

Consumer Protection Through Information Transparency in Indonesia's Property Technology System

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Abstract

The real estate sector plays a strategic role in Indonesia's economic development, particularly amid the rapid growth of apartment construction. However, this expansion has raised legal issues, particularly regarding the lack of transparency regarding the ownership status and legal validity of the apartment units offered to consumers. This study analyzes the role of Property Technology (PropTech) in ensuring legal certainty and consumer protection within the framework of Law Number 20 of 2011 on Apartment Buildings, Law Number 8 of 1999 on Consumer Protection, and other relevant regulations. The research employs a normative legal method, drawing on statutory, conceptual, and case-based approaches. The analysis is based on primary, secondary, and tertiary legal materials, including legislation, legal doctrines, court decisions, and relevant literature. Unlike existing studies that emphasize the technological and economic dimensions of PropTech, this research investigates its legal implications and capacity to strengthen transparency, legal certainty, and consumer protection in apartment ownership transactions, as data and information provided by developers are digitally documented and may serve as evidence in dispute resolution. In conclusion, PropTech has significant potential to function as a digital instrument that promotes transparency, strengthens legal certainty, and enhances legal protection for apartment consumers in Indonesia.

Keywords

Property; PropTech; Consumer Protection

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1. INTRODUCTION

The real estate sector is a strategic pillar of Indonesia's economic development. The growth of this sector is evident in the increasing construction of various types of properties, such as factories, warehouses, malls, office buildings, shopping centers, hotels, apartment buildings, and condominiums (Febrianty, 2023). One type of property that has seen increased construction and has been in high demand by the public in recent years is apartment buildings. Apartment buildings have become a solution to land scarcity amid rising housing needs, driven by population growth and increasing urbanization in major cities.



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The rapid growth of apartment development in Indonesia has intensified legal issues concerning the ownership status and legal validity of apartment units offered to consumers. As a form of vertical housing, apartment ownership is regulated under Law Number 20 of 2011 on Apartment Buildings, which permits apartment construction on various land titles, including freehold title, right to build, and right to use (Law Number 20 of 2011 on Apartment Buildings, n.d.). These differences in underlying land rights result in varying legal consequences, such as limitations on ownership duration, transferability, and the use of units as collateral (Riyadi, 2025). In practice, consumers often lack adequate information regarding the legal status of apartment units, creating uncertainty and increasing the risk of disputes. Therefore, transparency regarding ownership status and legal compliance is essential to ensure legal certainty and consumer protection in apartment transactions.

The complexity of apartment ownership arrangements in Indonesia creates legal risks for consumers, particularly when the underlying land rights are not adequately disclosed. This issue is reflected in disputes involving Mangga Dua Court and Mediterania Palace Residences, in which consumers alleged that developers failed to provide transparent information on the status of Building Use Rights relative to Management Rights. In the Mangga Dua Court case, referred to as Court Decisions Number 364/PK/Pdt/2016, purchasers claimed that the legal status of the apartment units was not clearly disclosed prior to the transaction (M. Maharani et al., 2021). A similar issue occurred at Mediterania Palace Residences, where buyers reportedly learned of the apartment's status only after completing their purchases (Wahyudi, 2024). These cases demonstrate how insufficient transparency regarding apartment ownership status may undermine legal certainty and lead to consumer disputes.

Consumer protection in Indonesia is regulated by Law Number 8 of 1999 on Consumer Protection (Law Number 8 of 1999 on Consumer Protection, n.d.). Essentially, this law was enacted to protect all consumer rights and interests in matters covered by it (Fista et al., 2023). This includes the right of every consumer to open access to accurate information (Mansiz et al., 2024). Based on this information, when applied to the case described above, it is clear that a violation of consumer protection has occurred regarding access to accurate and appropriate information on apartment ownership. This issue has led to efforts to protect property consumers, which, in this case, are realized through the Property Technology (PropTech) system.

Rapid advancements in digital technology have also driven transformation within the real estate sector. One manifestation of this transformation is the implementation of PropTech systems. PropTech is a system that innovates in terms of technology, technical processes, and business models within the real estate sector (Hidayat, 2023). Through this system, property consumers can more easily verify the apartment's ownership status before purchase, thereby reducing the risk of the aforementioned issues and enabling prompt resolution.

Although existing regulations require transparency and legal certainty in apartment transactions, they give limited consideration to digital mechanisms that can ensure the disclosure and verification of ownership information. Meanwhile, the rapid development of PropTech offers technological solutions that may support these regulatory objectives. Nevertheless, the legal implications and potential role of PropTech in strengthening consumer protection and legal certainty remain insufficiently explored, creating a gap between regulatory expectations and technological implementation. Based on this, the authors conducted further research with the following research questions: (1) What is the legal protection for property consumers regarding the transparency of information on the ownership status of apartment units in Indonesia, and (2) How can the implementation of a Property Technology system promote information transparency as a means of protecting property consumers in Indonesia?

2. METHOD

In this study, the authors employ a normative legal research method. Normative legal research is a type of research that focuses on the systematic study of law through the analysis of legislation or written law (Ali, 2021). This study used the statutory, case, and conceptual approaches. The statutory approach was operationalized through a comprehensive examination of relevant legislative instruments governing consumer protection, apartment ownership, and digital transactions in Indonesia. Specifically, the analysis focused on Law Number 8 of 1999 on Consumer Protection, Law Number 20 of 2011 on Apartment Buildings, and Law Number 1 of 2024 on the Second Amendment to Law Number 11 of 2008 on Electronic Information and Transactions.

The case approach was operationalized through an analysis of the Mangga Dua Court and Mediterania Palace Residences cases. These cases were examined to assess the legal relationship between developers and consumers, the rights and obligations of the parties, and the legal implications of developers' failure to disclose the ownership status of apartment units transparently. Furthermore, the conceptual approach is used to explain various concepts in legal research, including normative legal research, practical normology, social science, and others (Muammar & Taufik, 2024). Particular attention was given to the concept of PropTech as an emerging innovation in real estate transactions and information disclosure.

The data sources used in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials comprise legislation, case law, and court decisions. In this study, the primary legal materials used include Law Number 8 of 1999 on Consumer Protection, Law Number 20 of 2011 on Apartment Buildings, Law Number 1 of 2024 on the Second Amendment to Law Number 11 of 2008 on Electronic Information and Transactions, and Court Decisions Number 364/PK/Pdt/2016. Secondary legal materials are those that support and reinforce primary legal materials (Soekanto, 2007). In this

study, the secondary legal materials used by the authors include official government agency publications, guidelines, legal journals, legal dictionaries, papers, theses, and dissertations sourced from the internet. Furthermore, tertiary legal materials complement and provide further explanation of primary and secondary legal materials. In this study, the tertiary legal materials used include legal dictionaries, the *Kamus Besar Bahasa Indonesia* (Great Dictionary of the Indonesian Language), English dictionaries, legal books, and directories of laws and regulations, which were used to clarify the definitions of terms, understand the broader legal context, and support accuracy in the interpretation of the legal norms under examination.

The data collection method used in this study is a literature review. In this context, the authors collected various legal materials related to the legal issues discussed in the study's title. This study employs qualitative analysis. Using this analytical technique, the authors examine a legal issue by drawing on existing regulations as positive legal norms. Additionally, the authors analyze the research data by focusing on information derived from observed phenomena. This qualitative analysis examines data from legal materials, including concepts, theories, legislation, legal doctrines, legal principles, and expert opinions.

3. FINDINGS AND DISCUSSION

3.1. Legal Protection for Real Estate Consumers Regarding Transparency of Information on the Ownership Status of Apartment Buildings in Indonesia

Indonesia, one of the world's most populous countries, is facing challenges due to its rapidly rising population growth rate. This is because population growth that is not matched by the availability of land for housing will create a disparity between housing demand and the limited supply of adequate living space for the public, especially in major cities (Rubiati, 2023). This situation has driven the real estate sector to continuously adapt to public needs amid the complex dynamics of Indonesia's property market.

The high demand for housing has led the real estate sector to show increasingly massive growth year after year. Currently, one type of property attracting the Indonesian public's interest is apartment complexes. High-rise apartments are properties built with a focus on efficient land use. These buildings introduce a new dimension to the real estate landscape, allowing many people to live in vertical housing within the same area. This makes high-rise apartments a solution for those who wish to live in areas with high population density and limited land availability (N. D. Maharani & Santoso, 2023). However, the increase in the number of apartment buildings in Indonesia is not without its problems. One such issue involves cases in which apartment developers fail to provide consumers with transparent information about the ownership status of individual apartment units. Examples of this can be found

in the disputes over Building Use Rights on top of Management Rights that occurred at Mangga Dua Court and Mediterania Palace Residences. Both cases were caused by the apartment developers failing to provide transparent information about the apartments' ownership status, resulting in consumer losses.

In the context of Building Use Rights over Management Rights, the developer's role is limited to holding a right of use over the land granted by the holder of the Management Rights, which is typically owned by a government agency or a specific legal entity (Suhail et al., 2023). Consequently, owners of apartment units do not have full control over their units. This is because the holder of the Management Right must approve any extension of rights. Consumers, as parties who do not fully understand this system, tend to interpret that every apartment unit holding a Certificate of Ownership of an Apartment Unit (SHMSRS) constitutes absolute ownership. In reality, this is not always the case.

Consumers are often in a weaker position than developers, whether in terms of information, legal understanding, or resources (Nadeak et al., 2024). Apartment developers have full control over the details of the information, including the legal status of the units they sell. Meanwhile, consumers receive only the information presented by the developer. If the developer fails to provide transparent information about the ownership status of the apartment units, consumers face a high risk of harm due to information asymmetry, leading to uncertainty about their rights to the units they own. The limited availability of information that consumers can verify creates information asymmetry that can harm them (Sakti & Yuniyanti, 2026). In practice, developers' profit-seeking actions are often carried out through business practices that can harm consumers (Nasution & Harris, 2025). Therefore, consumer protection in apartment complexes is a critical priority.

Given the issues outlined above, there is a need for legislation that establishes clear regulations on what is permitted and prohibited for both business operators and consumers (Ismantara & Prianto, 2022). Legal protection is defined as any effort made to realize rights, provide assistance, and create a sense of security for the public (Anggraini & Hartantien, 2024). For consumers, legal protection plays a crucial role in ensuring that their rights are protected and that they are shielded from unfair and misleading practices. In the context of apartment complexes, consumer protection efforts are implemented in various ways, such as through laws, regulations, and rules in effect in Indonesia (Evelyn & Gunadi, 2024). In Indonesia, consumer protection is regulated under Law Number 8 of 1999 on Consumer Protection. This law serves as a framework providing legal certainty for consumers purchasing apartment units in Indonesia (Tatawinarta et al., 2023). Consequently, every prospective buyer seeking to purchase an apartment unit is entitled to transparency in information.

As business entities, developers are responsible for being honest and accurate with consumers about all aspects of apartment buildings (Tantiaswari & Sakti, 2024). This is reinforced in Article 89, Paragraph (2), Letter c of Law Number 20 of 2011 on Apartment Buildings, which states that in the management of apartment buildings, every person has the right to clear access to information regarding the apartment buildings. Transparency regarding access to this information refers to the openness of business entities in providing various relevant information to consumers (Nandavita et al., 2025). The goal is to foster an ideal relationship between apartment unit sellers and buyers and to maintain consumer trust.

Essentially, the relationship between developers as business entities and consumers is contractual, subject to the principle of legal certainty (Siregar, 2024). However, in practice, not all developers are willing to comply. The ambiguity surrounding the ownership status of apartment units in Indonesia often arises from inconsistencies between the information developers provide and the actual reality. This is where the law provides legal certainty and consumer protection regarding the developer's obligation to provide accurate information. Thus, consumers can understand the advantages and disadvantages of the apartment they are purchasing. (Lesmana & Anindita, 2021)

This legal protection is enshrined in Law Number 8 of 1999 on Consumer Protection, which outlines consumers' rights to comfort, safety, and legal certainty. This legal certainty is achieved through the implementation of Law Number 8 of 1999 on Consumer Protection. Article 2 of this law states that consumer protection is based on the principles of benefit, justice, balance, consumer safety and security, and legal certainty. Conceptually, these principles require developers to be fully committed to protecting consumer rights through broad, transparent, and honest access to information, in accordance with the principle of good faith (Dome et al., 2025). Developers, as business entities, are legally obligated to disclose accurate information regarding land status, permits, and potential legal risks. Thus, if a developer disseminates misleading information or acts negligently, such conduct constitutes a legal violation that gives rise to liability for damages (Dafa & Sakti, 2025).

Furthermore, Article 3(d) of the aforementioned law reiterates that consumer protection aims to establish a system that incorporates elements of legal certainty, transparency, and access to information. To achieve this, developers must incorporate transparency regarding the ownership status of apartment units into their standard operating procedures for marketing and sales. Additionally, consumers must be allowed to review important information such as land and building certificates, building permits, and various other legal documents. Thus, the relationship between the developer, as the seller, and the consumer, as the buyer, is not severed, thereby disregarding the consumer's rights after the sale and purchase transaction.

Although Law Number 8 of 1999 on Consumer Protection clearly stipulates the obligations of business operators and the rights consumers are entitled to, in reality, many violations still occur, particularly regarding the right to transparency of information. In the context of apartment complexes, some developers focus solely on immediate profit by offering misleading, non-transparent promotions or advertisements to consumers about the apartments' ownership status. Misleading promotions are a tactic used by developers to make claims that do not align with reality. Such promotions fail to provide the public, as prospective buyers, with accurate, transparent, and truthful information. (Ikhsani & Amir, 2022)

Furthermore, the public's lack of legal awareness is a factor contributing to the difficulty of establishing ideal legal protection for apartment buyers. Developers then exploit this situation to their advantage through unethical practices, such as providing consumers with information that does not align with the facts. Such actions violate the principle of balance between developers, as business entities, and consumers, as apartment buyers. In fact, to build an ideal relationship between consumers and developers, a balance between both parties is required (Maldina & Hana, 2025). Therefore, the urgency of enforcing consumer protection laws is critical.

The implementation of consumer protection for apartment buyers is closely linked to the theory of law enforcement. This theory explains that law enforcement is an effort to realize the values of justice, legal certainty, and the public interest. In its implementation, this theory emphasizes the enforcement of legal norms and guidelines governing various legal relationships in social and state life. Law enforcement refers to how the law regulates the relationship between parties—both developers and consumers—to create a balance of rights and obligations. Additionally, law enforcement provides legal certainty for consumers when purchasing apartment units, as well as legal protection, helping ensure developers provide the widest and most truthful access to information.

According to Aristoteles, justice is a social virtue that maintains balance in society. Justice consists of distributive and corrective justice (Jasmine et al., 2025). In the context of consumer protection, distributive justice is evident in the provision of proportional information rights, while corrective justice is realized through compensation if a developer breaches its obligations. This theory serves as the basis for creating a balanced legal relationship between developers and consumers.

In addition to the theory of justice, the theory of legal certainty is also closely related to the protection of apartment consumers. According to Gustav Radbruch, legal certainty is a crucial foundation for maintaining social order and ensuring the consistent enforcement of the law. However, while justice must be upheld with certainty, this theory must not undermine existing principles of justice (Anisyanawati et al., 2025). In the process of buying and selling apartment units, legal certainty is evident in the clarity regarding the ownership status of the land and buildings, building permits, sales

and purchase agreements, and other relevant information.

Jeremy Bentham's theory of the utility of law can also serve as a foundation for understanding the importance of consumer protection in apartment complexes. Jeremy Bentham emphasized that the law must be capable of maximizing society's happiness and utility (Sushanty & Huroiroh, 2022). In this context, the utility of the law is realized through guarantees of information transparency that allow consumers to obtain accurate, clear, and honest information before purchasing an apartment, whether through conventional or digital channels.

3.2. The Implementation of Property Technology Systems to Promote Information Transparency as a Measure to Protect Real Estate Consumers in Indonesia

Technology is a system that is evolving and spreading evenly across the globe (Segara & Nasution, 2025). In Indonesia, technological advancement is accelerating significantly, marked by the widespread adoption of digitalization across all aspects of society. This ranges from simple matters, such as communication between individuals, to complex issues, such as digital disruption across various sectors in Indonesia. Digital disruption refers to the occurrence of fundamental innovation and massive, sweeping changes resulting from the widespread adoption of digital technologies (Saragih et al., 2023). The digitization of information, as a form of technological development, has a massive impact, driving society toward greater ease of access. Currently, various sectors in Indonesia, including the real estate sector, are developing innovative systems to meet consumer information needs. This is realized through a system known as Property Technology.

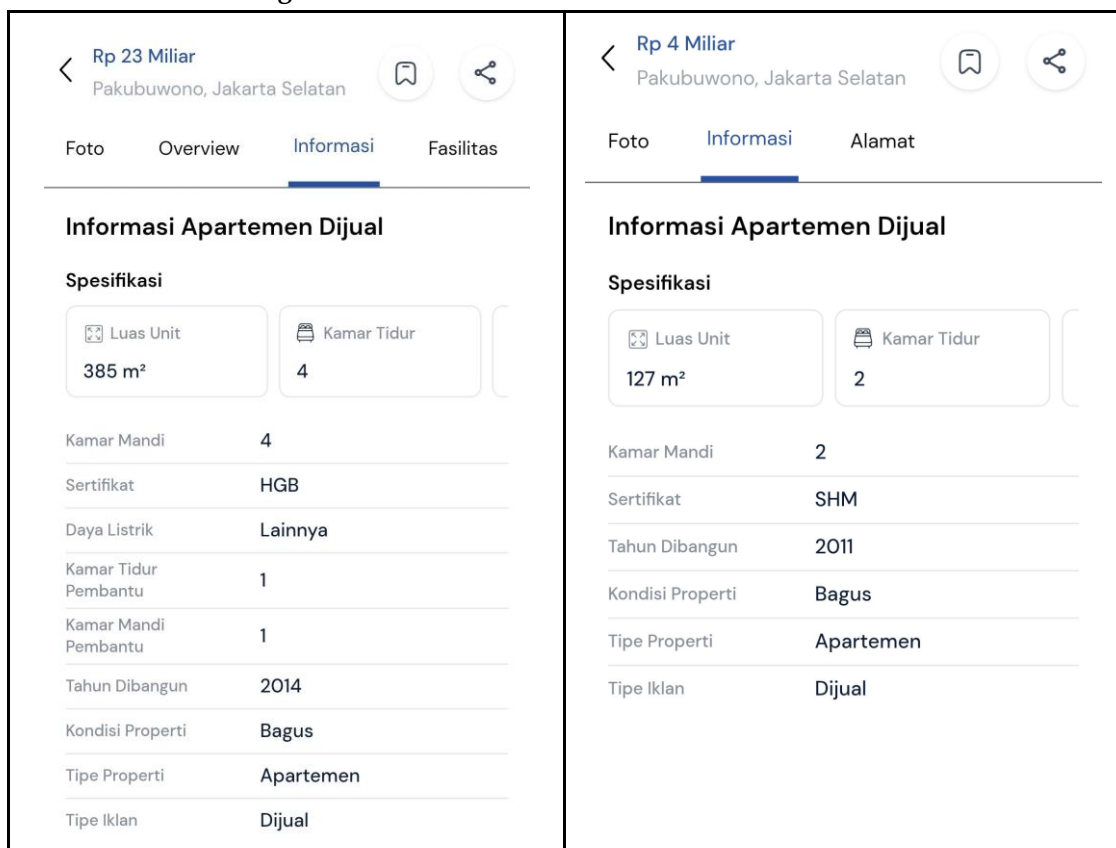
Property Technology, or PropTech for short, is a system that prioritizes innovation in technology, technical processes, and business models within the real estate sector. The growth of PropTech in Indonesia is driven by rising demand for more affordable, efficient properties and the increasing adoption of technology in the real estate industry (Yunita, 2024). This system is divided into several subcategories, including:

- a. Finance and Invest, which leverages technological advancements in the early stages of property development;
- b. Design and Build, which enables developers to design and construct properties with the aid of technology;
- c. Market and Transact, which uses technology to market and conduct property sales and purchases;
- d. Manage and Operate, which innovates the combination of technology with property management and operations;
- e. Live and Work, which creates services that have a tangible impact on property consumers.

In the “Market and Transact” subcategory, PropTech brings innovation by integrating technology into the marketing and transaction processes for buying and selling real estate in Indonesia. Through PropTech, consumers can access a wide range of information about properties they wish to purchase via available services (Shafira & Belgiawan, 2024). These services are designed to display property types along with key details. Consequently, consumers can easily explore property-related details, including price, building dimensions, location, and ownership status of the listed properties.

PropTech serves not merely as a digital marketing platform but also as a mechanism to reduce information asymmetry in property transactions. The significance of this function becomes evident in cases such as Mangga Dua Court and Mediterania Palace Residences, where disputes arose from inadequate disclosure of the ownership status of apartment units. In contrast, several PropTech platforms in Indonesia, including Rumah.com, Rumah123.com, Lamudi, 99.co, Rukita, and others, offer features to help consumers understand building details, particularly legal aspects. It helps consumers verify the validity of legal documents and encourages property developers to optimize the transparency of information within a digital framework. For example, the authors obtained information from one of the PropTech websites, namely Rumah123.com (Rumah123, 2026).

Figure 1. Information on the Rumah123.com website



On the Rumah123.com website, there is information about the types of title deeds for the properties being sold, such as apartments with a Right to Build Certificate or a Certificate of Ownership. The disclosure of such information is significant because the type of title directly affects the scope, duration, and legal security of ownership rights. By providing access to ownership-related information at the pre-contractual stage, the platform enables consumers to conduct an initial assessment of a property's legal status before making a purchasing decision.

Under current conditions, legal issues may arise when developers fail to provide transparent and accurate information about a property's legal status (Santoso et al., 2025). The absence of clear, accessible legal documentation may lead to information asymmetry between developers and consumers. Therefore, ensuring transparency in property-related information is essential to safeguard consumer rights and promote legal certainty in the real estate sector. In this context, the development of PropTech offers a digital mechanism that enhances access to reliable property information and facilitates the verification of ownership status. The existence of PropTech is essential to mitigate potential future property disputes (Sidiqurrohman et al., 2024). Mitigation refers to various efforts undertaken to reduce the risks and impacts of losses. In the context of consumer protection, mitigation aims to prevent legal risks arising from property sales transactions between consumers and business entities (Sani, 2024). This means that advancements in digital technology are driving the real estate sector to create a system that is oriented toward and prioritizes ease of access to information. (Tjung et al., 2025)

The global expansion of PropTech has transformed how property-related information is generated, accessed, and used in real estate transactions. Singapore, for instance, has leveraged digital technology to develop a more integrated property ecosystem in which transparency is supported not only through information disclosure, but also through access to authoritative land-related data. Besides that, this country is maximizing the potential of PropTech by using tools such as virtual tours and drones to enhance the visual representation of properties for sale (Sing & Zhang, 2025). Indonesia has also experienced significant growth in PropTech adoption. By integrating digital tools into the property transaction process, PropTech continues to evolve as part of the broader digital transformation of the real estate industry.

In Indonesia's civil justice system, various types of evidence can be submitted to the court, including electronic evidence (Khatimah et al., 2025). The recognition of electronic evidence within the judicial system demonstrates that the law is dynamic, with its application adapting to evolving forms of evidence, shifting from a focus on conventional documents toward digital-based documents (Rizan et al., 2022). Based on this explanation, PropTech, as a form of electronic evidence, can protect consumers. Through transparent information documented online, consumers have a strong legal basis to assert their rights should a dispute arise in the future.

The above statement is reinforced by Law Number 1 of 2024 on the Second Amendment to Law Number 11 of 2008 on Electronic Information and Transactions (Law Number 1 of 2024 on the Second Amendment to Law Number 11 of 2008 on Electronic Information and Transactions, n.d.). Article 9 of this law states that "Business entities offering products through an Electronic System must provide complete and accurate information regarding the terms of the contract, the manufacturer, and the products offered." This means that consumers have the right to receive complete and accurate information regarding the terms of the contract, the manufacturer, and the products offered by the business entity, namely the property developer.

Based on the statement above, it is clear that PropTech is a digital system that provides legal certainty for consumers. Although PropTech is a relatively new concept in the real estate industry, this system represents a disruptive innovation that protects consumers and enhances developers' accountability. Developers, as business entities, can maximize their responsibilities through technological advancements, ensuring that every activity conducted to market properties can be monitored and is difficult to manipulate. Additionally, PropTech ensures developers are fully committed to safeguarding consumer rights through broad, transparent, and unambiguous access. "Unambiguous" here means that the information businesses provide to buyers is clear and not easily altered, thereby providing certainty and reducing the potential for misunderstandings between the parties.

Broadly speaking, PropTech is a digital tool that provides legal protection for consumers, both preventively and repressively. The preventive protection offered by this system aims to provide credible information on the ownership status of properties listed on digital platforms, helping prevent future legal disputes. Meanwhile, the repressive protection offered by PropTech is realized through legal certainty that safeguards consumers should a dispute later arise regarding the legality of a property's ownership status. Data available from this system can serve as valid digital evidence in court, thereby protecting consumers' rights to the property they own.

4. CONCLUSION

Consumer protection regarding the right to information in real estate transactions has not yet been fully optimized in Indonesia. This is evidenced by the ongoing disputes arising from developers' failure to provide transparent and accurate information to consumers. Therefore, this issue has prompted efforts to protect property consumers, which, in this case, is realized through the PropTech system. The findings of this study provide a normative foundation for understanding the role of PropTech in strengthening consumer protection and legal certainty in real estate transactions. Nevertheless, the practical implications of PropTech adoption remain an important area for further inquiry, particularly

regarding its effectiveness in shaping consumer decision-making and preventing disputes.

Although the objectives of PropTech are positive, the optimal implementation of this system cannot be achieved solely through the integration of digital technology into the real estate industry. This system requires an adequate regulatory framework to maximize the realization of PropTech in Indonesia. Consequently, the presence of PropTech can establish certainty regarding consumers' right to information and prevent potential violations of consumer rights and future property disputes. Given the continuing evolution of digital property platforms, future research may further examine the evidentiary value of digital information generated through PropTech platforms, particularly in disputes involving property ownership, misrepresentation, and non-disclosure. Such research would contribute to a deeper understanding of the relationship between digital property transactions and the evolving framework of electronic evidence.

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