

ABSTRACT

Nur Rodiah. *The Comparative Study IMBT And Murabahah In Financing House Ownership* . Advisors: (I) Dr. Mahmud Yusuf, MSI. (II) Dr. Hj. Gt. Muzainah, SH, MH. Thesis, Law of Sharia Economics Study Program, Postgraduate UIN Antasari Banjarmasin, 2018.

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This research was contrary to reality of Islamic banks for more of this facilitating the financing needs of medium and long term with contract *Murabahah* (buy and sell) and *Musyarakah Mutanaqishah* but still rare Islamic banks that finance the financing of home ownership with the contract *Al-Ijārah al-Muntahiya bi Al-Tamlīk*. This research aims to analyze the concept of IMBT and *Murabahah* in Financing Home Ownership. In addition also to analyze the advantages and disadvantages of concepts IMBT and *Murabahah* in Financing Home Ownership.

This research is the normative legal research namely legal research conducted by way of researching the legal materials either primary law materials nor secondary law materials. This research approach is a conceptual approach to legislation and approaches. In this study, analysis of legal materials was done qualitatively or by explaining and not with quantitative or unit numbers. With the nature of research that is analytical, descriptive, it est research which are intended to give an overview and explain and analyze matters relating to the issue in this research.

This research resulted in the findings: first: to contract IMBT on KPR in Islamic banking, namely lease contract which ends with the ownership of the goods in the hands of the tenant. The transfer of ownership is done after the contract expired, the lease ownership through two ways: buy sell or grant. Determination of the ownership of the goods either by sale or grant is determined by the ability of financial customer, if customer relatively large financial capability then it will end up with grants and vice versa. To contract a marriage Covenant between *Murabahah* it est the bank and the customer which Islamic banking purchase goods needed by the customer and then sell it to the customer in question amounted to price gains plus margin/profit between Islamic banks and borrowers. The determination of the magnitude of the margin calculation pattern proportionally, the length of the period of financing also more margin *Murabahah* loss opportunity Islamic banks. Second: implementation of financing *Al-Ijārah al-Muntahiya bi Al-Tamlīk* (IMBT) in Islamic banks have in common the treatment with financing *Murabahah*. This can be seen from the similarity in common – the category, it est including natural certainty contract, which is essentially a sale and purchase contract. *Murabahah* financing on its object only in the form of goods while at IMBT is goods and services.