



## CONVERTING MALL-APARTMENTS AND HOTELS INTO COVID-19 EMERGENCY HOSPITALS

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#### Abstract:

*The outbreak of the Coronavirus Disease 19 (COVID-19) which afterwards became a pandemic, impacted the world. Because of the rapid spread and ongoing research, World Health Organization (WHO) and the government had created regulations that are constantly changing. President Joko Widodo recommended to utilize the unused buildings as emergency hospitals in order to accelerate the handling of the Covid-19 virus in Indonesia. Lippo Group's owner wants to assist the government by converting Plaza Mampang Mall into Siloam Hospital (a Covid-19 emergency hospital), which will be housed in the same building as the Nine Residence Apartments. As a result, the inhabitants of the unit protested regarding the building changing function. The research focuses on the function of apartment to a COVID-19 emergency hospital, as well as the obligations of building owners for the transfer of functions. For COVID-19, not only Nine Residence mall-apartment but also some hotels served as emergency hospitals. This study employs normative juridical research, with the law approach and the case approach as approaches. Secondary data was used as a source of information, and the research material was obtained through a library study. The findings of this study show that the building owner's procedure of transferring function to the mall-apartment must meet administrative and technical requirements in accordance with the building's purpose. If the function transfer of apartment nine residence, had a bad results to the owner of the apartment unit, then the owner of the building must be responsible to the owner of the apartment unit.*

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## **Introduction**

The globe has been surprised by a new disease whose cause is unknown, notably the Corona Virus 2019 (COVID-19), which began spreading in the Chinese city of Wuhan a few months ago. Acute Respiratory Syndrome Coronavirus 2 is the etiology of this sickness (SARS-CoV-2). This novel coronavirus has never before been discovered in humans. COVID-19 began in the city of Wuhan and quickly expanded to other towns and nations. Initially, this COVID-19 was classified as an epidemic, but it quickly escalated to a pandemic. There was a large increase in instances in each country. As a result, numerous governments have taken actions to prevent the disease from spreading. The local government and the central government of each country made various attempts. However, there is still an increase in cases in many areas and circles. The WHO creates many health guidelines that should be followed by the community based on current events around the world. The COVID-19 was first found in Indonesia in March 2020. Cases are increasing at a rapid. However, locating the infected is quite difficult. Because every patient who has been confirmed positive has come into contact with his family and others in his environment, both at home and at work. People who have come into contact with a COVID-19 sufferer will then come into contact with their family and workplace. According to Suara.com, the government continues to ignore issues relating to the COVID-19, which has been spreading in China since January 2020. As a result, the Indonesian government has lost a significant amount of time in responding effectively to the virus's spread. According to Beritasatu.com on April 25, 2020, the number of patients infected with the Coronavirus in Indonesia increased by 396 instances, bringing the total number of patients infected with the virus to 8,607 persons. Many activities that need direct contact with other individuals were temporarily halted in order to interrupt the virus's chain of transmission. However, there was no evidence of the pandemic ending until May 2020, and there was even a substantial rise, to the point where most of government referral hospitals were overburdened with COVID-19 patients. President Joko Widodo then issued an order to speed up the treatment of the viral pandemic by conducting mass COVID-19 tests and preparing emergency hospital plans. In order to carry out the plan, the government designated the Wisma Atlet in Kemayoran Jakarta as an emergency hospital with quarantine facilities for patients affected by the viral outbreak. The emergency hospital, on the other hand, is not used to its full potential. As a result, a number of entrepreneurs are planning to switch the function of some of their enterprises, such as shopping centers and hotels, in order to use them as emergency hospitals in the event of a COVID-19 outbreak. A building owned by Lippo Group, which was previously known as Plaza Mampang and is located in the same building as the Nine Residence Apartment, will be converted into an emergency hospital, similar to what happened in Jakarta. The Lippo Group plans to convert the first, second, and third floors of Plaza Mampang, which is located in the

same structure as the Nine Residence Apartment, into an emergency hospital with 415 beds (Setiati & Khifzhon Azwar, 2020).

The Emergency Hospital will serve as a referral center for patients who infected with COVID-19. The building's owner, Lippo Group, is motivated to assist the government in combating the coronavirus pandemic, which is now being addressed. A construction permit is one of a number of permits required for a specific activity or community activity, such as a company, but its acquisition is impacted by other licenses and must comply with the formal requirements of various laws and regulations. Lippo Group has collaborated with the DKI Jakarta Provincial Government on the emergency hospital permit, and the Lippo Group has secured the permit for the hospital that they would build as a Type C hospital. The Governor of the Special Capital Region of Jakarta issued Decree No. 494 of 2020 amending Governor's Decree No. 378 of 2020 concerning the Designation of a Referral Hospital for the Management of Coronavirus Diseases (COVID-19), which states that Siloam Mampang Prapatan Hospital is included in the list of referral hospitals for the management of coronavirus disease. The residents of the unit were against the emergency hospital's construction. Because the emergency hospital will be constructed in the same building as the shared residential housing or the Nine Residence Apartment, this is the case. Some Jakarta hotels serve as referral hospital for COVID-19 recovery. Because Indonesia is a legal country, any legal actions must be founded on the appropriate legal laws. Furthermore, the entire building or a portion of the building can be controlled and used by users or non-owners of the property based on mutual agreement (Setiati & Anwar, 2020)

The purpose of constructing apartment, according to the Law on the Implementation of apartment, is to ensure the formation of livable and economical apartment that can be used efficiently and effectively, to prevent housing and/or slum settlements, to guide the development of urban areas, to meet the needs of the community, and to be punished. Which is certain regarding the preparation, rental, and processing, as well as to be given the law. The apartment's inhabitants complain to the building owner's actions in transferring the building's function (Blimark et al., 2020).

The apartment residents believe that the building owners are ignorant of housing and settlement principles, which include paying attention to health and safety issues as stated in Article 2 of Law No. 1 of 2011 Concerning Housing and Settlement Areas, as well as the right to occupy, enjoy, and/or obtain suitable housing. In a healthy environment as stated in Article 2 of Law No. 1 of 2011 Concerning Housing and Settlement Areas. Based on this, the researchers believe that it is necessary to investigate the process of the building owner transferring functions to the mall-apartment that is being used as an emergency hospital for the COVID-19 patient recovery, as well as the apartment building owner's responsibility to apartment residents for the transfer of malls and apartments. For the COVID-19 patient recovery, the flat was turned into an emergency hospital (Thompson et al., 2020).

The researchers examine this because there are conflicts with the existing regulations in Article 51 paragraph (1) of Law Number 20 of 2011 concerning apartment, which states that the use of apartments might shift from a residential function to a mixed function due to changes in spatial planning. According to the Article, Law No. 20 of 2011 concerning apartment, the owner of the apartment can convert the function of the apartment to a

residential function or not, resulting in a combination of residential and socio-cultural functions (health services). One apartment unit can be classed as a mixed unit based on its purpose, which means it serves as both a residence and a place of business. As a result, use the apartment not only as a place to live but also for business and investment. Meanwhile, according to Article 2 of Law No. 1 of 2011 on Housing and Settlement Areas, there are housing and settlement principles that must, among other things, pay attention to health and safety considerations. Furthermore, according to Article 129 letter of Law No. 1 of 2011 concerning Housing and Settlement Areas, every individual has the right to live in a healthy environment and to get appropriate housing. (Undang-Undang No 20 tahun 2011)

### **Formulation of the problem**

This study, focuses on three important points to consider:

1. Disease Review for COVID-19
2. The building owner's procedure of transferring function to the Nine Residence mall-apartment, which served as an emergency hospital during the COVID-19 epidemic.
3. The building owner's duty to the apartment occupants for converting the Nine Residence mall-apartment into an emergency hospital in response to the COVID-19 epidemic.

### **Research Methods**

This study uses Normative-juridical method. Normative legal research is carried out by analyzing the synthesis of deductive conclusions from the statements contained in data sources such as library materials including journals, books, documents, literature or secondary legal practice such as laws, legal theory, court decisions, expert opinions relevant and related to the issues discussed in this study. The approaches used include statutory, conceptual, and analytical approaches. This research is a prescriptive-analytical in which data synthesis, discussion, and conclusions are analyzed in qualitative research (Ibrahim, 2006).

### **Results and Discussion**

#### **1. COVID-19 Review**

Coronavirus Disease 19 (COVID-19) is a new form of coronavirus that causes an infectious disease. This disease was first found in December 2019 in the Chinese city of Wuhan. According to a Chinese government official report dated December 31, 2019, 41 peoples were sick with pneumonia of unknown cause. The sickness then spread to other locations and countries. Thailand is the first country to be infected with this novel coronavirus, dubbed 2019-nCoV at the time. The WHO thus declared the coronavirus epidemic a global health emergency on January 30, 2020. On February 11, 2020, WHO announced that the name 2019-nCoV would be changed to COVID-19. On March 2, 2020, the government of Indonesia officially revealed two Indonesian citizens who infected with COVID-19 and were identified as the country's first cases. This COVID-19 was declared as a pandemic by WHO on March 11, 2020, due to the emergence of significant new cases in all parts of the world (Sohrabi et al., 2020).

Although the reason of COVID-19's dissemination is unknown, it should be avoided by implementing health procedures. In Indonesia, a lack of personal protective

equipment has also been a problem. In this age of the COVID-19 pandemic, aside from a lack of personal protective equipment, a lack of masks and hospital facilities is also an issue. People in Indonesia initially panicked as a result of the COVID-19 announcement, prompting them to buy masks and hand sanitizers in huge amounts, a practice known as "panic purchasing," which caused supply of these products to become extremely scarce, if not completely unavailable. Even if these things are available on the market, their costs are exorbitant (Almuttaqi, 2020).

Symptoms experienced by one person may differ from those experienced by another. There are people who have no symptoms and still feel healthy, ranging from mild to severe symptoms. Fever, a dry cough, and exhaustion are all common symptoms for most people. Aches and pains, nasal congestion, headache, runny nose, inflammation of the conjunctiva, sore throat, diarrhea, loss of sense of smell (inability to smell), and red rashes on the skin are among symptoms that the patient may experience. COVID-19 cases that have been reported thus far, with varying symptoms and severity. Symptoms can be exacerbated by certain medical problems, such as the patient's co-morbidities. According to data obtained from nations hit hard by the pandemic early on, as many as 40% of patients will have mild symptoms, followed by 40% who will develop moderate symptoms such as pneumonia or pneumonia, 15% of cases will have severe disease, and 5% of cases would be in critical condition. After being traced, patients may develop Abrupt Respiratory Distress Syndrome (ARDS), sepsis, and septic shock, as well as multi-organ failure, such as kidney failure or acute heart failure, which can lead to death. The severity of the occurrence is also affected by age, since most of elderly have a number of medical disorders that can aggravate the situation. People with heart difficulties, high blood pressure, lung ailments, diabetes mellitus, cancer, as well as those with immunological disorders like SLE or HIV/AIDS, are at a higher risk of developing a severe condition (Amalia, 2020).

COVID-19 is classified as a suspected case by WHO if the patient has acute respiratory distress, such as fever and one sign or symptom of disease that attacks the respiratory organs, such as cough or breathless, and has traveled or lived in an area that has reported a case of COVID-19 or a patient with acute respiratory distress in the previous 14 days. Suspected cases with inconclusive COVID-19 test findings or suspected cases undergoing COVID-19 examination with test results that cannot be carried out for some reason are the two probable instances (probable cases). The third type is a confirmed case, which is defined as a patient who has a positive COVID-19 laboratory test, regardless of the presence or absence of clinical signs and symptoms. Then someone who is under the following conditions for at least 2 days before and 14 days after a probable or confirmed case is considered to be in touch. The first is face-to-face contact within 1 meter with patients with probable or confirmed cases for more than 15 minutes, direct physical contact with patients with probable or confirmed cases, people who provide direct care for patients with a probable or confirmed case of COVID-19 disease and do not use appropriate Personal Protective Equipment (PPE), or in other situations as indicated in the local site assessment. (Fitri et al., 2020).

The Ministry of Health of the Republic of Indonesia (Kemenkes RI) has

established guidelines for the recorded treatment of patients with COVID-19 for the Republic of Indonesia. It is clear from the book that there are some variations with WHO's classification, such as suspected cases being referred to as Patients Under Supervision (PUS) and being added to Persons in Monitoring (PIM). There isn't a strong argument to be made. A Patients Under Supervision (PUS) is a person who has an Acute Respiratory Infection (ARI), which is defined as a fever of 38°C or higher, or a history of fever, and is accompanied by one or more symptoms or signs of respiratory tract disease, such as coughing, breathless, runny nose, sore throat, mild to severe pneumonia, and no other cause based on the People with a temperature of 38°C or higher, a history of fever or ARI, and symptoms that have appeared in the last 14 days, as well as a history of contact with a positive confirmed case of COVID-19. Or people who have a severe case of ARI or pneumonia that necessitates hospitalization and no other cause is detected based on a convincing clinical picture. Persons in Monitoring (PIM) refers to people who have a fever of more than 38°C or a history of fever, or who have symptoms of respiratory system illnesses such as sore throat, runny nose, or cough, and no other explanations are recognized based on the clinical picture given and had a history of traveling or living in an area or country indicating local transmission in the 14 days prior to the onset of symptoms People who have had a history of contact with patients who are proven positive for COVID-19 and have symptoms of respiratory system illnesses such as sore throat, cough, or runny nose in the last 14 days (Fitri et al., 2020).

To diagnose COVID-19, the WHO recommends a PCR test, also known as a swab test. Due to the length of the PCR examination, a rapid examination, also known as a fast test, is performed beforehand. Due to a lack of inspection equipment and supplies, many regions have been unable to reach the community for inspection. Despite the discovery of new instruments and materials over time, the number of inspections performed has remained modest. (Burhan et al., 2020).

Treatment for COVID-19 is still being researched to determine the best line of action for patients. COVID-19 cannot be prevented or treated because there is no vaccine or particular treatment available. At this point, the sole treatment option is counseling based on the symptoms that have presented (Indonesia, 2020).

## **2. The process of transfer of functions carried out by the building owner to the Nine Residence mall-apartment and hotel which was used as an emergency hospital for the COVID-19 patient recovery**

Building is defined as a type of construction work that is connected to the earth, partially or completely submerged in the ground or water, and can be utilized for human activities such as shelter and dwelling, religious activities, business, social culture, or other unique activities. According to the Big Indonesian Dictionary, "transfer of function" refers to the process of changing the shape and purpose of a building. For example, a building that previously served as a site for trade operations may now serve as a place for health services. Plaza Mampang and Nine Residence Apartments, for example, are Lippo Group properties. Plaza Mampang will be transformed into an emergency hospital or Siloam Mampang Prapatan Hospital, and is

located in the same building as the Nine Residence Apartment. Some Jakarta hotels serve as referral hospital for COVID-19 recovery. The Governor of the Special Capital Region of Jakarta issued Decree Number 494 of 2020 amending Governor's Decree Number 378 of 2020 regarding the Determination of the Referral Hospital for the Management of COVID-19, which states that the Siloam Mampang Prapatan Hospital is included in the list of referral hospitals for handling COVID-19. The Lippo Group plans to convert the first, second, and third floors of Plaza Mampang, which is located in the same structure as the Nine Residence Apartment, into a COVID-19 emergency hospital with 415 beds (Aldila & Rizkianti, 2021).

Residents of the apartment opposed to the transfer of this function because they had followed the government's directive to limit their activities outside the home, but the government instead converted their home into a reference hospital for this COVID-19 positive patient. Residents of apartment buildings are concerned about the presence of a reference hospital for COVID-19 positive patients in residential neighborhoods where youngsters and the elderly are vulnerable to the virus. According to Article 51 paragraph (1) of Law Number 20 of 2011 concerning apartments, the architectural function of apartments includes not only residential functions (residential buildings, townhouses, apartments, and non-permanent residences) but also religious (mosques, churches, temples, monasteries, and temples), as well as commercial (office buildings, trade, industry, hotels, and temples) functions. According to Government Regulation Number 36 of 2005 concerning Implementing Regulations of Law Number 28 of 2002 concerning Buildings, based on Article 7 of Government Regulation Number 36 of 2005 concerning Implementing Regulations of Law Number 28 of 2002 concerning Buildings, the owner of the building is the person who owns the land. (Aldila & Rizkianti, 2021).

After getting written authorization from the Regional Government, the building has the ability to change its function. Everyone must apply for a new permit and meet the following requirements in order to obtain it: Building owner data; Building expert plans; AMDAL; Building permit applications that meet the administrative and technical standards will be accepted by the Regent/Mayor, with the exception of the Special Capital Region of Jakarta, which will be approved by the Governor. The building owner must go through a procedure to satisfy the major requirements, which must be in conformity with the administrative and technical requirements of the building's functions, prior to implementing the transfer of building functions. These two needs are absolute requirements that cannot be altered in any way. This is a stipulation that must be met by every structure. Building operations are structured in an orderly manner, based on function, and meet administrative and technical requirements in a more conceptual sense. The administrative aspect ensures that legal clarity and state protection are realized, while the technical aspect ensures that everyone and their actions are safe. The state of land ownership rights or land tenure rights, which are described in the form of certificates for information on property ownership or land ownership, or utilization permits from the holders of said land rights, are among the administrative requirements of the construction. The second is the regional

government's declaration of building ownership, which is based on the results of building data collection activities as well as the results of construction permits for building owners (Subaktiawan & Fauziah, 2019).

The third concern is with building permits (IMB). The structure can be constructed depending on the intended use, which is defined by a construction expert design approved by the Regional Government. According to the regulations, a technical examiner is a person or legal entity with a professional diploma who participates in the technical examination of the feasibility of the building's function according to the legislation, demonstrating that the building can be used. Meanwhile, technical requirements based on the building's function must include building layout or design requirements such as building strength, environmental impact control, and building reliability requirements such as safety, health, and comfort. This building conversion permit is essentially a permit issued from the local government once the building's technical plan has been approved. The local government must seek input from the building's technical examiner before granting authority to construct a structure (YADISAR, 2020).

As a result, if the procedure of meeting the conditions for the transfer of the building's function has been properly completed, the building owner can carry out the transfer of the building's function. The purpose of the Nine Residence mall-apartment to serve as an emergency hospital for the COVID-19 patient recovery has been completed, and the building has met all administrative and technical requirements. The Lippo Group has worked with the DKI Jakarta Provincial Government to obtain authorization to develop a Type C hospital, and the Lippo Group has been granted this license. The Governor of the Special Capital Region of Jakarta issued Decree Number 494 of 2020 concerning Amendments to Governor Number 378 of 2020 concerning the Establishment of a Coronavirus Diseases (Covid-19) Referral Hospital, which states that the Siloam Mampang Prapatan Hospital is included in the List of Coronavirus Diseases (COVID-19) Referral Hospitals. There are several building reliability requirements in the Decree of the Governor of the Special Capital Region of Jakarta Number 494 of 2020 concerning Amendments to the Decree of the Governor of the Special Capital Region of Jakarta Number 378 of 2020 concerning the Designation of a Referral Hospital for the Management of Coronavirus Disease (COVID-19). And unfulfilled comforts, such as the building lobby as access to the Nine-Residence apartment, which is passed through by apartment inhabitants in the same way as health workers or COVID-19 positive patients are passed through. The Nine Residence apartment emergency staircase, which is equipped with ventilation that is useful for circulating air from outside into the room so that there is a healthy change of air to be inhaled, can also be accessed by apartment residents, health workers, or COVID-19 positive patients, in addition to the lobby. This is unquestionably hazardous to the health of the apartment's tenants, as the apartment's residents include children and the elderly, both of whom are susceptible to the virus. Because of the COVID-19 can be transmitted through droplets produced when an infected person coughs, sneezes, or talks, the building owner may be subject to sanctions in the Building Law as regulated in Articles 44 to 47, which contains certain matters that include sanctions in the



Building Law, among others, that Sanctions shall be enforced if the execution of development breaches the provisions and is not in sync with the process of satisfying the appropriate terms and conditions, according to Article 44 of Law No. 28 of 2002 concerning Buildings. Administrative sanctions include being warned in writing, being restricted in construction activities, being suspended for a period of time or permanently in construction work, being suspended for a period of time or permanently using the building, having a building construction permit frozen, revoking a building construction permit, having a suspended certificate of conformity with use of the building, and having a certificate of conformity with use of the building revoked. Aside from the administrative sanctions already mentioned, the building owner will be penalized a maximum of 10% of the value of the building that is in or has been built in accordance with Law No. 28 of 2002 on Buildings (Purdy et al., 2020).

**3. The responsibility of the building owner to the apartment residents for the transfer of the function of the Nine Residence mall-apartment into an emergency hospital for the COVID-19 patient recovery**

Indonesia is a law-governed country, and all decisions must be made in accordance with the law. One of the goals of the legal system's inception is to provide legal certainty to the parties. One of the presidential directions presented in a limited meeting conducted by the President last March was the conversion of the Nine Residence mall-apartment into an emergency hospital for the COVID-19 epidemic. In accordance with the Minister of Health of the Republic of Indonesia's Decree No. HK.01.07/MENKES/104/2020 on the Determination of Novel Coronavirus Infection (2019-NCV infection) as a Disease that Can Cause Outbreaks and Control Efforts, which instructs to prepare health facilities and infrastructure to deal with the disease, as well as the Decree of the Governor of the Special Capital Redevelopment Area on the Determination of Novel Coronavirus Infection (COVID-19). The construction of the emergency hospital was opposed by the occupants of the unit. Because the emergency hospital will be constructed in the same building as the shared residential housing or the Nine Residence Apartment, this is the case. The purpose of constructing apartment, according to the Law on the Implementation of Flats, is to ensure the formation of livable and economical flats that can be used efficiently and effectively, to prevent housing and/or slum settlements, to guide the development of urban areas, to meet the needs of the community, and to be given the law. which is certain regarding the preparation, rental, and processing, as well as to be given the law (Enjang AS et al., 2020).

Which is certain regarding the preparation, rental, and processing, as well as to The apartment residents objected to the actions of the building owner who transferred the function to the building because they believed the building owner was unaware of housing and settlement principles, including the need to pay attention to health and safety issues as stated in Article 2 of Law No. 1 of 2011 concerning Housing and Settlement Areas, as well as the right to vote (Yandri et al., 2013).

There are flaws in Law No. 28 of 2002 regulating Buildings in terms of legal

content. In conformity with the Buildings Law, No. 28 of 2002. In this scenario, the law does not expressly establish the building owner's obligations to the building user at the moment of the function transfer. As a result, in this instance, the building owner can transfer the function without the approval of the building user. Even though building owners' acts related to this transfer of function are extremely detrimental to apartment occupants' health, the COVID-19 virus can also be spread through droplets formed when an infected person coughs, sneezes, or talks (Chavez et al., 2021).

The apartment's tenants are then consist of children and the elderly, both of whom are susceptible to the virus. As a result, if the building owner fails to safeguard apartment occupants who are also building users from the virus, the building owner must be held liable for the apartment residents' losses. The idea of absolute liability (strict liability) is a responsibility principle that says that fault is not a determining factor. According to this theory, there is no need to prove an error, or, to put it another way, an error is immaterial to be contested (Cao et al., 2020).

The implementation of the principle of absolute responsibility in the evolution of modern society must be considered in light of broad social ideals, such as the fact that everyone who engages in activities for the sake of profit must carry the risk of the repercussions of his actions. Based on claims for compensation deriving from default and/or criminal activities, business actors are accountable for giving compensation for damage, pollution, and/or consumer losses caused by consuming goods produced or traded. Losses might take the form of actual losses or gains that should have been achieved, as defined by Article 1246 of the Civil Code. Although building owners can transfer functions without the consent of building users, they must still be responsible to building occupants; at the very least, the building owner must notify residents of the Nine Residence mall-apartment of the transfer of the function of the Nine Residence mall-apartment into an emergency hospital for the COVID-19 patient recovery. This is stated in Article 4 letter c of Consumer Protection Law No. 8 of 1999, which stipulates that consumers have the right to receive accurate, clear, and honest information on the terms and guarantees of goods and/or services. Unit occupants have the right to correct, clear, and honest information about the hospital development that is taking place in the same building as the Nine Residence apartment under this regulation. Furthermore, building owners can perform continuous sterilization of public areas such as floors, stair railing/escalator surfaces, elevator buttons, door handles, ATM machines, metal detectors, and other frequently used public facilities to ensure the health of the residents of the Nine Residence apartment. (Konsumen, 1999).

Furthermore, building owners can provide free swab facilities to inhabitants of the Nine Residence Apartment on a regular basis for health insurance purposes. The transition of the function of the Nine Residence mall-apartment into an emergency hospital for the COVID-19 epidemic is employed as a form of accountability for building owners to apartment inhabitants (Mulholland et al., 2020).

## **Conclusion**

The owner or building manager can do it after submitting a new application for permits for the construction of the building, as discussed in this study, after transferring function to

the Nine Residence mall-apartment and hotels in Jakarta City, which is used as an emergency hospital for the COVID-19 patient recovery. Furthermore, the building's function transfer must go through various technical and administrative processes before it may be changed. The building owner can undertake the transfer of the building function if the process of meeting the requirements for the conversion of the building function has been completed properly. The building owner can transfer function without the approval of the building user or apartment occupant. If the owner of the building has caused harm to the residents of the Nine Residence apartment, the owner of the building must still be responsible to the occupants of the building, or at the very least, the owner of the building must provide residents with notice of the transfer of the function of the Nine Residence mall-apartment to an emergency hospital for the COVID-19 patient recovery. The Nine Residence apartment building owners can perform continuous sterilization in public areas and provide free swab facilities to tenants of the Nine Residence apartment to ensure the health of the occupants of the Nine Residence apartment.

## BIBLIOGRAPHY

- Aldila, C., & Rizkianti, W. (2021). Alih Fungsi Mall-Apartemen Menjadi Rumah Sakit Darurat COVID-19. *Jurnal Surya Kencana Satu: Dinamika Masalah Hukum Dan Keadilan*, 12(1), 1–11.
- Almuttaqi, A. I. (2020). Kekacauan Respons terhadap COVID-19 di Indonesia. *The Insights*, 13.
- Amalia, L., Irwan., & Hiola, F. (2020). Analysis of clinical symptoms and immune enhancement to prevent COVID-19 disease [In Bahasa]. *Jambura Journal of Health Science and Research*, 2(2), 71–76.
- Blimark, M., Örtenwall, P., Lönroth, H., Mattsson, P., Boffard, K. D., & Robinson, Y. (2020). Swedish emergency hospital surgical surge capacity to mass casualty incidents. *Scandinavian Journal of Trauma, Resuscitation and Emergency Medicine*. <https://doi.org/10.1186/s13049-020-0701-8>
- Burhan, E., Isbaniah, F., Susanto, A., Yoga, Y., Tjandra, A., Sugiri, T., & Tantular, R. (2020). Pneumonia COVID-19 Diagnosis & Penatalaksanaan di Indonesia. *Jakarta:*

- Cao, Y., Li, Q., Chen, J., Guo, X., Miao, C., Yang, H., Chen, Z., Li, C., & Li, L. (2020). Hospital Emergency Management Plan During the COVID-19 Epidemic. In *Academic Emergency Medicine*. <https://doi.org/10.1111/acem.13951>
- Chavez, S., Long, B., Koyfman, A., & Liang, S. Y. (2021). Coronavirus Disease (COVID-19): A primer for emergency physicians. *American Journal of Emergency Medicine*. <https://doi.org/10.1016/j.ajem.2020.03.036>
- Enjang AS, E. A. S., Wibawa, D., Wahab, E. D., & Muslim, A. (2020). Mendorong penerapan Crisis and Emergency Risk Communication (CERC) untuk mengatasi Pandemi COVID 19 di Indonesia. *Mendorong Penerapan Crisis and Emergency Risk Communication (CERC) Untuk Mengatasi Pandemi Covid 19 Di Indonesia*.
- Fitri, B. M., Widyastutik, O., & Arfan, I. (2020). Penerapan protokol kesehatan era New Normal dan risiko Covid-19 pada mahasiswa. *Riset Informasi Kesehatan*, 9(2), 143–153.
- Ibrahim, J. (2006). Teori & Metodologi Penelitian Hukum Normatif. In *Teori Metodologi Penelitian a*.
- Indonesia, P. D. P. (2020). Protokol Tatalaksana Covid-19. *PDPI: Jakarta*.
- Law of The Republic Indonesia. (1999). About Consumer Protection
- Mulholland, R. H., Wood, R., Stagg, H. R., Fischbacher, C., Villacampa, J., Simpson, C. R., Vasileiou, E., McCowan, C., Stock, S. J., Docherty, A. B., Ritchie, L. D., Agrawal, U., Robertson, C., Murray, J. L. K., MacKenzie, F., & Sheikh, A. (2020). Impact of COVID-19 on accident and emergency attendances and emergency and planned hospital admissions in Scotland: an interrupted time-series analysis. *Journal of the Royal Society of Medicine*. <https://doi.org/10.1177/0141076820962447>
- Purdy, S., Denholm, R., Morris, R., & Payne, R. (2020). Impact of emergency hospital admissions on patterns of primary care prescribing: A retrospective cohort analysis of electronic records in England. *British Journal of General Practice*. <https://doi.org/10.3399/bjgp20X709385>
- Republic Indonesia. Undang-Undang No 20 tahun 2011
- Setiati, S., & Khifzhon Azwar, M. (2020). *COVID-19 and Indonesia*. April.
- Sohrabi, C., Alsafi, Z., O'Neill, N., Khan, M., Kerwan, A., Al-Jabir, A., Iosifidis, C., & Agha, R. (2020). World Health Organization declares global emergency: A review of the 2019 novel coronavirus (COVID-19). In *International Journal of Surgery*. <https://doi.org/10.1016/j.ijssu.2020.02.034>
- Subaktiawan, E., & Fauziah, L. (2019). Implementasi Undang-Undang Nomor 20 Tahun 2011 Tentang Rumah Susun (Studi Pada Rumah Susun Sederhana Sewa Di Kecamatan Sidoarjo Kabupaten Sidoarjo). *JKMP (Jurnal Kebijakan Dan Manajemen Publik)*, 5(1), 93–108.

- Thompson, C. N., Baumgartner, J., Pichardo, C., Toro, B., Li, L., Arciuolo, R., Chan, P. Y., Chen, J., Culp, G., Davidson, A., Devinney, K., Dorsinville, A., Eddy, M., English, M., Fireteanu, A. M., Graf, L., Geevarughese, A., Greene, S. K., Guerra, K., ... Fine, A. (2020). COVID-19 Outbreak — New York City, February 29–June 1, 2020. *MMWR. Morbidity and Mortality Weekly Report*. <https://doi.org/10.15585/mmwr.mm6946a2>
- Yadisar, A. M. (2020). Mekanisme Pelayanan Pembuatan Izin Mendirikan Bangunan (Imb). *FOKUS: Publikasi Ilmiah Untuk Mahasiswa, Staf Pengajar Dan Alumni Universitas Kapuas Sintang*. <https://doi.org/10.51826/fokus.v18i2.415>
- Yandri, N. D., Setyawan, F., & Wahjuni, E. (2013). *Tanggung Jawab Hukum Pengembang Perumahan Akibat Terjadinya Wanprestasi Dari Perjanjian Kepemilikan Rumah Ditinjau Dari Undang Undang Nomor 1 Tahun 2011 Tentang Perumahan Dan Kawasan Permukiman*.