

ABSTRAK

PRAKTIK SEWA MENYEWA KAMAR KOS DITINJAU DARI PERSPEKTIF FIQH IJARAH (STUDI KASUS KOS DI SEKITAR KAMPUS TERPADU UNIVERSITAS MUHAMMADIYAH YOGYAKARTA)

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Penelitian ini bertujuan untuk menjelaskan sistem pelaksanaan sewa menyewa kamar kos di sekitar kampus terpadu UMY, serta menganalisis dari perspektif fiqh ijarah terkait praktik sewa menyewa kamar kos yang menyangkut pihak pemilik sewa kos dan pihak penyewa.

Penelitian ini menggabungkan metode kuantitatif dan kualitatif. Metode kuantitatif dilakukan dengan metode deskriptif yaitu untuk menggambarkan nilai rata-rata persentase sistem pelaksanaan praktik sewa menyewa kamar kos di sekitar kampus terpadu UMY. Metode kualitatif dilakukan untuk menjelaskan alasan mengenai sistem kos yang berlaku di sekitar kampus terpadu UMY kemudian dianalisis dengan bertolak ukur pada perspektif fiqh ijarah.

Hasil penelitian menunjukkan bahwa sebagian besar sistem pelaksanaan dalam praktik sewa menyewa kamar kos di sekitar kampus terpadu UMY sudah sesuai dengan fiqh ijarah. Perjanjian (*aqad*) sewa menyewa kamar kos dilakukan secara lisan dan tertulis antara pihak pemilik sewa dan pihak penyewa, jika dilihat dari segi perjanjian telah sesuai dengan hukum Islam karena telah memenuhi syarat dan hukum ijarah. Terkait kesesuaian rukun dan syarat dalam praktik sewa menyewa kamar kos juga telah sesuai dengan ketentuan syara' dan fiqh ijarah. Kemudian, terkait dengan oper kontrak kamar kos kepada pihak penyewa lain telah sesuai dengan ketentuan fiqh karena pihak penyewa diperbolehkan menyewakan kembali barang yang telah disewanya kepada orang lain. Namun, meskipun sebagian besar praktik sewa menyewa kamar kos di sekitar kampus terpadu UMY telah sesuai dengan ketentuan fiqh ijarah, masih ada satu permasalahan yang dikaji oleh peneliti yang belum sesuai dengan fiqh ijarah yaitu mengenai perbaikan kerusakan fasilitas kamar kos karena pihak pemilik sewa melimpahkan pemeliharaan dan perbaikan kerusakan fasilitas kepada pihak penyewa sedangkan secara fiqh yang wajib memperbaiki kerusakan fasilitas kamar kos adalah pihak pemilik sewa.

Kata Kunci : Ijarah, Kamar Kos, Sistem Pelaksanaan Praktik Sewa Menyewa.

ABSTRACT

THE BOARDING ROOM RENT PRACTICE SEEN FROM THE *FIQH IJARAH* PERSPECTIVE

(A CASE STUDY ON BOARDING HOUSES AROUND THE INTEGRATED
CAMPUS OF UNIVERSITAS MUHAMMADIYAH YOGYAKARTA)

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This research aims to explain the system of boarding room rent implementation around the integrated campus of UMY and analyze it from the *fiqh ijarah* perspective related to the boarding rooms rent practice involving the house owner and the tenants.

This research combined the quantitative and qualitative methods. Quantitative method was conducted using descriptive that is to describe the mean of the percentage of the system of boarding room rent implementation around the integrated campus of UMY. Qualitative method was conducted to explain the reasons about the applicable rent system around the integrated campus of UMY which then was analyzed based on the *fiqh ijarah* perspective.

The research results show that most of the system of boarding room rent implementations around the integrated campus of UMY have been in accordance with *fiqh ijarah*. The boarding room rent agreement (*aqad*) is conducted in oral and written agreement between the house owner and the tenants. If seen from the agreement aspect, it has been in accordance with the Islamic laws since it has fulfilled the requirements and laws of *fiqh ijarah*. Then, related to passing over the boarding room rent to the other tenants, it is also in accordance with *fiqh* because the tenants are allowed to re-rent the rented boarding rooms to other people. However, although most of the practices of boarding room rent implementation around the integrated campus of UMY have been in accordance with *fiqh ijarah*, there is one problem studied by the researcher that is not in accordance with *fiqh ijarah*, that is regarding the reparation of broken facilities in the boarding rooms. The house owner passes over the responsibility to maintain and repair broken facilities to the tenants while according to *fiqh* it is actually the responsibility of the house owner.

Keywords: *Ijarah*, boarding room, the rent implementation system.