



Redemption Discounts Before Due On Financing Home Ownership Loans At Bank Syari'ah Indonesia

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Abstract: *This research describes the cut repayment of mortgage financing before maturity at Bank Syari'ah Indonesia KCP Kedaton Bandar Lampung. In giving these discounts, BSI was not the same from one customer to another. The focus of this research was: How is the analysis of DSN MUI fatwa No.23/DSN-MUI/III/2002 on the application of Deductions in Murabaha contracts at BSI KCP Bandar Lampung? The purpose of this study is to analyze the DSN MUI fatwa No.23/DSN-MUI/III/2002 on the application of deductions in murabahah contracts at BSI KCP Bandar Lampung, This type of research is a type of field research (field research), which Research to Bank Syari'ah Indonesia KCP Kedaton Bandar Lampung customers. Research this is characteristic descriptive-analytic in nature, namely research that aims to describe, describe and interpret in more detail related to the problem under study by studying it in depth. The conclusion from this study was that for customers who apply for redemption before maturity in Murabahah KPR financing at BSI KCP Kedaton, namely that there were differences in the application of pre-payment deductions. The existence of this difference is based on the customer's achievements in a Murabahah transaction, making payment on time or faster than the agreed time and giving the discount provided that it was not agreed upon in the contract. The size of the discount was left to the bank's policies and considerations. This was in line with the DSN MUI fatwa No. 23/DSN-MUI/III/2002.*

Keywords: *Murabahah, KPR Financing, Discounts*

Abstrak: Penelitian ini mendeskripsikan potongan pelunasan pada pembiayaan kredit pemilikan rumah sebelum jatuh tempo di Bank Syari'ah Indonesia KCP Kedaton Bandar Lampung. Dalam pemberian potongan tersebut, pihak BSI tidak sama antara satu nasabah dengan lainnya. Fokus penelitian ini adalah: Bagaimanakah analisis fatwa DSN MUI No.23/DSN-MUI/III/2002 terhadap penerapan Potongan dalam akad Murabahah di BSI KCP Bandar Lampung? Tujuan penelitian ini adalah untuk menganalisis fatwa DSN MUI No.23/DSN-MUI/III/2002 tentang penerapan pemotongan dalam akad murabahah di BSI KCP Bandar Lampung, Jenis penelitian ini merupakan jenis penelitian lapangan (field research), yang Riset kepada nasabah Bank Syari'ah Indonesia KCP Kedaton Bandar Lampung. Penelitian ini bersifat deskriptif-analitik, yaitu penelitian yang bertujuan untuk mendeskripsikan, mendeskripsikan dan menginterpretasikan secara lebih rinci terkait dengan masalah yang diteliti dengan mempelajarinya secara mendalam.

Kesimpulan dari pembahasan penelitian ini bahwa potongan pelunasan pada nasabah yang mengajukan pelunasan sebelum jatuh tempo dalam pembiayaan Murabahah KPR pada BSI KCP Kedaton yaitu terdapat perbedaan penerapan potongan pelunasan sebelum jatuh tempo. Adanya perbedaan ini berdasarkan pada prestasi nasabah dalam transaksi Murabahah melakukan pelunasan pembayaran tepat waktu atau lebih cepat dari waktu yang telah disepakati dan pemberian potongan tersebut dengan syarat tidak diperjanjikan dalam akad. Besar potongan diserahkan pada kebijakan dan pertimbangan bank. Hal ini selaras dengan fatwa DSN MUI No.23/DSN-MUI/III/2002.

Kata Kunci: Murabahah, Pembiayaan KPR, Potongan

▪ Introduction

Homeownership from the past to the present continues to grow. Problems related to home ownership will continue to increase along with population growth, population dynamics, and growing socioeconomic demands.¹ In addition, the difficulty of getting a house is also based on the low income of the community. Therefore, in obtaining a house at this time it is not only done in cash but can be done by applying for financing.

Based on the problems that exist in society related to the high desire of the people for home ownership, banking as an institution intermediary is an alternative in applying for loans in obtaining home financing known as Home Ownership Credit (KPR). KPR is one of the services provided by banks to customers related to home ownership in installments/loans. KPR, originally a product of conventional banking, was adopted over time by Syari'ah banking with a Sharia scheme. A significant

difference between conventional bank mortgages and Sharia bank mortgages lies in the principle that conventional banks use an interest basis, while Islamic banks apply profit sharing and buying and selling.² Another difference is that in conventional banks there are several implementations of the credit system, while in Syari'ah banks there are several contracts, namely Murabahah (buy and sell), ijarah lumpuriya bittamlik (hire-purchase), and musharakah mutanaqisah (gradual purchase of ownership).³ In this type of mortgage financing there are sharia home ownership products and generally use a sale and purchase contract (yes) with the form of a contract murabahah accompanied by a contract wakalah noristishna' until

²*Ibid*, h. 520., Suraya Murcitaningrum, Percepatan Pelunasan Musyarakah Mutanaqisah KPR Di Bank Muamalat KCP Kota Metro: Bank, Pembiayaan, Nasabah, Jurnal Ilmiah Gema Ekonomi Vol 6 No 1 Februari (2016), <https://www.ojs.stieprasetyamandiri.ac.id/index.php/gem/article/view/70>

³ Muhammad Rizal Satria, Analisis Perbandingan Pemberian Kredit Pemilikan Rumah (Kpr) Pada Bank Konvensional Dengan Pembiayaan Murabahah (Kpr) Pada Bank Syariah, Jurnal Amwaluna Vol 2, No 1 (2018), DOI: <https://doi.org/10.29313/amwaluna.v2i1.2880>

¹Rahmadi Usman, *Produk dan Akad Perbankan Syari'ah di Indonesia Implementasi dan Aspek Hukum*, Cet, I., (Bandung : PT Citra Aditya Bakti 2008), h.179, Bagya Agung Prabowo, *Aspek Hukum Pembiayaan Murabahah pada Perbankan Syaria*, (Yogyakarta: UII Press, 2012), p. 29

in the form of rent by using hybrid Contract or a merger of two contracts, namely contract Musharakah Mutanaqisah and Covenant Ijarah.⁴

At Bank Syari'ah Indonesia KCP Kedaton, there are two customers named WA and AS who are paying off mortgage financing in 2021, when applying for Muqosah or applying for WA and US discounts to get Muqosah different. Related previous literature studies are Hanik Maesaroh's research, entitled "Installation Payments Before Due in Financing Murabahah at the Syari'ah People's Financing Bank (BPRS)," this study concludes that customers get discounts when making payments faster than the agreed period. Approval regarding redemption is the prerogative of the bank.⁵ Herlina's research entitled "Profit Margin Discounts (Discounts) on Financing Settlements Murabahah at PT. BRI Syari'ah Pekanbaru Branch," this study concludes that based on Muamalah Jurisprudence analysis there is a discrepancy between the implementations of Murabaha with the principles of Shari'ah. This is related

to the length of time the payment must be adjusted to the contract and the deduction of payment cannot be ascertained, whether it happened or was it just a promotional tool.⁶ Nurainun's research entitled "Determination Application Muqasah In Redemption Murabahah. "The conclusion is that the purpose of the discount or discount is to motivate customers to pay off installments and reduce jams in financing.⁷ Karmi Handini's research is titled "Community's Interest in Home Ownership Credit Using Contract Murabahah At Bri Syari'ah KCP Metro Lampung." This study concludes that public interest has increased every year for mortgage products using murabahah contracts with several underlying motives including easy disbursement, small margins, satisfying service, and close bank locations.⁸ The focus of this research is: How is the analysis of DSN MUI fatwa No.23/DSN-MUI/III/2002 on the application of Deductions in Murabaha contracts at BSI KCP Bandar Lampung?

This type of research is a type of field

⁴ Devitha Angesti Tiyasasih, Rachmad Safa'at, Chusen Bisri, Perbedaan Penafsiran Dalam Implementasi Fatwa Nomor 23/2002 Tentang Potongan Pelunasan Pada Akad Murabahah: Studi Perbandingan Lembaga Bank di Kota Malang, *Jurnal Jurisdictie: Jurnal Hukum dan Syariah* Vol. 8 No.1 Tahun 2017, DOI: 10.18860/j.v7i13.4324, p. 4

⁵ Hanik Maesaroh, Pelunasan Angsuran Sebelum Jatuh Tempo dalam Pembiayaan Murabahah di Bank Pembiayaan Rakyat Syari'ah (BPRS), *Jurnal Az Zarqa'*, Vol. 10, No. 1, Juni 2018, DOI: <https://doi.org/10.14421/azzarqa.v10i1.1738> H. 150-151

⁶ Herlina, Potongan Margin Keuntungan (Muqasah) Terhadap Pelunasan Pembiayaan Murabahah Pada PT. BRI Syariah Cabang Pekanbaru, *Al-Mutharahah: Jurnal Penelitian Dan Kajian Sosial Keagamaan* 16 (1) 2019, 1-16. <https://ojs.diniyah.ac.id/index.php/Al-Mutharahah/article/view/13>.

⁷ Nurainun, Aplikasi Penetapan Potongan Dalam Pelunasan Murabahah, (Skripsi: IAIN Padang Simpunan 2017).

⁸ Kami Handini, Minat Masyarakat Terhadap Produk Kredit Pemilikan Rumah Menggunakan Akad Murabahah Di Bri Syariah KCP Metro, (Skripsi : IAIN Metro, 2014).

research (field research), which is directly carried out in the field to obtain data or information directly by visiting the subject concerned.⁹ It is descriptive-analytic in nature, namely research that aims to describe, describe and interpret in more detail related to the problem under study by studying it in depth.¹⁰ Primary research data is data sourced or obtained directly from the field or subject under study in the form of interview results and documentation with research informants and respondents.¹¹ Furthermore, it is equipped with secondary data related to this research. Research informants of Bank Syari'ah Indonesia KCP Kedaton Bandar Lampung customers. While the respondents are employees. Data collection methods used are interviews and documentation. Data analysis uses inductive thinking methods to conclude.

▪ Discussion and Research Results

1. Fatwa No. 23/DSN-MUI/III/2002 Concerning Payment Deductions in Murabahah

Fatwa DSN No. 23/DSN-MUI/III/2002 Concerning Discounted Repayment in Murabaha was stipulated in Jakarta on 28 March 2002 to coincide with 14 Muharram 1423 H. Murabahah is selling an item by confirming the purchase price (principal) to the buyer and the buyer

pays it at a higher price as profit for the seller. The fatwa stipulates several rules related to financing Murabahah.

Deep repayment cutmurabaha:

- a. If the customer in a Murabaha transaction makes repayments on time or sooner than the agreed time, the LKS may provide a deduction from the payment obligation, provided that it is not agreed upon in the contract.
- b. The amount of deduction referred to above is left to the policies and considerations of the LKS.¹²

Customers are allowed to pay off financing earlier than the due date. Because for Islamic banks, early repayment is a good thing because it reduces the supervisory and administrative burden in the future. As stated in the DSN Fatwa No. 46/DSN-MUI/II/2005 regarding deductions for murabahah bills that if the customer has made the installment payments on time, then he can be rewarded. The awards and waivers are mukafa'ah tasyji'iyah (incentives) which can be realized in the form of deductions from the total payment obligations.¹³

Based on the fatwa, it can be concluded that the LKS can only provide a discount but cannot be agreed upon in the contract. The fatwa also

⁹Rully Indrawan, Poppy Yaniarti, *Metode Penelitian Kuantitatif, Kualitatif, dan Campuran* (Bandung: Refika Aditama, 2014), p. 68.

¹⁰Sugiyono, *Metode Penelitian Kuantitatif, Kualitatif Dan R&D*, Vol. V (Bandung: Alfabeta, 2016).

¹¹Ibid.

¹² Fatwa No.23/DSN-MUI/III/2002 Tentang Potongan Pelunasan Dalam Murabahah

¹³ Hanik Maesaroh, Pelunasan Angsuran Sebelum Jatuh Tempo dalam Pembiayaan Murabahah di Bank Pembiayaan Rakyat Syari'ah (BPRS), *Jurnal Az Zarfqa'*, Vol. 10, No. 1, Juni 2018, DOI: <https://doi.org/10.14421/azzarfqa.v10i1.1738> H. 150-151

explained that there was no stipulation that LKS was required to provide deductions. The amount of the discount is given based on the policy of the relevant LKS. So it will be different between LKS.¹⁴

Application of installment deductions Murabaha also contained in the Statement of Financial Accounting Standards (PSAK) 102 paragraphs 26, 27, and 28. PSAK 102 is an accounting guideline for financing transactions murabahah. In paragraph 26 it is stated that deductions for settlement of accounts receivable murabahah are given to buyers who pay off on time or sooner than the agreed time. Discounts on murabahah installment payments in PSAK 102 paragraph 26 are given based on achievements made by the customer as indicated by the timeliness of payment, payment of installments faster or earlier than specified. It is said to be an achievement because the customer carries out his responsibilities to make installment payments murabahah according to the initial agreement.

Paragraph 27 in PSAK 102 relates to the accounting method used in granting discounts to customers relating to the way they are treated. There are two accounting treatments, the first is given at the time of settlement by reducing murabahah receivables and is given after settlement by receiving payment and then giving a discount to the buyer. recognition, disclosure, and

presentation in the financial statements.¹⁵

Paragraph 28 also explains the subject of installment deduction recipients murabahah namely for financing customers who experience a decrease in their ability to pay. Thus, broadly speaking, there are three subjects receiving installment payment deductions murabahah namely customers who make repayments on time, faster than the maturity period, and who experience a decrease in their ability to pay installments murabahah.¹⁶

Financing Murabaha using the buying and selling concept. Definition murabahah as stated in PSAK 102 is to sell goods at a selling price of the acquisition price plus the agreed profit and the seller must disclose the acquisition price of the goods to the buyer. This leads to one fundamental characteristic murabahah namely transparency of the acquisition price of the goods plus several profits the amount of which is by the agreement between the seller and the buyer or in other words it is carried out based on cost-plus profit.

¹⁵ Rizal Yaya et.al., *Akuntansi Perbankan Syariah Teori dan Praktik Kontemporer*, (Jakarta: Salemba Empat, 2013), p. 200.

¹⁶ Yudhy Muhtar Latuconsina, Mengungkap Fenomena Potongan Angsuran Murabahah di Perbankan Syariah, *Journal of Accounting and Investment* Vol 17, No 2 Juli 2016, DOI: <https://doi.org/10.18196/jai.2016.0050.132-140>, p. 132, Shendy Setya Vernandya, Chaidir Iswanaji, Evaluasi Penerapan Psak 102 Pada Akad Murabahah Di Bmt Arma Kabupaten Magelang, *Jurnal Equilibrium* Vol 19, No 02 (2022), DOI: <https://doi.org/10.25134/equi.v19i02.5897>

¹⁴ Ibid

2. Lags Murabahah Mortgage financing at Bank Syari'ah Indonesia KCP Kedaton Bandar Lampung

KPR is one of the consumer financing products from Indonesian Syari'ah banks that can help customers to have their dream homes. At the BSI Syari'ah KCP Kedaton, there are three types of mortgage financing, namely KPR BSI Syari'ah iB, KPR Sejahtera, and KPR Non Fix Income (irregular income).

The flow of applying for murabahah financing is as follows:

- a. The customer comes to the bank to ask for help to buy the house he needs. In this case, the customer's request will certainly be served by the BSI, namely part Marketing Financing by explaining several financing products that suit the needs of the prospective customer's needs with a Murabaha contract. Then after this has been adjusted, the prospective customer can fill out the financing application form that has been provided by BSI.
- b. After the prospective customer fills out the financing application form, then the prospective customer completes the requested financing requirements file and immediately submits it to Bank BSI to verify the correctness of the data from the prospective customer.
- c. After all the data is correct, the next part (Retail Finance Center) which is part of the retail financing center at BSI performs financing analysis using the 5C financing principle, namely, Character, Capacity, Capital, Collateral, dan Condition

Of economy. And at this point RFC also conducts BI Checking of prospective customers to find out the history of the customer's relationship with BSI.

- d. After the results of the inspection carried out by the department, if financing is recommended then it is brought to the financing committee, to ascertain whether the financing is approved or not.
- e. It is the next stage is if the financing application is approved by the financing committee, it is made offering letter or SP3 (Letter of Approval in Principle for Financing) to be made RFC, in the letter it is explained that the customer's application has been approved with the structure and facilities, contract, ceiling, margin, and notarized admin fees that have been determined. So then the customer is given 14 working days to express approval of all the requirements listed including completing all the documents requested by the bank, and the customer agrees to pay a down payment to BSI and then an Advance Payment Receipt (TTUM) will be issued, followed by a goods order letter on Supplier or often referred to as purchase Order (AFTER).
- f. After the financing is approved, the next step is signing the contract. In this case, the signing of the contract is carried out by the customer, then in signing the contract of course with a murabahah contract and an additional contract, namely a contract that shows that BSI represents the

customer to look for the items needed which is often referred to as a Wakalah contract. At this time, it is also possible to bind guarantees by the bank to customer collateral items such as land, houses, deposits, and so on, but the priority is fixing Assets.

- g. Then the next stage is defrosting. For disbursement, customers are required to open an account at BSI as a forum for disbursing the financing. Then the terms of the document for disbursing a Debt Power of Attorney (SKD) that the customer provides a debit power of attorney, life insurance, financing admin fees, and then stamps, and other conditions are tied to the disbursement document which must be submitted to the bank.
- h. After the disbursement of the next stage, namely monitoring, in which the customer is monitored by the bank regarding business development and material goods that should be used properly. Likewise, with customer payments that are in arrears, the bank also monitors directly or by telephone in the form of billing so that customers pay immediately.¹⁷

The purpose of KPR BSI Syari'ah KCP Kedaton is to provide convenience to customers or consumers who want to have a dream home.

a. Property purchase

- 1) Buying a new house ready for occupancy ready stok from co-developers)
- 2) Giving a new house in a condition not ready for habitation (indent)
- 3) Purchase of a new house from a non-collaborative developer (the condition of the house is a ready stock certificate and the IMB is broken per plot)¹⁸

b. Home construction and renovation

- 1) Provision of materials for the construction of houses (mandatory to have a certificate already owned by the applicant and IMB available).
- 2) Purchase of materials for home renovation

c. Take over KPR financing transfer consists of:

Transfer funding takeover from conventional financial institutions to BSI only applies to fixed income

d. KPR BSI Syari'ah

The cost of home ownership to individuals to fulfill part or all of the need for housing using the buying and selling principle (Murabahah) in which the payment is in installments with a predetermined amount of installments and is paid monthly.¹⁹

Several procedures must be carried out in the process of implementing mortgage financing at the BSI Syari'ah KCP Kedaton. The bank introduces a variety of mortgage financing products

¹⁷Interview with Andre, Marketing Financing AO (Account Officier) BSI KCP Kedaton Augustus 24, 2022

¹⁸*Ibid.*

¹⁹ Interview with Agung, Marketing Financing AO (Account Officier) BSI KCP Kedaton September 7, 2022

owned by BSI KCP Syari'ah to prospective customers. So that prospective customers understand and understand the knowledge and advantages and disadvantages of the products offered to be used as a basis for selecting mortgage products that will be taken according to their needs and abilities. Then in the process of applying for KPR BSI Syari'ah KCP Kedaton financing, customers who have found a choice of the house to buy then determine the type of mortgage financing to take. If the house that has been chosen by the customer comes from a developer, the customer is required to request a letter of offer from the developer which in the letter indicates the selling price of the house to be purchased. Then the customer applies to BSI Syari'ah to obtain the financing.

In applying for BSI Syari'ah KPR financing, customers will be asked to open a savings account and then fill out an application form for financing, they are also required to fulfill and submit personal document requirements and collateral documents. Several conditions must be met by customers, including:

General customer requirements

- 1) Indonesian Citizen (WNI)
- 2) Employees/ permanent employees with at least 2 years of service or a total of 2 years of service in the previous place
- 3) Professional is limited only to health professionals (doctors, specialists, or midwives)
- 4) The minimum age when financing is given is 21 years at the time of

payment maturity for employees with a maximum age of 65 years as a doctor.

- 5) ResultsTrack record WITH AQuit and smooth DHBI.
- 6) A financing application (APP) is available from prospective customers that have been signed by prospective customers
- 7) Can be closed and meet the requirements of financing life insurance.
- 8) Open a savings account at Bank BSI Syari'ah
- 9) For total financing greater than 45,000,000, you must submit a personal TIN.²⁰
 - b. Document customer requirements
 - 1). Copy of Applicant's KTP and spouse's KTP
 - 2). Copy KK
 - 3). Copy of the marriage certificate
 - 4). Copy of Personal TIN for financing 45,000,000
 - 5). Copy of the employment certificate
 - 6). Salary work certificate
 - 7). Copy of Current Account/ Prospective Customer's savings account
 - 8). Copy of house order letter
 - 9). Copy of the doctor/midwife practice letter
 - 10). Copy of registration certificate²¹
 - c. Guarantee terms
 - 1) The main guarantee for money received by the bank is the building purchased.

²⁰ *Ibid*

²¹ *Ibid*

- 2) Certificates that can be accepted are in the name of the customer/spouse.
- 3) Guarantees for third parties received are on behalf of the nuclear family (parents or children)²²
- d. General terms of guarantee
 - 1) Collateral documents are valid and complete
 - 2) Can be perfectly tied to the law that is easy to trade
 - 3) Insurable
 - 4) Not used as collateral for other banks
 - 5) Not in dispute
 - 6) Collateral is not an object being financed²³

Then several provisions in the application for mortgage financing have been determined by Bank BSI Syari'ah KCP Kedaton, including:

- a. Financing ceiling

The KPR financing ceiling set by BRI Syari'ah KCP Kedaton is a minimum of 30,000,000
- b. Period
 - 1) Minimum 12 months
 - 2) Maximum 15 years for KPR IB to buy a house
 - 3) Maximum 5 years specifically for financing plots of land ready to build in preparation for house construction.
- c. Fees charged to customers

Fees paid in full at the time of financing realization and not originating from Bank BSI Syari'ah financing funds costs consist of

insurance fees, notary fees, and stamp fees.

- d. Examination of applicant documents

After the application process is fulfilled, then it enters into determining the criteria set by the Bank. Checking the authenticity of customer documents, after that the documents that have been prepared are confirmed for authenticity and then stamped according to the original and initialed by the AO. Then AO did an interview or interviewed prospective customers.
- e. Related investments
 - 1) Residence. A residential investment that aims to gather information regarding the nature and characteristics of prospective customers
 - 2) Workplace. Prospective customer workplace investment provisions refer to a board of directors circular or a board of directors decision letter
- f. Guarantee calculation

The BSI unit conducts field inspections and explores and seeks information regarding land and building prices around the location of the house to be financed.
- g. Preparation of MUP (Memorandum of Proposed Financing), MUP is the main medium for submitting financing proposals to the committee financing. The MUP format used is the applicable KPR MUP format, it must be systematic, complete, informative, objective, and clear.
- h. Funding decisions
- i. Contract implementation application

²²*Ibid.*

²³ *Ibid*

- j. Contract preparation and confirmation of prospective customers
- k. Pre-signing process, preparation of contract documents, checklist, and compliance prospective customer documents
- l. Contract signing
 - 1) Signing of the financing agreement and deed of sale and purchase (AJB). Each implementation of the signing must be documented
 - 2) Disbursement of KPR financing disbursement of financing to developers or sellers
 - 3) Monitoring
 - Monitoring is carried out so that early errors can be immediately identified and corrective actions can be taken, thereby reducing greater risk.²⁴

3. Practice of Deductions on Repayment Before Maturity at BSI Kedaton

The fact happened at Bank Syari'ah Indonesia KCP Kedaton Bandar Lampung in 2021 there several customers use the same ceiling loan, apply for repayment before maturity, and also apply for deductions. But what is granted between one and another is not the same. In fact, in some applications for a discount on financing repayment, some customers do not get a discount after settlement. This depends on the customer's history or data entered in BI checking, for example, having delayed payments for more than 3 months, or there are bad installments on other loans.

Based on the description above, the initial steps that must be taken by the customer in making a request to be given a discount when paying off murabahah financing installments are:

- a. The customer comes to the BSI KCP Kedaton to verbally confirm the payment of murabahah financing and ask to be given a discount when paying off the murabahah financing installments.
- b. The bank will direct the customer to the section Relationship Manager Financing to make a written request.
- c. Then Relationship Manager Financing will evaluate everything whether it is by the rules.
- d. After that relationship Manager Financing submits the customer's good faith to the Financing Committee.
- e. The Financing Committee will make decisions and policies on whether the customer in question can make repayments more quickly or the member experiences a decrease in his ability to pay and gets a deduction from the remaining debt or does not get it. All of that is left to the policies of the Financing Committee.²⁵

The following is KPR financing customer data at Bank Syari'ah Indonesia KCP Kedaton.²⁶ The results of the interview are as follows:

²⁴*Ibid.*

²⁵*Ibid.*

²⁶*Ibid*

Table 1
Financing Customer Data 2021

Type	Amount
BSI KPR	20
Before	14
Ready Stock	10

Source: Bank Syariah Indonesia KCP Kedaton

In 2021 several customers apply for payment of financing before the agreed time. Next, we will discuss two customers who applied for financing in 2011 to pay off in 2021, and in 2015 to pay off in 2021.

WA applied for financing Murabahah to BSI for ceiling financing in January 2015 with an advance of Rp.30,000,000²⁷ As for the mortgage financing ceiling set by BSI Syari'ah KCP Kedaton, namely a minimum of 30,000,000, in the middle of the current contract, namely in the 6th year or 72nd month, namely January 2021, the customer already has enough money to be used as a financing settlement Murabahah.²⁸ The customer's total installment payment obligations are less than 48 months or around (4,608,333 x 48 months = 221,200,000) The calculation is by the initial agreement with the bank, but the customer requests the bank to provide a discount. So the BSI KCP Kedaton gives a discount of 3%, which is 6,636,520, so the total that must be paid by Mr. WA is 214,564,000

Table 2
Data Nasabah WA

No	Customer Data	Information
1	Selling price	550.000.000
2	Margin Bank	6% (33.000.000)
3	DP	30.000.000
4	Price at contract	583.000.000
5	Installments/month	4.608.333
6	Tenor	10 Years (120 months)
7	Installments come in	331,800,000 (72 months)
8	Remaining installments	221.200.000
9	Piece	3% (6.636.000)
10	Remaining to be paid	214.564.000

Source: Bank Syariah Indonesia KCP Kedaton

US customers apply for financing Murabahah to BSI for ceiling financing in May 2017 with a down payment of IDR 30,000,000.²⁹ The mortgage financing ceiling set by BRI Syari'ah KCP Kedaton is a minimum of 30,000,000. there is a contract agreement between the customer and the bank that for 10 years or 120 months, the bank gets 33,000,000. In the middle of the current contract, namely in the 4th year or 48th month of the month, in May 2021 the customer's installment already has enough money to be used as a financing settlement Murabahah.³⁰ The customer's total installment payment obligations are less than 72 months or around (4,608,333 x 72 months 331,800,000)

²⁷ Interview with Wawan, BSI costumers Via Telepon Oktober 31, 2022

²⁸ *Ibid.*

²⁹ Interview with Asep, BSI costumers Via Telepon Oktober 31, 2022

³⁰ *Ibid.*

The calculation is by the initial agreement with the bank, but the customer asks the bank to provide a discount. Then the Kedaton KCP Bank gave a discount of 5%, namely: 16,590,000, so the total that Pak AS had to pay was 315,210,000.³¹

Table 3
US Customer Data

Customer Data	Information
Selling price	550.000.000
Margin Bank	6% (33.000.000)
Price at contract	583.000.000
DP	30.000.000
Installments/month	4.608.333
Tenor	10 years (120 months)
Installments come in	221.200.000 (48)
Remaining instalments	331,800,000 (72 months)
Piece	5% (16.590.000)
Remaining to be paid	315.210.000

From the statement above, regarding the submission of a discount in financing murabahah to BSI there are differences between the two sides, the reasons for the differences in this snippet is:

- a. At the time of monthly payments, Pak WA often delays payments, and so double payments in the next month.

- b. AS (4 years) first repayment period, while WA (6 years).³²

4. Cut Practice Analysis In the Contract Murabahah at BSI Bandar Lampung with DSN MUI fatwa No.23/DSN-MUI/III/2002

In terms of contract Murabahah regarding the deduction of repayment before maturity is reviewed based on the DSN-MUI fatwa Number: 23/DSN-MUI/ III/2002 that repayment is an installment payment paid according to a mutually agreed timeframe. Meanwhile, settlement before maturity is the total selling price that must be paid monthly but is settled before the contract expires (maturity). In paying off before maturity, BSI provides separate provisions in providing reductions or discounts in installment payment payments.³³

Pillars in the contract Murabahah at BSI KCP Kedaton:

- a. *Aqid* (transaction person), In this case, WA and AS as mortgage customers, and BSI as the party financing the mortgage are legally competent people (*Mukallaf*) because they are mature, sensible, and intelligent so that they can legally enter into a financing agreement in Murabaha.

³² Interview with Andre, Marketing Financing AO (Account Officier) BSI KCP Kedaton Augustus 24, 2022

³³ Fatin Dinana, Sobrotul Imtikanah, Fadli Hudaya, Implementasi Fatwa DSN MUI Tentang Murabahah Pada Produk Armadaku Di KSPPS BMT Bahtera, Jurnal Neraca Volume 18 Nomor 1 Bulan Juni Tahun 2022. DOI: <https://doi.org/10.48144/neraca.v18i1.1191>, p. 71

³¹*Ibid.*

b. *Sighat* (yes to accept), In consent and qabul several conditions must be met, namely:

- 1) There is clarity from both parties in this case between the customer and BSI.
- 2) There is compatibility between consent and qabul
- 3) Ijab and qabul (performed in one majlis) at BSI KCP Kedaton.

c. *Ma'qud 'alayh* (transaction object, namely prices and goods)

- 1) The bank will do the contract wakalah first. The bank will authorize the customer to buy a house according to the agreement, where the bank will provide funds in a savings account in the name of the customer which will then be used to purchase a house from the developer.
- 2) The customer buys a house from the developer as a representative from BSI
- 3) After finding the desired house, the customer must notify the bank by bringing a letter of offer from the developer. Then the bank will check whether the house taken by the customer is to the agreed terms or not. If it is appropriate, the bank will approve the financing.
- 4) If the prospective customer is eligible to be given the financing, the bank and the prospective customer will enter into a contract Murabahah. Then, the customer must make payments according to the agreement in the form of the basic price plus a margin

with an installment scheme according to a predetermined period.

In repayment Murabahah, the customer is subject to the obligation to pay all remaining debts from the contract Murabahah caused by the inside Murabaha, debts arising from the sale and purchase contract, then the goods that have been purchased must be paid according to the purchase price at the time the sale and purchase occurred, it's just that based on the customer's request and for certain considerations, the bank can provide discounts or discounts according to bank policy. The discount was not agreed at the beginning of the contract.³⁴

Home financing on BSI using akad Murabahah. Financing Murabahah is the buying and selling of houses at the original price with an additional agreed profit. BSI KCP Kedaton Bandar Lampung as a seller should already have goods in stock to sell Murabahah. However, in practice, BSI is not leasing which at any time can provide goods needed by customers. Therefore, in practice, customers apply for financing Murabahah at BSI states the items needed and provides receipts as proof that the customer has purchased the items needed. Then BSI provides funds to customers to buy these goods. This financing can also

³⁴ Irham Fachreza Ana, Titik Kritis Pelunasan Sebelum Jatuh Tempo Pembiayaan Properti ; Upaya Mewujudkan Perlindungan Konsumen Sektor Jasa Keuangan Syariah, Jurnal Akuntansi Berkelanjutan Indonesia Vol.1, No.1, Januari 2018, DOI: 10.32493/JABI.v1i1.y2018.p24-42

be referred to as debt for customers. Any financing Murabahah submitted by the customer has been agreed upon when (due date) and how much the fee must be incurred each month as a form of repayment. Even customers are allowed to accelerate repayments before maturity. Referring to the DSN-MUI Fatwa Number: 23/DSN-MUI/III/2002 concerning payment deductions in Murabahah in the stipulation stated: "If the customer is in a transaction Murabahah make payment payments on time or faster than the agreed time. LKS may provide a discount from the payment obligation, provided that it is not agreed upon in the contract."³⁵

So, if there are customers who can accelerate repayments before maturity, they may get a discount from the relevant Syari'ah financial institution. Installment discount murabahah which is given is more oriented to the terms of early repayment while the other two conditions (timely repayment and decreased ability to pay) are not a requirement of the policy. The main reason according to the theoretical review is that early repayment is considered as the customer's achievement in fulfilling his obligations. In reality, the assumption of achievement is more directed to

efforts to attract more financing customers Murabaha.

Finally, the discount on murabahah installments given to financing customers who make accelerated installment payments is not only an appreciation for the customer's achievements in fulfilling their responsibilities but also becomes a promotional event or the allure of murabahah financing in Islamic banks. Implementation of deducting the repayment of a Murabaha contract before maturity does it happen or is it just a promotional tool? In the hadith it is also mentioned Murabaha on the hadith of the Prophet narrated by al-Baihaqi and Ibnu Majah and authenticated by Ibnu Hibban as follows:

From Abu Sa'id Al-Khudri that Rasulullah saw said:

عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ عَنْهُ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ قَالَ: إِذَا الْبَيْعُ عَنْ تَرَاضٍ، رَوَاهُ الْبَيْهَقِيُّ وَابْنُ مَاجَةَ وَصَحَّحَهُ ابْنُ حِبَّانٍ

"On the authority of Abu Saeed Al-Khudri, may God be pleased with him, that the Messenger of God, may God's prayers and peace be upon him and his family, said: "Selling is based on mutual consent". Narrated by Al-Bayhaqi and Ibn Majah and authenticated by Ibn Hibban

"Hadith from Said al-Khudri ra. Verily, the Messenger of God, may God bless him and grant him peace, said: Verily, buying and selling can only be done with the consent of both parties"(HR al-Baihaqi and Ibn Majah and verified by Ibn Hibban)

³⁵ Premi Anggraini, Agung Hari Wibowo, Perhitungan Margin Dalam Penyelesaian Pembiayaan Murabahah Sebelum Jatuh Tempo Pelunasan, Jurnal Iqtishod: Jurnal Pemikiran dan Hukum Ekonomi Syariah Vol. 1 No. 1 (2022): Volume 1 Nomor 1, <https://iqtishod.staimasi.ac.id/index.php/JI/article/view/4>,

Also, the hadith of the Prophet narrated by at-Tabrani in al-Kabir and al-Hakim in al-Mustadrak state that this hadith is authentic in its chain of transmission:

Ibn Abbas narrated that the Prophet, may God prayers and peace be upon him and his family, when he ordered the expulsion of Banu al-Nadir, some of them came to him and said: O Prophet of God, you ordered us to be expelled, and we owe people unresolved debts. Hurry up (Narrated by al-Tabarani and al-Hakim in the manual and corrected it)

روى ابن عباسٍ أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ
لَمَّا أَمَرَ بِإِخْرَاجِ بَنِي النَّضِيرِ جَاءَهُ نَاسٌ مِنْهُمْ، فَقَالُوا:
يَا نَبِيَّ اللهِ، إِنَّكَ أَمَرْتَ بِإِخْرَاجِنَا وَلَنَا عَلَى النَّاسِ
دُيُوءٌ لَمْ تَحَلَّ، فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَآلِهِ
وَسَلَّمَ: ضَعُوا وَتَعَجَّلُوا (رواه الطبري والحاكم في
المستدرک وصححه)

"Ibn Abbas narrated that when the Prophet, peace and blessings be upon him, ordered to evict the Bani Nadir, some of them came and said: "O Prophet of God, you have indeed ordered to evict us while we have debts to people who are not due" So the Messenger of God peace be upon him said: "Give relief and charge faster."(HR at-Tabrani and al-Hakim in the Kitab Mustadrak and he authenticated it)

The fact that occurred at BSI KCP Kedaton regarding the difference in deductions obtained by WA and AS, it can be concluded that the application of pre-payment deductions refers to the DSN-MUI fatwa Number: 23/DSN-MUI/III/2002.

■ Closing

The conclusion from the discussion of this study is that the discount for customers who apply for redemption before maturity in Murabahah KPR financing at BSI KCP Kedaton is that there are differences in the application of pre-payment deductions. The existence of this difference is based on the customer's performance in the transaction of Murabahah makes payment on time or faster than the agreed time and grants the deduction provided that it is not agreed upon in the contract. The size of the discount is left to the bank's policies and considerations. This is in line with the DSN MUI fatwa No. 23/DSN-MUI/III/2002.

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