. XX, it was found that the regulation of boarding houses in practice still requires a more specific classification in the legislation.²¹

²⁰ M. A. Masnun, S. N. Azizah, E. Sulityowati, and O. Ocktaviyanti, "Implications of Changing Building Permit (IMB) to Building Approval (PBG): A Legal Analysis," in *International Joint Conference on Arts and Humanities 2023 (IJCAH 2023)* (Paris: Atlantis Press, 2023), 1446–1453.

²¹ Interview, Mrs. XX., Informant of an unlicensed boarding house in Tanjung Duren Subdistrict, Wednesday, February 25, 2026, 16.50 WIB

Picture 2 Informant Mrs. XX's boarding house business

Source: Primary data, results of the author's field observations 2026

This can be linked to the concept of legal substance, where in practice, the characteristics of boarding house businesses are very diverse and not all have the same scale or facilities. Ms. XX explained that not all boarding houses are large-scale or luxurious businesses, but many are simple with limited facilities. Furthermore, room rental systems also vary, ranging from daily, weekly, to annual rentals, so the income patterns received by boarding house managers also vary. With the possibility of residents moving in and out at certain times, the income earned by boarding house owners is also not always stable. This condition indicates that the regulations regarding boarding houses in existing regulations are still general and do not fully accommodate the diverse characteristics of boarding house businesses in society. Therefore, additional classifications are needed in the regulations regarding boarding houses so that the applicable provisions can be more proportional and do not create an excessive burden for small-scale boarding house managers.

Regarding Mrs. XX's Business Identification Number (NIB), the NIB states that her business is a micro-scale enterprise, with the KBLI code 55900, which refers to providing other accommodations. She admitted that she only obtained the NIB last year, having been helped by the bank to meet the loan requirements for business owners.²²

It's important to understand that a Business

²² Interview, Mrs. XX., Informant of an unlicensed boarding house in Tanjung Duren Subdistrict, Wednesday, February 25, 2026, 16.50 WIB

Identification Number (NIB) is a business identity issued through the Online Single Submission (OSS) system.²³ The NIB serves as the official identification for starting or operating a business in Indonesia. Meanwhile, a permit from the DCKTRP (City Planning and Land Management Agency) relates to the legality of a building and the suitability of its use. Therefore, possessing a NIB does not automatically replace the obligation to obtain a building permit or spatial planning approval from the relevant agency.

According to Mochtar Kusumaatmadja, law not only functions to maintain order but also as a means of social renewal (law as a tool of social engineering) that plays a role in directing social change towards a more orderly and regular condition.²⁴ Therefore, the existence of regulations regarding building permits aims to control development to comply with spatial plans and create an orderly residential environment. However, the state of understanding of these business actors shows that even though business actors have business legality in the form of a NIB, this does not mean that all aspects of permits related to building management have been fulfilled. In practice, there is still an understanding in the community that owning a NIB is sufficient to run a business. In fact, for business activities that utilize buildings, such as boarding houses, it is still necessary to fulfill other requirements related to building legality and spatial planning compliance, such as PBG and SLF. Therefore, the mismatch between owning a business permit and fulfilling a building permit indicates a gap in public understanding of the applicable licensing system.

²³ Online Single Submission (OSS). "OSS – Electronically Integrated Business Licensing." Accessed March 13, 2026. <https://oss.go.id/id>

²⁴ Mochtar Kusumaatmadja, *Konsep-Konsep Hukum dalam Pembangunan* (Bandung: Alumni, 2006)

Picture 3 NIB Research Object

The image shows two official Indonesian government forms. The left form is titled 'PERATURAN MENYERIK REPUBLIK INDONESIA' and 'PERATURAN MENYERIK BERKASAS RIBRO'. It contains text regarding the 'Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2023 tentang Perubahan Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2022 tentang Sistem Sengketa Kelangkaan'. The right form is also titled 'PERATURAN MENYERIK REPUBLIK INDONESIA' and 'PERATURAN MENYERIK BERKASAS RIBRO'. It contains text regarding the 'Peraturan Menteri Dalam Negeri Nomor 1 Tahun 2023 tentang Perubahan Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2022 tentang Sistem Sengketa Kelangkaan'. Both forms include sections for 'KETERANGAN' (Notes) and 'LAMPIRAN' (Attachments).

Source: Primary data, results of the author's field observations 2026

The second informant with the initials Mr. X who has been running a boarding house business for approximately 15 years, this boarding house has 6 rooms with a rate of 700 thousand per month. It is known that Mr. X has a letter of ownership in the form of a land certificate document in the name of Mr. X's parents. This boarding house building was built by himself on land that Mr. X bought. The occupants of Mr. X's women-only boarding house are 7 people with professions as Mall SPGs. Mr. X admitted that he did not know about PBG, SLF or NIB.²⁵

Based on the results of an interview with the second informant, Mr. X, it can be concluded that the level of understanding of boarding house business owners regarding building and business permit obligations is still relatively low. This is demonstrated by Mr. X's lack of knowledge regarding Building Construction Approvals (PBG), Certificates of Functional Worthiness (SLF), and Business Identification Numbers (NIB). Furthermore, the lack of government outreach is also a contributing factor.

On the other hand, there is a perception among business owners that licensing requirements only apply to large-scale or luxury boarding houses, thus deeming small-scale boarding houses unnecessary. Therefore, it can be concluded that there is still a gap between the provisions of

²⁵ Interview, Mr. X., Informant of unlicensed boarding house in Tanjung Duren Subdistrict, Monday, April 27, 2026, 17.00 WIB

the law and the understanding and practice in the field, particularly among small-scale boarding house owners.

Picture 4 Informant Mr. XX's boarding house business



Source: Primary data, results of the author's field observations 2026

2. The role of the expert team and service sector

The Department of Public Works, Spatial Planning, and Land (DCKTRP) itself has a team of assessors and structural experts consisting of architects. This team is not part of the DKI Jakarta government, but rather a separate independent team. This team is tasked with inspecting the building site where the complainant plans to construct. In contrast, for buildings already constructed, the DCKTRP Sector at the sub-district level is responsible for monitoring violations in the field.²⁶ The existence of this team of architect experts and the DCKTRP Sector itself demonstrates that the state has structurally provided mechanisms to ensure the safety and feasibility of buildings. However, although the functions of technical assessment and supervision are normatively separated, this separation also creates a control gap because the technical mechanism only operates if the boarding house owner voluntarily applies for a permit. Meanwhile, the agency sector responsible for field supervision only acts when violations occur.

²⁶ Interview with Mr. Rafael Timothy Hasibuan, Senior Assistant Professional Staff Structure, Thursday, February 5, 2026

Although the sanctions framework has been established through a phased mechanism, consisting of three warning letters, a letter of termination, and an order to independently demolish the business, field findings indicate that the effectiveness of these sanctions remains weak. Many boarding house owners continue to construct or operate their buildings despite not having obtained the necessary permits, as the public perceives the risk of law enforcement as being smaller than the potential economic benefits from renting out boarding rooms.

Law Number 28 of 2002 concerning Building Construction is the legal basis governing the construction of buildings in Indonesia. This law regulates various aspects related to building construction, from administrative requirements and technical requirements to construction implementation and building supervision.²⁷ Through these regulations, the government strives to ensure that every building constructed meets standards for safety, health, comfort, and convenience for its users.

Furthermore, this law also stipulates that all building construction must meet the licensing requirements established by the local government. These requirements aim to ensure that construction complies with spatial planning and technical building regulations, and does not negatively impact the surrounding environment. This provision ensures that building construction is not only oriented toward the interests of the building owner but also considers the interests of the wider community.

In the Regulation of the Governor of DKI Jakarta Province Number 128 of 2012 concerning the Imposition of Sanctions for Violations of Building Construction Implementation, it is written that there are several technical supervisions in building construction.²⁸ During the construction phase, there is a supervisor, namely an individual or group of experts/agencies acting as a Supervisory Board tasked with

²⁷ Law Number 28 of 2002 concerning Building Construction

²⁸ Regulation of the Governor of the Special Capital Region of Jakarta Province Number 128 of 2012 concerning Building Construction

overseeing the implementation of construction activities on behalf of the building owner. In building construction, especially on a medium to large scale or public buildings, it is mandatory to have a supervisory board or supervisory consultant. This supervision is part of the construction safety and security standards regulated in Indonesian laws and regulations, including Law Number 28 of 2002 concerning Buildings and Government Regulation Number 16 of 2021.

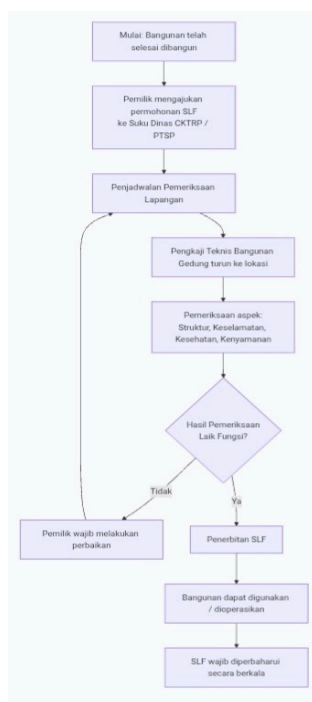
According to Government Regulation Number 16 of 2021, building classifications in Indonesia are established to ensure health, safety, and environmental order. These classifications take into account several factors, including complexity, permanence, fire hazard, earthquake zoning, location, height, and ownership status.²⁹ If a building does not comply with the established classification, it has the potential to cause various negative impacts, ranging from air pollution and waste generation, social disruption in the form of discomfort for the surrounding community, to economic losses for the building owner and occupants.

Next, there's the Building Maintenance Division, which operates after the building is completed and occupied. This division is appointed by the building owner and primarily responsible for maintaining the building's operational condition. This division's role is to ensure the building continues to meet technical standards. If a boarding house is already standing but hasn't been properly maintained, it could fall under this category.

Then there are the Building Technical Assessors, whose primary function is to assess whether a building is fit for use. The Building Technical Assessors are tasked with assessing structural, safety, health, and comfort aspects, which form the basis for issuing a Certificate of Functional Suitability (SLF). They are also tasked with conducting technical evaluations if any violations or building problems are suspected.

²⁹ Halim, A. (2021). LEGAL ANALYSIS OF CHANGES IN BUILDING CLASSIFICATION THAT DO NOT COMPLY WITH BUILDING CONSTRUCTION APPROVAL ACCORDING TO GOVERNMENT REGULATION NUMBER 16 OF 2021. *Wasaka Hukum*, 9(2), 371-382.

Chart 2 SLF Submission Process



Source : Researcher's Analysis (2026)

3. The practice of "build first, ask for permission later"

The primary reason for violations, as revealed by DCKTRP officials, is the practice of "build first, get permits later," driven by pragmatic considerations such as the availability of foremen and builders.³⁰ These findings suggest that non-compliance is not solely due to legal ignorance, but rather to the rational calculations of business actors who prioritize time efficiency and economic gain over compliance with the licensing regime. This situation demonstrates a gap between the law's purpose as an instrument for protecting safety and spatial order and socio-economic practices at the local level.

The regular outreach efforts conducted by the DCKTRP Sub-Department at the sub-district and village levels

³⁰ Interview with Mr. Rafael Timothy Hasibuan, Senior Assistant Professional Staff Structure, Thursday, February 5, 2026

demonstrate an institutional commitment to raising public legal awareness. However, this outreach has not been sufficient to change the behavior of boarding house owners in fulfilling licensing obligations. This situation indicates that the problems that occur are not solely caused by a lack of information regarding applicable regulations, but also related to the weak effectiveness of supervision and enforcement of regulations in the field. From the perspective of law enforcement theory put forward by Soerjono Soekanto, the effectiveness of the law is influenced by several factors, one of which is the law enforcement factor. If the authorities do not consistently supervise and take action against violations, then the legal norms that have been socialized to the community have the potential to be ineffective in practice.

Table 1 Law Enforcement Factors and Obstacles in the Field

Law Enforcement Factors	Theory Indicators	Obstacles/Realities in the Field (Research Findings)
Law enforcer	Competence and consistency of officers (Satpol PP, DCKTRP)	- Enforcement tends to be administrative (fines/warnings) without firm action (demolition). - Limited human resources for routine monitoring.
Facilities	Data, technology and budget support.	- There is no integrated database system to detect unauthorized buildings from the construction stage. - Patrol equipment is limited in reaching narrow alleys.
Public	Citizen participation and compliance.	- The public only reports when disturbances

		(prostitution/garbage) occur, not during illegal construction. - Low early reporting of permit violations.
Legal Culture	Community legal awareness.	- Boarding house owners believe small businesses don't need formal permits. - Normalizing violations in the surrounding area (following the neighbors).
The Law Itself	Clarity and certainty of rules.	- The transition from IMB to PBG remains confusing for the public. - Sanctions are considered less of a deterrent than the economic benefits of boarding houses.

Source: Processed from Soerjono Soekanto's Theory (1983) & Research Data

Changes to building classifications that do not comply with building permits are still common in Indonesia.³¹ This is related to the provisions of Law Number 28 of 2002 concerning Buildings, specifically Articles 2 and 33, as well as Regulation of the Minister of Public Works and Public Housing Number 20 of 2021 concerning Special Function Buildings.³² These provisions demonstrate the government's

³¹ Law of the Republic of Indonesia Number 28 of 2002 concerning Building Construction, Article 2 and Article 33.

³² Regulation of the Minister of Public Works and Public Housing of the Republic of Indonesia Number 20 of 2021 concerning Special Function Buildings.

obligation to regularly monitor and control the quality and utilization of buildings.

Addressing changes to building classifications that do not comply with building permits requires collaboration between the government, building owners, and authorized agencies responsible for building supervision and control.³³ In this regard, relevant agencies need to conduct regular building inspections and reviews to ensure that building use remains in accordance with applicable regulations. Furthermore, building owners must fulfill administrative obligations, including costs associated with the supervision process, inspections, and building permit applications.

In practice, based on the results of interviews with the Department of Public Works, Spatial Planning, and Land Affairs, the existence of boarding houses built without permits often causes potential problems with local residents, one of which is related to limited parking facilities. Boarding house residents who bring vehicles often park their vehicles on the road or residential area, thus disrupting access and comfort for residents. This condition can basically be avoided if the construction of boarding houses is carried out in accordance with applicable licensing procedures, because in the licensing process the building will be planned in accordance with technical standards, including the obligation to provide adequate parking facilities. This is in accordance with the provisions regarding the provision of parking facilities regulated in the Regional Regulation of DKI Jakarta Province Number 7 of 2010 concerning Buildings Article 42 paragraph (1) which states that every building owner is obliged to provide vehicle parking facilities in accordance with applicable standard provisions.

4. Weak sanctions and law enforcement

In addition to field interview findings, media data indicates that violations of boarding house building permits in

³³ Halim, A. (2021). LEGAL ANALYSIS OF CHANGES IN BUILDING CLASSIFICATION THAT DO NOT COMPLY WITH BUILDING CONSTRUCTION APPROVAL ACCORDING TO GOVERNMENT REGULATION NUMBER 16 OF 2021. *Wasaka Hukum*, 9(2), 371-382.

Tanjung Duren Subdistrict are recurring and have widespread impact. On February 26, 2015, a population raid by authorities in the South Tanjung Duren area resulted in the arrest of more than 110 boarding house residents, many of whom lacked administrative documents. The owners were instructed to obtain their boarding house permits in accordance with regulations or face potential closure by the relevant authorities.³⁴

It was also found that on February 5, 2015, more than 120 boarding house residents in RW 01-03 Tanjung Duren Utara were caught in a raid because they did not report their presence to the local RT/RW and were asked to make a Temporary Domicile Certificate (SKDS) and the boarding house owners were summoned to immediately take care of permits according to the number of residents.³⁵

The findings of this mass media data indicate that government officials through the Public Order Agency (Satpol PP) followed up on reports from the public who visited two boarding houses suspected of operating without permits and causing unrest. During the action, officers found a multi-story boarding house with some of the rooms occupied, but the owner could not be reached and the building guard claimed to be unaware of the licensing obligations. Based on this case, the Satpol PP then summoned the boarding house owner and stated that they would impose administrative sanctions if the permit obligations were not met, including through a misdemeanor trial and further supervision coordination.³⁶

³⁴ "110 Boarding House Residents in South Tanjung Duren Caught in a Raid," Jakarta News (February 26, 2015), <https://www.beritajakarta.id/read/8479/110-penghuni-kos-di-tanjung-duren-selatan-terjaring-razia>

³⁵ "121 Boarding House Residents in North Tanjung Duren Caught in a Raid," Jakarta News (February 5, 2015), <https://www.beritajakarta.id/read/8068/121-penghuni-kos-di-tanjung-duren-utara-terjaring-razia>

³⁶ West Jakarta Satpol PP will take action against boarding house owners in RW 01 North Tanjung Duren, West Jakarta Administrative City (September 19, 2025), <https://barat.jakarta.go.id/berita/satpol-pp-jakbar-akan-tindak-pemilik-kos-di-rw-01-tanjung-duren-utara>.

Table 2 History of the Regulation of Unlicensed Boarding Houses

Date	Location	Number of Occupants Netted	Reasons for the Regulation	Follow-up by the authorities
5 February 2015	North Tanjung Duren (RW 01-03)	121 Residents	Not reporting RT/RW (Domicile)	The owner was called to take care of the permit
26 February 2015	South Tanjung Duren	110 Residents	Don't have administrative documents	Instructions for managing permits/potential seals
19 September 2025	North Tanjung Duren (RW 01)	Not Mentioned	Allegations of unauthorized & undercover prostitution	Owners will be subject to administrative sanctions

Source: Jakarta News & West Jakarta Satpol PP (Processed)

Other media findings also show that the local community still feels non-compliance with licensing regulations, in September 2025 a boarding house in North Tanjung Duren which was suspected of not having a permit and being used for activities that disturbed residents had not been taken firm action by the authorities, thus raising questions about the effectiveness of law enforcement at the local level.³⁷

Media reports from 2015 and 2025 show a consistent pattern: the existence of unlicensed boarding houses in Tanjung Duren was only uncovered after residents reported

³⁷ Fathan Mpn, "Boarding House Allegedly Unlicensed in North Tanjung Duren: Disturbing Residents, Questioning the Performance of the West Jakarta Satpol PP," National Corner, September 17, 2025, <https://pojoknasional.co.id/kost-diduga-tak-berizin-di-tanjung-duren-utara-meresahkan-warga-pertanyakan-kinerja-satpol-pp-jakarta-barat/>

prostitution and disturbances to public order. This suggests that the building permit monitoring mechanism has not functioned as a preventative measure, but rather operates reactively after social violations occur. As a result, violations of PBG and SLF obligations go undetected early, opening up opportunities for building misuse and environmental degradation.

Based on the 2024 report on regional regulation enforcement by the Jakarta Provincial Public Order Agency (Satpol PP), no violations were recorded that were directly prosecuted using Jakarta Governor Regulation Number 128 of 2012 concerning Buildings.³⁸ This indicates that enforcement of building violations is generally carried out more through administrative mechanisms by relevant technical agencies, particularly the Public Works, Spatial Planning, and Land Agency, before involving Satpol PP in the enforcement phase.

In practice, residents often report the presence of boarding houses suspected of being unlicensed to the Public Order Agency (Satpol PP). This is because the Public Order Agency (Satpol PP) is a regional government agency tasked with enforcing local regulations and maintaining public order. Although technically, building supervision falls under the Public Works, Spatial Planning, and Land Agency (DPP), Satpol PP is often the first party to receive public reports before further coordination with relevant agencies is undertaken.

Although provisions regarding sanctions for violations of building regulations are regulated in Regional Regulation Number 7 of 2010 concerning Buildings, the practice of building boarding houses without permits is still found in the community. The provisions regarding these sanctions are normatively stated in Article 283, which regulates the legal consequences for violations of building regulations. This article essentially authorizes local governments to impose

³⁸ Jakarta Provincial Civil Service Police Unit, Report on the Percentage of Resolution of Violations of Regional Regulations and/or Regional Head Regulations related to Public Order and Peace in 2024, Jakarta, 2024

administrative sanctions on parties who violate building regulations. These violations can include building construction without a permit, using a building that does not comply with its designated function, or failure to fulfill administrative and technical building requirements. In this study, the existence of boarding houses without building permits indicates a potential violation of these provisions, so that normatively local governments have the authority to enforce regulations or impose administrative sanctions.

C. Factors Causing Non-Compliance by Boarding House Owners

1. Economic factors: time and cost efficiency

This Owners of unlicensed boarding houses feel that obtaining a PBG (Land Use Building) and SLF (Land Use Building) is time-consuming, and that technical costs and architectural consultations are an administrative burden rather than a legal requirement.³⁹ The owner of this boarding house, which has been operating since 2008, also admitted that when he was building his boarding house, an official from a government agency offered to pay him directly without the need for a permit, even though the owner still did not obtain the required permit.

Economically, boarding house owners tend to choose to build and operate their boarding houses without obtaining permits because the permitting process is perceived as time-consuming and costly. In an area with high housing demand like Tanjung Duren, short-term profit is prioritized over administrative compliance.

Boarding house owners' non-compliance with building permit requirements can be influenced by profit and cost considerations.⁴⁰ Boarding house businesses are often used

³⁹ Interview, Mrs. XX., Informant of an unlicensed boarding house in Tanjung Duren Subdistrict, Wednesday, February 25, 2026, 16.50 WIB

⁴⁰ Wahyu Rangga Kusuma, Dihyan Arga Perdana, Bintara Tamtama Putra, and M. Gossan Daffa Majid, "Legal Assistance Efforts for Boarding House Owners in the UNNES Area Regarding Permits and Taxes," *Multidisciplinary Journal of Academic Sciences*, Vol. 2, No.

as a source of income for the community, so many boarding house owners focus more on profit-making than on fulfilling administrative obligations. Some boarding house owners believe that obtaining building permits and business permits will incur additional costs, such as administrative fees and tax obligations. This situation encourages some boarding house owners to operate their businesses without formal permitting to avoid costs that are perceived to reduce boarding house revenue. As a result, the legal aspects of building permits are often ignored even though this is contrary to applicable regulations.

2. Social Factors: Lack of Legal Awareness and Informal Culture

The Tanjung Duren area, which is developing as a central district with shopping centers, universities, and other economic activities, has made boarding houses a popular and common form of housing. The high demand for temporary housing has encouraged local residents to view boarding as a viable and profitable economic activity.

In such a social context, the practice of building and operating boarding houses, whether they meet licensing requirements or not, tends to be tolerated in local communities as long as it does not cause open conflict or direct disruption to the neighborhood's order. Informal culture and social closeness between boarding house owners and local residents also influence the community's response to administrative violations, so that non-compliance with licensing obligations is often not immediately questioned because it is considered a common practice. Legal culture theory in legal system theory explains that the effectiveness of a legal rule is determined not only by the existence of norms or law enforcement agencies, but also by the community's attitude and culture towards the law.⁴¹ In situations where the community views administrative violations as something common and not directly detrimental,

2 (2025), pp. 276-287

⁴¹ Lawrence M. Friedman, *The Legal System: A Social Science Perspective* (New York: Russell Sage Foundation, 1975), 15.

the level of compliance with the rule of law tends to be low. Thus, the existence of unlicensed boarding houses in the neighborhood is influenced not only by regulatory factors, but also by the community's relatively permissive legal culture towards such practices.

Boarding house owners' non-compliance with licensing requirements is also influenced by low levels of public awareness and understanding of the legal obligations of boarding house businesses.⁴² Some boarding house owners still believe that boarding houses are small, home-based businesses that do not require formal government permits. Furthermore, information regarding licensing and tax requirements is often obtained from local residents or from fellow boarding house owners who lack a clear understanding of the procedures and obligations required to operate a boarding house, resulting in low compliance with regulations.

The phenomenon of unlicensed boarding houses also occurs in Petanbaru City. This phenomenon is influenced by several factors related to public legal awareness and the effectiveness of government oversight.⁴³ In practice, some boarding house owners still do not apply for permits even though their buildings have changed function from residential to boarding houses. This indicates that the level of public legal awareness regarding the importance of building permits is still relatively low. Furthermore, another contributing factor is the limited human resources available to oversee these changes in building function, resulting in not all violations being optimally detected by the local government. This situation results in the continued discovery of boarding houses operating without official permits.

However, this social tolerance generally ends when real disturbances arise, such as undercover prostitution or public unrest. It is at this point that previously overlooked administrative violations come to the fore and trigger reports to law enforcement officials.

⁴² Wahyu Rangka Kusuma dkk., hlm. 281

⁴³ Putra, Welly Pratama. "Implementation of Boarding House Building Business Permits in Pekanbaru City." PhD diss., Riau Islamic University, 2021.

3. *Structural Factors: Weak Preventive Supervision*

Through the theory of the legal system that explains the concept of legal structure, namely the agency or institution that has the authority to implement and enforce the law. In the context of building management, this legal structure is realized through the role of technical agencies such as DCKTRP which is responsible for building supervision.⁴⁴ However, based on the results of research in Tanjung Duren Village, preventive supervision of the existence of unlicensed boarding houses is still found. This condition indicates that although the legal substance or rules governing community behavior are written, implementation in the field has not been optimal. Weak supervision from the initial stages of construction has resulted in unlicensed boarding buildings being able to continue operating for a long time without adequate action, guidance, or consequences from the authorities.

Table 3 Factors Causing Non-Compliance with Boarding House Building Permits

Components of the Legal System	Causative factor	Field Findings
Legal Structure	Weak Preventive Supervision	Supervision is reactive (complaint-based), there is no early detection during construction.
	Agency Coordination	Coordination between DCKTRP, Satpol PP, and the sub-district is not optimal.
Legal Substance	Complexity of	The licensing

⁴⁴ Lawrence M. Friedman, *The Legal System: A Social Science Perspective* (New York: Russell Sage Foundation, 1975), 15.

	Procedure	process is considered complicated, convoluted, and expensive.
	Business Classification	Regulations do not specifically accommodate micro/small scale boarding houses.
Legal Culture	Low Legal Awareness	Owners consider small business boarding houses do not need formal permits.
	"Build First" Culture	The practice of building first by obtaining a permit is considered normal in society.
	Economy	Short-term profit orientation takes priority over compliance.

Source: Researcher's Analysis based on Interviews and Observations (2026)

Structurally, weak preventive oversight of PBG and SLF obligations is a dominant factor in repeated violations. Ideally, the building permit system should serve as a control instrument from the planning and construction stages, allowing any non-compliant buildings to be detected before they begin operating. However, according to reports in 2015 and 2025, the existence of unlicensed boarding houses in Tanjung Duren was only uncovered after residents reported prostitution and disturbances to public order.

These facts demonstrate that, while supposedly proactive oversight through administrative licensing

mechanisms, is often reactive and complaint-based. This means that violations of PBG and SLF obligations are often not identified through routine oversight or inter-agency coordination, but are only discovered when they have already caused disruptive social impacts. In other words, administrative violations become "visible" not because of effective building management controls, but because of the emergence of more tangible and sensitive social violations within the community.

Recurring patterns indicate structural gaps in the governance of boarding house oversight. Often, the lack of early detection allows unlicensed buildings to remain operational for a period of time, thus opening up opportunities for misuse and potential degradation of environmental order. This situation suggests that the legal instruments that are normatively available have not been fully implemented as preventative control mechanisms, but rather serve as a means of enforcement after violations occur.

From a structural perspective, boarding house owners' non-compliance with licensing requirements is also influenced by institutional factors, particularly the lack of government outreach and assistance to the public regarding licensing and taxation requirements for boarding house businesses. In practice, not all boarding house owners understand that converting a residence into a boarding house requires licensing adjustments in accordance with applicable regulations. This situation indicates that there are still limitations in the dissemination of information and legal education to the public, resulting in many boarding house owners not fully understanding the licensing procedures or legal obligations that must be met in running a boarding house business. As a result, non-compliance with building permit regulations remains common in the community.

D. Social and Legal Implications of the Existence of Unlicensed Boarding Houses

1. Disturbance of public order and social conflict

The existence of unlicensed boarding houses has implications for the emergence of public order disturbances. However, these implications do not occur evenly across all

areas with unlicensed boarding houses. This is evident in the results of the study, which showed that the unlicensed boarding house owned by Mrs. XX did not have implications for the emergence of public order disturbances. On the other hand, public order disturbances occurred in other unlicensed boarding houses in the same area. This indicates that the inconsistency of legal norms with field practices does not always directly give rise to conflict, but rather depends on the social and economic structure of the local community.

The conditions in Mrs. XX's residential area indicate a normative gap, a situation where applicable legal regulations are not fully enforced. Although administratively, the existence of unlicensed boarding houses constitutes a violation, in practice, this condition tends to be socially accepted by the surrounding community because it is seen as part of local economic activity. This indicates a social tolerance for administrative violations. From the perspective of legal compliance theory, public compliance with the law is strongly influenced by the level of legal awareness that develops within the community. Legal compliance is a manifestation of public legal awareness, reflected in daily behavior that aligns with applicable legal provisions.⁴⁵ If public legal awareness is low, then violations of legal regulations can be considered commonplace and accepted in social life. This is evident in Mrs. XX's area, where the existence of unlicensed boarding houses did not elicit significant public opposition because they were deemed not to disrupt the neighborhood's order. Conversely, in other areas of Tanjung Duren, similar conditions were found, which actually led to deviations in function, such as prostitution practices, which triggered social reactions from the community and intervention by authorities. These differences in conditions indicate that the effectiveness of legal norms is strongly influenced by the social context of the community, so the impact of the existence of unlicensed boarding houses

⁴⁵ Andi Syahir, Ahmad Hasan, and Muhammad Umar, "Compliance with the Law (A Legal Philosophy Perspective)," *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 1, no. 4 (2023): 930–944.

is not uniform across regions.

2. Degradation of residential environments

Based on the results of an interview with informant Mrs. XX, the increase in the number of residents due to the presence of boarding houses also has an impact on the increasing volume of waste generated in the neighborhood. Mrs. XX said that the amount of waste from boarding houses is relatively greater than from Mrs. XX's residence, which is right next to her boarding house business.⁴⁶ Therefore, in practice there is a difference in payment of waste management fees between boarding houses and private homes. However, to date, the waste problem has not become a conflict in the informant's neighborhood because the local RT requires boarding house owners to pay a larger amount of waste management fees to garbage collectors. This policy is one of the steps taken by local neighborhood administrators to adjust the temporary increase in population to the waste management capacity in the residential area.

Provisions regarding the obligation to provide green plants are regulated in DKI Jakarta Provincial Regulation Number 7 of 2010 concerning Buildings, Article 51, which states that every building must have green plants that can become a place for germplasm to live and develop. This provision is also basically relevant to boarding houses as part of residential buildings. The provision of green elements aims to maintain the quality of the residential environment and create a healthier and more comfortable environment for residents and the surrounding community. This violation often occurs due to limited land or overly dense buildings. Based on observations at the research location, the green elements as referred to in the provision are basically already present in the business environment of Mrs. XX's boarding house. The presence of green plants around the building indicates that certain environmental aspects have been factually fulfilled. However, it should be emphasized that fulfilling these elements does not necessarily make the

⁴⁶ Interview, Mrs. XX., Informant of unlicensed boarding house in Tanjung Duren Subdistrict, Wednesday, March 11, 2026, 17.00 WIB

building fully comply with applicable legal provisions, considering that the boarding house building still does not have the required permits. When linked to the element of legal culture, namely the attitude and awareness of the community towards the law.⁴⁷ Despite efforts to protect the environmental aspects surrounding buildings, compliance with administrative requirements is still not fully understood or prioritized by building owners. Thus, the existence of these unlicensed boarding houses demonstrates that the effectiveness of regulatory enforcement depends not only on the existence of legal norms, but also on the level of public awareness and compliance with these provisions.

3. Public distrust of law enforcement officers

The presence of boarding houses in residential areas not only has economic implications but also has the potential to cause social and legal implications if not managed properly and in accordance with applicable regulations.⁴⁸ Boarding houses, as residential property businesses, are characterized by a high dependence on social interaction with the surrounding community. Therefore, their existence can potentially give rise to conflicts with residents if they do not pay attention to social aspects and legal compliance. Social risks such as resistance or rejection from the surrounding community can arise due to increased resident activity, changes in the residential environment, or lack of coordination with local residents. Furthermore, boarding houses also face legal risks related to compliance with building permits and regulations. If boarding house owners fail to fulfill legal obligations such as having a building permit and complying with regulations, the business has the potential to create legal problems and disrupt the relationship between the business owner and the surrounding community. Therefore, the development and management of boarding

⁴⁷ Lawrence M. Friedman, *The Legal System: A Social Science Perspective* (New York: Russell Sage Foundation, 1975), 15.

⁴⁸ Shabrina Nurhiyan Nisa dan Hani Humaeriyah, "Analisis Risiko Kos-Kosan dengan Pendekatan ISO 31000 (Studi Kasus Usaha Kos Jl. Babakan)

houses must consider social and legal aspects so that their existence is accepted by the community and operates in accordance with applicable regulations.

However, on the other hand, public trust may be declining due to inconsistencies in law enforcement officials' adherence to official procedures. Another study found several reasons why the public has relatively low levels of trust in law enforcement officials in the PBG approval process. For example, the public tends to lack trust because the bureaucracy is often perceived as unreliable, the cost information displayed on the SIMBG website or provided directly by officers is often unclear, and service delays occur without clear information.⁴⁹

This situation demonstrates that the effectiveness of building permit implementation is determined not only by the existence of regulations governing PBG procedures, but also by the quality of service and the consistency of officials in enforcing applicable provisions. If the service process is deemed non-transparent, the information provided is unclear, and delays occur without adequate explanation, this has the potential to reduce public trust in the existing permit system. Ultimately, this low level of trust can impact public compliance with permit obligations, making it difficult to achieve the goal of orderly and legally compliant development.

Table 4 Social and Legal Implications of the Existence of Unlicensed Boarding Houses

Implication Aspects	Negative Impact	Factual Conditions in the Field
Public Order	Security disturbances, hidden prostitution,	Not all boarding houses are disruptive (depending on the

⁴⁹ Mallappiang, N., dan H. A. Gani. "Akuntabilitas Proses Pelayanan Persetujuan Bangunan Gedung (PBG) di Dinas Penanaman Modal dan Pelayanan Terpadu Satu Pintu Kabupaten Gowa." Dalam Seminar Nasional Dies Natalis 62, vol. 1, 609–619, Juli 2023.

	public unrest.	manager), but the potential is high if not controlled.
Environment	Garbage accumulation, lack of plants	The volume of waste increases, but is managed via additional RT contributions.
Public Trust	Declining trust in law enforcement officials	The public considers the authorities to be inconsistent/not firm in taking action
Regional Income	Potential loss of revenue from building taxes and permits	Many owners avoid local tax obligations.

Source : Researcher Analysis (2026)

D. Conclusion

The implementation of DKI Jakarta Provincial Regulation No. 7 of 2010 concerning Building Construction in Tanjung Duren Village, West Jakarta, remains ineffective in controlling the construction of unlicensed boarding houses. Although the law explicitly mandates the obligation to obtain a Building Construction Permit (PBG) before starting construction, the reality on the ground shows that many boarding house owners ignore licensing procedures. Law enforcement tends to be reactive and administrative in nature, such as fines, without being followed by firm preventive or repressive measures such as demolition. Weak coordination between relevant agencies, limited supervisory resources, and the complexity and high cost of the licensing process also exacerbate non-compliance. This reflects a clear gap between *das sollen* (what should be) and *das sein* (what happens), where the substance of the law is not balanced by

a strong enforcement structure and a low level of community legal culture.

The factors contributing to community non-compliance with boarding house licensing requirements result from a complex interaction between economic, social, and normative considerations. Instrumentally, many boarding house owners perceive the economic benefits of operating a boarding house as far greater than the risk of relatively mild administrative sanctions. Social factors also predominate, with the widespread practice of building without permits in the surrounding area creating new social norms that consider such practices normal. Meanwhile, normative factors, such as legal awareness and a sense of responsibility for spatial planning and public order, remain weak. Poor dissemination of regulations and minimal support from local governments exacerbate this situation, leading communities to choose the pragmatic path of building without permits to meet economic needs.

E. References

- Ayu Risqi Marina. "Intip Pajak Bisnis Kos-Kosan." Direktorat Jenderal Pajak. 8 Agustus 2022. <https://pajak.go.id/id/artikel/intip-pajak-bisnis-kos-kosan>
- Badan Pengembangan dan Pembinaan Bahasa. "Indekos." Kamus Besar Bahasa Indonesia Daring. Diakses 9 Maret 2026. <https://kbbi.web.id/indekos>.
- Badan Pusat Statistik Provinsi DKI Jakarta. *Provinsi DKI Jakarta Dalam Angka 2025*. Jakarta: Badan Pusat Statistik Provinsi DKI Jakarta, 2025.
- Faisol, S. A., H. S. R. Tinambunan, A. W. Sanjaya, A. D. Setiawati, F. I. S. Kusuma, D. Rahmat, dan K. Krishnandya. "Pelatihan Perizinan Berusaha Bagi Pemilik Kos Sekitar Kampus Unesa 5 dalam Mendukung Tata Kelola Properti yang Legal." *Jurnal Pengabdian Mitra Masyarakat* 5, no. 1 (2025): 39–41.
- Fathan Mpn. "Kost Diduga Tak Berizin di Tanjung Duren Utara: Meresahkan Warga, Pertanyakan Kinerja Satpol PP

- Jakarta Barat." *Pojok Nasional*, 17 September 2025. <https://pojoknasional.co.id/kost-diduga-tak-berizin-di-tanjung-duren-utara-meresahkan-warga-pertanyakan-kinerja-satpol-pp-jakarta-barat/>
- Lawrence M. Friedman. *The Legal System: A Social Science Perspective*. New York: Russell Sage Foundation, 1975.
- Halim, A. "Analisis Yuridis Perubahan Klasifikasi Bangunan Gedung yang Tidak Sesuai dengan Persetujuan Bangunan Gedung Menurut Peraturan Pemerintah Nomor 16 Tahun 2021." *Wasaka Hukum* 9, no. 2 (2021): 371–382.
- Kota Administrasi Jakarta Barat. "Satpol PP Jakbar Akan Tindak Pemilik Kos di RW 01 Tanjung Duren Utara." 19 September 2025. <https://barat.jakarta.go.id/berita/satpol-pp-jakbar-akan-tindak-pemilik-kos-di-rw-01-tanjung-duren-utara>.
- Kusuma, W. R., D. A. Perdana, B. T. Putra, dan M. G. D. Majid. "Upaya Pendampingan Hukum Bagi Pemilik Kos di Wilayah UNNES Terkait Izin dan Pajak." *Jurnal Multidisiplin Ilmu Akademik* 2, no. 2 (2025): 276–287.
- Mallappiang, N., dan H. A. Gani. "Akuntabilitas Proses Pelayanan Persetujuan Bangunan Gedung (PBG) di Dinas Penanaman Modal dan Pelayanan Terpadu Satu Pintu Kabupaten Gowa." Dalam *Seminar Nasional Dies Natalis* 62, vol. 1, 609–619, Juli 2023.
- Masnun, M. A., S. N. Azizah, E. Sulityowati, dan O. Ocktaviyanti. "Implications of Changing Building Permit (IMB) to Building Approval (PBG): A Legal Analysis." Dalam *International Joint Conference on Arts and Humanities 2023 (IJCAH 2023)*. Paris: Atlantis Press, 2023.
- Mochtar Kusumaatmadja, *Konsep-Konsep Hukum dalam Pembangunan* (Bandung: Alumni, 2006)
- Ningsih, A. S., R. Fidiyani, R. Rasdi, A. Ramli, D. Muhtada, H. L. Hanum, et al. "Peningkatan Pemahaman Legalitas Usaha Bagi Pelaku Usaha Kecil Menengah Pada Masyarakat Desa Mergosari Kabupaten Wonosobo." *Jurnal Pengabdian kepada Masyarakat Nusantara* 6, no. 1 (2025): 867–875.
- Nisa, Shabrina Nurhiyan, dan Hani Humaeriyah. "Analisis

- Risiko Kos-Kosan dengan Pendekatan ISO 31000 (Studi Kasus Usaha Kos Jl. Babakan Wadana, Kecamatan Rancasari, Kota Bandung)." *Ekopedia: Jurnal Ilmiah Ekonomi* 2, no. 1 (2026).
- Online Single Submission (OSS). "OSS – Perizinan Berusaha Terintegrasi Secara Elektronik." Diakses 13 Maret 2026. <https://oss.go.id/id>
- Pemerintah Kota Administrasi Jakarta Barat. "Kelurahan Tanjung Duren Selatan." Diakses 10 Maret 2026. <https://barat.jakarta.go.id/kelurahan/tanjung-duren-selatan>
- Peraturan Daerah Provinsi DKI Jakarta Nomor 7 Tahun 2010 tentang Bangunan Gedung.
- Peraturan Gubernur Provinsi DKI Jakarta Nomor 128 Tahun 2012 tentang Bangunan Gedung.
- Peraturan Menteri Pekerjaan Umum dan Perumahan Rakyat Nomor 20 Tahun 2021 tentang Bangunan Gedung Fungsi Khusus.
- Peraturan Pemerintah Nomor 16 Tahun 2021.
- Putra, Welly Pratama. "Pelaksanaan Pemberian Izin Usaha Bangunan Kos-kosan di Kota Pekanbaru." Disertasi PhD, Universitas Islam Riau, 2021.
- Satuan Polisi Pamong Praja Provinsi DKI Jakarta. *Laporan Persentase Penyelesaian Pelanggaran Perda dan/atau Perkada terkait Ketenteraman dan Ketertiban Umum Tahun 2024*. Jakarta, 2024.
- Situngkir, R. "Peralihan Izin Mendirikan Bangunan Menjadi Persetujuan Bangunan Gedung Berdasarkan Undang-Undang Nomor 11 Tahun 2020 Tentang Cipta Kerja." *Iuris Studia: Jurnal Kajian Hukum* 2, no. 3 (2021): 664–672
- Soekanto, Soerjono. *Faktor-Faktor yang Mempengaruhi Penegakan Hukum*. Jakarta: Rajawali Pers, 1983.
- Syahir, Andi, Ahmad Hasan, dan Muhammad Umar. "Kepatuhan terhadap Hukum (Sebuah Perspektif Filsafat Hukum)." *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 1, no. 4 (2023): 930–944.
- Undang-Undang Nomor 28 Tahun 2002 tentang Bangunan Gedung.

- "110 Penghuni Kos di Tanjung Duren Selatan Terjaring Razia."
Berita Jakarta, 26 Februari 2015.
<https://www.beritajakarta.id/read/8479/110-penghuni-kos-di-tanjung-duren-selatan-terjaring-razia>
- "121 Penghuni Kos di Tanjung Duren Utara Terjaring Razia."
Berita Jakarta, 5 Februari 2015.
<https://www.beritajakarta.id/read/8068/121-penghuni-kos-di-tanjung-duren-utara-terjaring-razia>.

Acknowledgment

None

Funding Information

None

Conflicting Interest Statement

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.