

ABSTRACT

Nur Addina, Amalia. 2012 Thesis. Title: “The Application of *Musyarakah* Agreement on Financing the Implementation of Sharia Residential In Muamalat Indonesia Bank Branch Malang”

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After secondary human needs fulfilled, need for house is one of motivations in the development of a better life. In fulfilling these needs, Bank Muamalat of Malang Branches offers Islamic financing product to residential using *Mutanaqisah Musharaka* agreements. Method of these agreements will reduce property rights of one party while the other party will increase its ownership rights. Ownership transfer process through payment mechanisms of other proprietary rights. Forms of these cooperation ended by transfer of ownership one of party to another. Purpose of this study is to describe the application *Musharaka* agreements in Islamic housing financing constraints by looking at factors and how to minimize it

This research used qualitative method with descriptive approach. This method describes the condition of research based on actual facts. Process of collecting data is through an interview with the Relationship Manager and one user customer agreement in the Islamic Residential housing financing.

The results showed that in the Islamic residential financing, *Musharaka* agreement reduced to *Musharaka mutanaqisah*. That is taking advantage of the ratio of renting a house that is used to reduce the share of ownership of the bank and increase the portion of customer ownership by category *shirkah al-'inan*. This process is implemented as a joint venture in the purchase of a house with the purpose of investment into consumption, as well as customers who have two roles at once that investors and consumers. Constraints in the financing of Islamic residential use of this *Musharaka* agreement, there are dominant in the capacity of customers who demonstrate the ability of customers to finance. Based on the capacity, the bank can determine whether or not the customer gets a decent and capable of doing the financing. And if the results of the analysis of the bank showed a lack of good value, it is certain that the financing will be hampered causing considerable problems in financing. So do not rule out the possibility of financing will be stalled or jammed. In order to minimize the constraints above, the bank analyzes the potential customers both private and public workers continue to see from the three main factors, namely how the process of obtaining, processing and use of capital.