

**LOCAL GOVERNMENT'S POLICY
IN SELECTING THE OCCUPANTS OF *RUSUNAWA*
(A STUDY IN *RUSUNAWA CINGISED* OF BANDUNG CITY)**

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ABSTRACT: *The policy applied thus far in determining the occupants of rusunawa (rented simple apartment) has not produced yet satisfied results and thus the accomplishment of targets has not been as expected. This is due to the obscure qualification of the rusunawa occupants. The data collection techniques used in the current research were in-dept interview, field observation, and literature study to obtain secondary data. The data obtained was then tested by carrying out a triangulation to all data sources possibly related to the research problem and topic. The Rented Simple Apartment completely built in Cingised, Cisaranten Kulon Kelurahan, Arcamanik Sub-district, Bandung City has 5 twin blocks, consisting of four 21-m² type twin blocks and one 24-m² type twin block. The result of selection was determined by a decision of the Head of Housing Agency Number: 648/1158 – Disrum on the determination of Cisinged Rented Simple Apartment dated of December 10, 2007 where the twin block 1 accommodated 91 occupants plus 1 business area that accommodated 10 occupants, whereas twin block 2 accommodated 92 occupants.*

KEYWORDS: Policy, Selecting, Rusunawa

INTRODUCTION

Based on the data released by Population and Civil Registration Agency, the population of Bandung City in 2012 was approximately 2,537,233 persons, of which 79,573 heads of family, or 304,939 persons, fell into a category of poor families. Based on the data, if the government aspires to aid in lessening the burden of its disadvantaged citizens, particularly by providing inexpensive, simple, affordable houses, then it needs to build around 157 thousands of houses. The number was found by a calculation that a house was assumed to be occupied by average five persons, and thus a total 500 thousands of houses were needed, whereas the houses that have been available now are 343,185 units (Source: *Distarcip* of Bandung City, 2011). Since 2007, the government has, through Department of Public Works, focused on developing *Rusunawa* as a measure of overcoming the problems of slum areas. Therefore, as a legal basis, Law No. 16 of 1985 on Apartment was enacted. Based on the Law, the Government of Bandung City prepared a technical instruction that covers a program of *Rusunawa* development and management in a form of Regulation of Bandung City Mayor number 413 of 2010 on Establishment of a Local Agency in the Government of Bandung City the main duty of which is to implement part of agency duties in managing Rented Simple Apartment.

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On the basis of the provisions of the Mayor Regulation, the apartment development program in Bandung City is directed to assisting those poor citizens who are living in slum residences because they can't afford a more hygienic house, or so called inhabitable house. In this case, apartments are divided into two categories:

1. *Rusunami*, apartments that citizens may own, because they are allocated specially for low-income citizens, and thus the prices of *rusunami* is set by the government rather than by a market mechanism.
2. *Rusunawa*, allocated for disadvantaged citizens, both from civil servants and military/police personnel who don't have a house yet.

The special nature of *Rusunawa* is that it is allocated to those who don't have a house yet and live in a slum area. To avoid occurrences of deviation due to the lack of occupants' fixed income, it often occurs that an apartment is transferred to others by selling it. In general, such transactions take place due to a burden of life, and then the selling occupant returns to the slum residence they had occupied before. Reflecting on such experience, *rusunawa* concept allows no chance for an occurrence of such transferring transaction, because the status of occupants is just tenants whose tenancy may be terminated from time to time if they are assumed to be no longer eligible or if there is an indication of potential non-performance by the tenants.

Therefore, it needs a strict selecting process by the local government, in this case Bandung City Layout and *Cipta Karya* Agency, in deciding applicants who are eligible for occupying *rusunawa*. Thus far, the *rusunawas* built in Bandung City and ready to occupy are spread in four areas, namely: Cingised, Rancasili, Sadang Serang, and *Kawasan Industri Dalam*. In the four areas of *rusunawa*, the total units available are 851 units.

In Cingised area itself, the object of the current research, there are 483 units and thus to be the biggest *rusunawa* in Bandung City, the construction of which is actually directed to a measure of urban renewal. However, ironically, of the 5 twin blocks available, only 2 occupied effectively, another 3 twin blocs being unclear in their filling process, and even 2 of them are vacant altogether without occupants. That contradicts the vision and mission of the development of *rusunawa* aimed at assisting poor citizens who are living in slum areas because they can't afford a house. Thus, the *rusunawa* available and built by billion rupiah of public fund is actually left vacant.

Cingised *Rusunawa* is allocated to low-income citizens, such as honorary teachers, labors, civil servants, and military/policy personnel, whereas the middle-high income citizens are not eligible to occupy it. New prospective occupants have achieved 3,000 heads of family. Today, it is suspected that some transfers of ownership have taken place because there are a lot of wealthy citizens who are living at Cingised *Rusunawa*, Arcamanik Sub-district, Bandung, as indicated by the fact that some occupants possess a car. This is attractive to investigate from the aspects of Bandung City government policies in selecting the prospective occupants of *rusunawa* (a study in *rusunawa* Cisinged of Bandung City).

LITERATURE

Public Policy Concepts

Public policy relates to the measures of creating justice, order, and prosperity in people life. The authority is held by governments based on only the basic law prevailing in the nation, as Budiman Rusli puts forward: To create justice, order, and prosperity in people life there should be a rule. The rule may simply be meant as public policy. Meanwhile, public policy is usually related to government, because only government has an authority and power to govern people and be accountable in providing governmental public service, commonly provided for in the basic law of a nation. (Rusli. 2013: 36)

Thus, actually the main duty of a government is to make policies in all aspects of people lives the goal of which is to offer solutions on each problem that occurs and burdens people lives. In general, a public policy may be defined as “Whatever government chooses to do or not to do (Thomas R Dye, 1975). Other definition fairly resembling Dye’s is suggested by Edwards and Sharkansky (1978) who state that public policy is “Whatever government says or does or does not”. Even a government’s inaction falls into a category of policy, because it is a decision. Usually, the consideration used is that a worse effect would happen if a decision were made. It also indicates that a public policy is predominantly influenced by its policy environment. Public policy is a factor that leverages a common life.

In essence, public policy is an authority that governments, both central and local ones, hold to intervene with societal lives, so that they may be lasting justly, orderly, and in prosperity. Governmental interventions are legal, being based on obvious rules. The authorities of government include all aspects of societal lives. No other organizations with such authorities. Public policies hold an authority that may force citizens to obey (hold an authoritative right). They are not specific and narrow but rather broad and strategic. Therefore, they serve as a general guidance of special decisions below them.

The importance of public policy

In a modern society, public participation in politic and governmental affairs has become a part of societal lives. People have recognized that governmental affairs are not others’ ones but rather theirs, because it is they that choose the members of parliament (for legislative) as well as the heads of local government (in direct local elections). Moreover, in societal lives, each act of government must affect people, either positively or negatively. On the other side, not all public policies can fulfill all public aspirations and interests. Public participations in the processes of formulation, implementation, and evaluation of policies are highly needed so that general public may struggle their aspirations and demand their rights proportionally in accordance with applicable legislations. That is to say that they should not impose forcedly their will, let alone act anarchically. In many developing countries, public participations in public policy processes are just passive. However, over time, people, particularly in Indonesia, are undergoing rapid advancements. They are now very sensitive and reactive, and active in criticizing public policies. The objective of public political participation in policy processes is obvious, that is, to influence governmental policies not to hurt their life or their family or group life.

Public participation may be positive. With an understanding of people on the meaning and importance of public policies on them, it is hoped that they may avoid and control each destructive acts, that is, any rejecting reactions may be staged constitutionally by a direct dialogue with public officers. Public participations embodied by such way indicate that democracy has been keeping on properly.

RESEARCH METHOD

The research method used was a qualitative method, by a descriptive approach. According to Locke, Spriduso, and Silverman in Cresswell (1994: 147), “Qualitative research is interpretative research. As such, the biases, values and judgment of the researcher become stated explicitly in the research report. Such openness is considered to be useful and positive”. Qualitative method emphasizes the importance of an understanding of behaviors according to mindset and acts. The subject of study by analyzing data inductively directs research objectives to finding basic theories, prioritizes process over result, delimits the study by focus, and has a set of criteria to examine data validity.

Moch. Nazir suggests that descriptive method is:

“A method in researching a human group status, an object, a set of conditions, a system of thought or class of events in today. The objective of a descriptive research is to make a description systematically, factually, and accurately on facts, properties, and the relations of phenomena researched”. (Nazir, 2003: 15)

The suggestions above sufficiently justify the use of a qualitative research method in the current research. The data collected in the research was on a local government’ policies in selecting the occupant of *rusunawa*, a study at *rusunawa* Cingised of Bandung City. As such, the data preferred was information in a description. The writer expected the meaning behinds the data description. On the other side, the researcher preferred an *emic* perspective, that is, the data collected was described founded on expressions, language, ways of thinking, and research subjects’ opinions, so as to reveal how is the policy of the local government in selecting the occupant of *rusunawa*, a study at *rusunawa* Cingised of Bandung City.

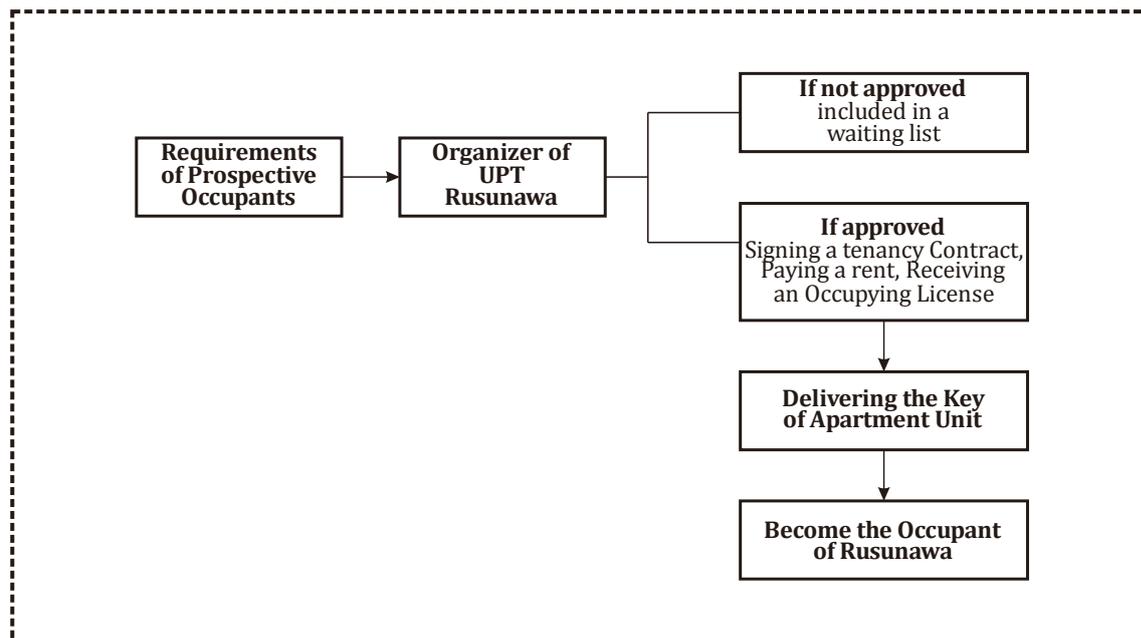
DISCUSSION

Up until now, a Rented Simple Apartment (*rusunawa*) of 5 twin blocks, consisting of four 21-m² type twin blocks and one 24-m² type twin block, has been built in Cisinged. Two Twin Blocks of the 21-m² type twin blocks, namely Twin Blocks 1 and 2, have been occupied, leased at inexpensive, affordable rent tariffs. They are very beneficial for the occupants because although the apartment isn’t so wide but they could feel the convenience of being living at *rusunawa* Cisinged. The citizens occupying *rusunawa* Cisinged have been stayed there for ± 3 years by paying retribution of only Rp.100,000,000 (one hundred rupiah) a month. Thus, those citizens who have occupied it form 1.7 year spent only Rp.1,700,000 (one million and seventy thousand rupiah), compared with a rent of a modest house that would be around Rp.3,000,000 – Rp.5,000,000 (three million rupiah – five

million rupiah) a year. Thus, the socio-economic condition of the occupants of *rusunawa* Cisinged is improved.

The Technical Implementing Unit (UPT) of *Rusunawa* as the organizer has a duty of implementing the management, regulation, and empowerment of occupation as well as improvement and maintenance of the *rusunawa*'s asset. UPT *Rusunawa* is headed by a Head of UPT who is under and responsible directly to the Head of Agency.

Flowchart of *Rusunawa* Occupying Process



Source : Ministry of Public Work, 2014.

The *Rusunawa* may be utilized either as a residence or as a business place. The targeted groups of occupants are those citizens of Indonesia who fall into a category of low income, on conditions that: Residence units are prioritized for the citizens of Indonesia staying around the *rusunawa*, particularly those who are relocated or originating in slum residences, on conditions that they are residing and holding Bandung City Citizenship Card, don't own a house as evidenced by a letter of verification from RT and RW and acknowledged by *Lurah*; for those with a family, the number of family members should no more than 4 (four) persons; for those who haven't had a family, the number of family members should no less than 2 (two) persons and no more than 3 (three) adult persons of the same gender. The term of the first lease is 1 (one) year and may be renewed, on condition that, based on an evaluation, the economic condition of the tenant has not been improving. Business Unit are prioritized for the citizens of Indonesia falling into a category of micro, small, and middle enterprises, and domiciled in and holding Bandung City Citizenship Card. The applicants of the business units shouldn't be the occupants of the *Rusunawa*, and the term of business is 5 (five) years in maximum and may be renewed as long as they fall into a category of micro, small, and middle enterprise.

The allocation of *Rusunawa* utilizations shall fulfill the following regulation: a proportion of 95% (ninety five percent) for those prospective occupants and a proportion of 5% (five percent) for reserve situational in nature, such as for the victims of natural disasters. Each prospective *rusunawa* occupant is required to file an application to the Mayor via the Head of Layout and *Cipta Karya* Agency. The prospective occupants of residence units fill out a form available and attach the requirements of: copy of the applicant's citizenship card, copy of marital certificate for those who have married, copy of family card, letter of confirmation of income from the agency/company for which the prospective occupants are working if they have had a full-time job, or a Letter of Confirmation of having a job/income from RT, RW, and *Kelurahan* for those who have not had a full-time job, a letter of statement certifying that they have not had a house from RT, RW and *Kelurahan*, a letter of statement of readiness to comply with any applicable rules by an adequate stamp, and 4 (four) current 4x6, color photos of the family head. The prospective occupants of business units should fill out a form available and attach the requirements: copy of Applicant's Citizenship Card, a business license, a letter of statement of readiness to comply with any applicable rules by an adequate stamp, and 4 (four) current 4x6, color photos of the applicant.

After the application and requirements are received, the Head of Agency dispose the Head of UPT *Rusunawa* Organizer to examine the completeness of administrative requirements in a time period of 7 working days. In case the administrative requirement have not been fulfilled completely, the Head of UPT *Rusunawa* Organizer would, in no more than 3 working days after the examination of the completeness of administrative requirements, return the file to the applicant with a written reply declaring that the application is denied. In case the administrative requirements have been fulfilled completely, the Head of UPT *Rusunawa* Organizer would draw a Residence Unit or a Business Unit.

After obtaining the result of drawing, the Head of UPT *Rusunawa* Organizer would report it to the Head of Agency with a list of candidate occupants for issuance of a Decision of the Head of Agency as the User of Local Government's Property on determination of the Occupants of Residence and Business Units. On the basis of the Decision of the Head of Agency. The Head of UPT *Rusunawa* Organizer notifies in writing the candidate occupants in a time period of 5 working days after the issuance of the Decision and by billboards available at the locations of *rusunawa*. The Decision of the Head of Agency would be followed up by preparing an agreement of occupying the residence or business units, and then the signing by the Head of UPT *Rusunawa* Organizer and the occupant.

After the agreement of the residence or business unit has been signed by both the Head of UPT *Rusunawa* Organizer and the occupant, it would be followed up by occupying the residence or business unit according to the agreement. The occupation would be done in accordance with the agreement of occupation that contains at least the identities of the parties, data of the *rusunawa* occupied, rights and duties of the parties, term of occupation, witnesses, and other conditions considered as necessary particularly on the limits of the utilization of the *rusunawa* leased to the occupants. The letter of occupation agreement would be signed by the Head of UPT *Rusunawa* Organizer and the occupant.

The occupants of *Rusunawa* have a right to occupy either residence unit or business unit according to the occupation agreement, to utilize non-residence units available at the

Rusunawa such as mosque, playing field, parking lot, etc. after obtaining a permit from the Head of UPT *Rusunawa* Organizer, to gain electricity, fresh water, and domestic waste drainage, to receive services of any repairs of building, facility, and infrastructure damages not caused by the occupants, to receive services of morgue at an all-purpose hall for the dead, and to occupy reserved residence unit prepared by UPT *Rusunawa* Organizer. In case there would be repairs of any residence units, the occupants would receive information, explanation, and counseling on the procedures of occupation from UPT *Rusunawa* Organizer and/or relevant SKPD/Agency, receive explanation, training, and guidance on handling fire hazard and evacuation, garbage treatment, waste disposal, and water and electricity savings. Disabled and old occupants have a right of receiving special treatments in occupying residence rooms and mobility.

CONCLUSION

The Rented Simple Apartment completely built in Cingised, Cisaranten Kulon *Kelurahan*, Arcamanik Sub-district, Bandung City has 5 twin blocks, consisting of four 21-m² type twin blocks and one 24-m² type twin block. The Technical Implementing Unit (UPT) of *Rusunawa* as the organizer has a duty of implementing the management, regulation, and empowerment of occupation as well as improvement and maintenance of the *rusunawa*'s asset. UPT *Rusunawa* is headed by a Head of UPT who is under and responsible directly to the Head of Agency.

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Rented Simple Apartment (*Rusunawa*) is allocated to low-income citizens who have no access to a house ownership credit. Meanwhile, the function of a rented simple apartment is only as a temporary residence of low-income citizens for 6 months in minimal and 3 years in maximal. And after occupying the rented simple apartment for some times it is hoped that the occupants may gain a better income so that they may access a People Housing Credit.

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