



Legal Protection for Laundry Service Consumers Against Losses Due to Business Negligence Case Study of Pasclean Laundry

Article	Abstract
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Introduction

The development of urban lifestyles nowadays has driven an increased demand for laundry services.¹ High mobility, busy work activities, and limited time in managing domestic tasks make

¹ Soonpeel Chang, "ASSESSMENT OF INDONESIA'S LEGAL FRAMEWORK FOR HUMAN RIGHTS IN CORPORATE SETTINGS," *Indonesian Law Journal* 17, no. 2 (December 31, 2024): 204–40, <https://doi.org/10.33331/ilj.v17i2.161>; Karimuddin Karimuddin et al., "Bank Interest in the Contemporary Era: Problem of Ad'afan Muda'afah

laundry services a highly sought-after practical solution. This condition has led to the rapid growth of laundry businesses, especially in Medan City, one of the major cities with a high level of community activity. However, behind this development, various legal issues have emerged related to consumer losses due to the negligence of business operators, such as damaged, faded, lost, or swapped clothing with other consumers' belongings. This shows the importance of adequate legal protection for laundry service consumers.²

Legally, the relationship between laundry service providers and consumers is a legal relationship that arises from a service agreement. In practice, this relationship is generally not formalized in the form of a detailed written agreement, but rather only as a simple receipt or acknowledgment.³ This condition has the potential to create ambiguity regarding the rights and obligations of the parties in the event of a loss. However, in civil law, it is emphasized that every valid agreement acts as a law for the parties and must be executed in good faith. Thus, if negligence occurs that harms consumers, the business operator can be held legally accountable.

Legal protection for consumers has been normatively regulated in Law Number 8 of 1999 concerning Consumer Protection.⁴ This law guarantees consumers the right to obtain comfort, safety, and security in using goods and/or services.⁵ Additionally, consumers are also entitled to compensation if the service provided does not meet the agreement or causes loss. In the context of laundry services, the provision emphasizes that business operators are obliged to be responsible for damages, losses, or other forms of harm experienced by consumers due to their negligence.

Furthermore, the responsibility of business operators also includes the obligation to provide appropriate compensation or restitution, whether in the form of a refund, replacement of goods, or other agreed-upon forms. However, in practice, laundry business operators often include liability limitation clauses, such as limiting the compensation value on receipts or other information media. Such clauses have the potential to harm consumers if they are not based on a fair and balanced agreement, and they may also contradict the principles of consumer protection.

In addition to being based on default, the liability of business actors can also be reviewed from the aspect of unlawful acts as regulated in the Civil Code. If the negligence of the business actor meets the elements of fault, loss, and causation, then the consumer is entitled to claim compensation. Thus, the Indonesian legal system has essentially provided a sufficient foundation to protect consumer interests in various forms of legal relationships, including the use of laundry services.⁶

Interpretation in Determining Law of Usury," *MILRev: Metro Islamic Law Review* 3, no. 1 (April 4, 2024): 43, <https://doi.org/10.32332/milrev.v3i1.8948>.

² Ashadi L Diab et al., "Safeguarding Consumers: The Role of Industry and Trade Office in Countering Monopolistic Practices and Ensuring Business Protection," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, 2023, 299–312.

³ Rizky Mahesa, Moh. Taufik, and Erwin Aditya Pratama, "Perlindungan Konsumen Terhadap Perjanjian Kontraktual Usaha Laundry," *Jurnal Ekonomi Bisnis, Manajemen Dan Akuntansi* 3, no. 1 SE-Articles (April 3, 2024): 197–208, <https://doi.org/10.61930/jebmak.v3i1.562>.

⁴ Sri Walny Rahayu and Syahrizal Abbas, "A Synergy of Halal Tourism Regulations and Tourism Rights Protection in Aceh: Pentahelix Model," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 3 (August 2024): 1454–75, <https://doi.org/10.22373/sjhk.v8i3.23495>.

⁵ Muhammad Shajaros Akhmal and Hendi Sastra Putra, "CONSUMER LEGAL PROTECTION FOR LAUNDRY SERVICES IN BENGKULU CITY," n.d.

⁶ Salsabila Budi Arifah, Erna Susanti, and Amsari Damanik, "Consumer Protection Against Exoneration Clauses in Laundry Service Notes in Samarinda City," *LEGAL BRIEF* 13, no. 4 (2024): 1035–42.

Nevertheless, the implementation of legal protection in practice still faces various obstacles. Many consumers do not yet understand their rights, so they tend to accept losses without taking legal action. On the other hand, laundry business operators often do not have a sufficient understanding of their legal obligations, resulting in them not providing proportional compensation. This situation is exacerbated by the lack of supervision from local governments and the absence of uniform operational standards in the laundry business. As a result, dispute resolution is more often conducted informally without providing clear legal certainty for the parties involved.⁷

Based on the aforementioned description, research on legal protection for laundry service consumers against losses due to business negligence, particularly at Pasclean Laundry in Medan City, becomes important to conduct. This research is expected to provide a comprehensive understanding of the forms of legal responsibility of business operators, the legal basis governing it, and the dispute resolution mechanisms that can be pursued. In addition, the results of this research are expected to contribute to raising legal awareness for both business actors and consumers, thereby creating a legal relationship that is fair, transparent, and provides legal certainty.

Method

The research method used in this study is the empirical juridical method with a statutory approach and a case approach.⁸ The juridical approach is conducted to examine and analyze the legal provisions governing the liability of business actors for consumer losses, particularly from the perspective of consumer protection law. Meanwhile, the empirical approach is used to understand how these legal norms are applied in practice, specifically in laundry businesses in Medan City, with a case study focus on Pasclean Laundry. Thru the combination of these two approaches, this research aims to obtain a comprehensive picture of the alignment between the applicable legal provisions and their implementation in the field. The types of data used in this research consist of primary and secondary data. Primary data were obtained thru direct interviews with consumers using laundry services and laundry business operators in Medan City. The interviews were conducted in a structured manner to obtain information regarding the forms of negligence, types of losses experienced by consumers, and the dispute resolution mechanisms pursued by the parties. As for secondary data, it is obtained thru literature study, which includes primary, secondary, and tertiary legal materials. Primary legal materials encompass regulations related to consumer protection and business operator responsibilities, while secondary legal materials consist of scientific literature such as books, journals, and previous research relevant to the research topic. Tertiary legal materials are used as supplementary materials to provide additional explanations for primary and secondary legal materials. Data collection techniques were carried out thru documentation study, observation, and interviews. Documentation study was used to examine documents related to laundry business practices, such as transaction receipts, agreements, and internal policies of the business operators. Observation was conducted

⁷ Muhammad Hadi et al., "Toward a Holistic Legal Framework for Effective Waqf Implementation: Integrating Islamic Socio-Economic Models," *Volkgeist: Jurnal Ilmu Hukum Dan Konstitusi*, April 18, 2025, 15–42, <https://doi.org/10.24090/volkgeist.v8i1.12590>.

⁸ John W Creswell and Cheryl N Poth, *Qualitative Inquiry and Research Design: Choosing among Five Approaches* (Sage publications, 2016).

to directly observe the laundry service process in order to obtain a factual picture of the business operations. Next, the collected data is analyzed qualitatively thru the processes of data reduction, data presentation, and conclusion drawing. The analysis was conducted by grouping the data based on the research problems, then systematically interpreting it to draw conclusions regarding the legal responsibility of laundry business operators for consumer losses due to negligence in the city of Medan.

Result and discussion

Regulation and Implementation of Legal Responsibility of Laundry Business Operators for Consumer Losses in the Perspective of Consumer Protection Law

Regulations regarding the responsibility of business actors for consumer losses in the Indonesian legal system have essentially been comprehensively accommodated, especially thru Law Number 8 of 1999 on Consumer Protection.⁹ This law emphasizes that business actors are obliged to be responsible for losses suffered by consumers due to the use of goods and/or services produced or traded. In the context of laundry services, the legal relationship between the business operator and the consumer is a contractual relationship arising from a service agreement, whether written or unwritten. Therefore, any form of negligence committed by the business operator that results in loss to the consumer can lead to legal consequences in the form of an obligation to provide compensation.¹⁰

Normatively, the liability of business actors in consumer protection law adheres to the principle of fault liability, where business actors can be held accountable if there is proven evidence of fault, loss, and a causal relationship between the two. In addition, in certain practices, there is also a tendency to apply the principle of strict liability, particularly in cases of losses arising from services that do not meet the required standards. Thus, laundry business operators have a legal obligation to ensure that the services provided do not cause harm to consumers.¹¹

In laundry business practices, forms of negligence that often occur include mistakes in the washing process, such as the use of inappropriate chemicals that cause clothes to fade or get damaged, negligence in sorting that results in clothes being mixed up, and even the loss of consumer belongings. In addition, delays in completion without clear notification can also be categorized as a form of breach of contract regarding the agreed-upon service. These forms of negligence are essentially violations of the business operator's obligation to provide good, correct, and honest service as regulated by consumer protection law.¹²

⁹ Colin Scott, "Enforcing Consumer Protection Laws," in *Handbook of Research on International Consumer Law, Second Edition* (Edward Elgar Publishing, 2018), <https://doi.org/10.4337/9781785368219.00023>.

¹⁰ Iain Ramsay, *Consumer Law and Policy: Text and Materials on Regulating Consumer Markets* (Bloomsbury Publishing, 2012).

¹¹ Shintia Alvernia Gorrettie Gijoh, "Awareness and Implementation of Consumer Protection Law in the Service Sector of Tomohon," *Santhet (Jurnal Sejarah Pendidikan Dan Humaniora)* 9, no. 3 (June 24, 2025): 940–51, <https://doi.org/10.36526/santhet.v9i3.5575>.

¹² Enrique Martin Rustandi and Bernadetta Tjandra Wulandari, "LEGAL PROTECTION ASPECTS OF PRICE GOUGING PRACTICES IN TOURIST DESTINATIONS FROM A CONSUMER PROTECTION LAW PERSPECTIVE," *PRANATA HUKUM* 19, no. 2 (July 31, 2024): 132–42, <https://doi.org/10.36448/pranatahukum.v19i2.351>.

From the perspective of consumer protection law, consumers have a number of fundamental rights that must be protected, including the right to comfort, safety, and security in using services, as well as the right to obtain accurate, clear, and honest information regarding the conditions and guaranties of the services provided. Additionally, consumers are also entitled to compensation, reimbursement, or replacement if the services received do not meet the agreement or cause loss. These rights are a manifestation of the principles of justice, balance, and legal certainty that form the basis of consumer protection.¹³

However, in practice, there is still often an imbalance of positions between business operators and consumers.¹⁴ Laundry business operators often include standard clauses that limit their liability, for example, by setting a relatively low maximum compensation limit or even transferring the risk entirely to the consumer. Such clauses have the potential to conflict with consumer protection laws that prohibit standard clauses that harm consumers. Therefore, the existence of such a clause should be deemed to have no binding legal effect if it is proven to unfairly disadvantage consumers.¹⁵

In the perspective of civil law, the liability of the business operator can also be examined thru the concepts of default and unlawful acts.¹⁶ Default occurs when the business operator fails to fulfill the obligations as promised, for example, failing to maintain the security of consumer goods. Meanwhile, unlawful acts can occur if the negligence of the business operator causes losses that violate consumer rights, whether due to intent or negligence. In both cases, consumers have the right to demand compensation as a form of recovery for the losses incurred.

The application of legal responsibility by laundry business operators in the field, particularly at Pasclean Laundry in Medan City, shows that the resolution of consumer losses is generally done amicably. Business operators usually provide compensation in the form of partial value replacement of the item or a free rewash. However, this compensation often does not match the losses experienced by consumers, especially if the damaged or lost item has a high economic value. This indicates that the implementation of legal protection has not yet been fully optimal.¹⁷

This condition also reflects the still low legal awareness from both business actors and consumers.¹⁸ Consumers tend to accept losses without asserting their legal rights, while business operators have not fully understood their legal obligations in providing protection to consumers. In addition, the lack of government oversight and the absence of standardized operational procedures in the laundry business further weaken the enforcement of legal responsibilities in this sector.

¹³ Colin Scott and Julia Black, *Cranston's Consumers and the Law* (Cambridge University Press, 2000).

¹⁴ Suhadi Suhadi, Dani Muhtada, and Andi Gazly Satrya Amal, "Legal Reconstruction of the Establishment of Places of Worship in Indonesia: A Legal-Political Analysis within the Framework of Land Use and Spatial Planning Law," *Journal of Indonesian Legal Studies* 9, no. 2 (December 21, 2024): 1181–1208, <https://doi.org/10.15294/jils.v9i2.19162>. yet the regulatory framework governing such establishments remains insufficiently codified. Currently, the guidelines for the establishment of places of worship are outlined in the Joint Regulation of the Minister of Religious Affairs and Minister of Home Affairs Number 9 and Number 8 of 2006 (PBM 2006

¹⁵ Geraint Howells and Stephen Weatherill, *Consumer Protection Law* (Routledge, 2017).

¹⁶ Joko Sutopo, "Legal Protection of Professional Teacher in Criminal Law Perspective," *International Journal of Business, Economics and Law* 20, no. 5 (2019): 258–64.

¹⁷ Susan L Rutledge, "Consumer Protection and Financial Literacy," 2010.

¹⁸ Michael Trebilcock, "Rethinking Consumer Protection Policy," 2003.

It can be concluded that normatively, the regulation of the responsibilities of laundry business operators has been clearly outlined in consumer protection law and civil law.¹⁹ However, in its implementation, there are still various obstacles that prevent consumer protection from being effective. Therefore, efforts to increase legal awareness, strengthen technical regulations, and optimize supervision are needed to ensure that consumer rights are protected fairly and proportionally.

Effectiveness of Dispute Resolution Mechanisms and Challenges in Legal Protection for Laundry Service Consumers

The mechanism for resolving disputes between businesses and consumers is essentially clearly regulated within the Indonesian legal system²⁰, particularly thru Law Number 8 of 1999 concerning Consumer Protection.²¹ This law provides options for dispute resolution thru both litigation (court) and non-litigation channels, such as thru the Consumer Dispute Settlement Agency (BPSK) or resolution thru deliberation. In the context of laundry services, dispute resolution mechanisms are generally more often carried out thru non-litigation channels with a familial approach, considering the relatively small value of the loss and the efficiency of time and cost.

In practice, especially at Pasclean Laundry in Medan City, dispute resolution between business operators and consumers is more often conducted thru direct negotiation. Consumers who experience losses usually submit complaints to the laundry, and then the business operator provides compensation in the form of partial reimbursement of the item's value, a free rewash, or another form of resolution that is agreed upon. This mechanism essentially reflects the principle of peaceful dispute resolution (alternative dispute resolution) which emphasizes the agreement of the parties involved.²²

However, the effectiveness of the dispute resolution mechanism still needs to be questioned. This is due to several factors, including the absence of clear standards regarding the amount of compensation, the lack of detailed written agreements, and the weak bargaining position of consumers in the negotiation process. In many cases, consumers tend to accept the compensation offered by businesses even tho it is not proportional to the losses incurred. This condition indicates that the existing dispute resolution mechanism has not yet fully provided optimal legal protection for consumers.²³

¹⁹ Habib Ismail, Dani Amran Hakim, and Muhammad Lutfi Hakim, "The Protection of Indonesian Migrant Workers under Fiqh Siyasah Dusturiyah," *Lentera Hukum* 8, no. 1 (April 24, 2021): 151, <https://doi.org/10.19184/ejhl.v8i1.18725>.

²⁰ Kartono Kartono et al., "Cultural Heritage Protection and Revitalization of Its Local Wisdom: A Case Study," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, September 29, 2024, 245–61, <https://doi.org/10.24090/volksgeist.v7i2.11281>.

²¹ Carol Brennan et al., "Consumer Vulnerability and Complaint Handling: Challenges, Opportunities and Dispute System Design," *International Journal of Consumer Studies* 41, no. 6 (November 30, 2017): 638–46, <https://doi.org/10.1111/ijcs.12377>.

²² Ursa Jeretina and Alan Uzelac, "Alternative Dispute Resolution for Consumer Cases: Are Divergences an Obstacle to Effective Access to Justice?," *Int'l Pub. Admin. Rev.* 12 (2014): 39.

²³ Laura Nader, "Disputing without the Force of Law," *The Yale Law Journal* 88, no. 5 (April 1979): 998, <https://doi.org/10.2307/795825>.

From the perspective of consumer protection law, dispute resolution should ensure that consumer rights are fulfilled fairly and proportionally. Consumers have the right to receive fair compensation for the losses they have suffered, as well as the right to be treated honestly and without discrimination. Furthermore, the principles of justice, balance, and legal certainty must be the foundation of every dispute resolution process. Therefore, a dispute resolution mechanism that relies solely on informal agreements without a clear basis has the potential to harm consumers.²⁴

On the other hand, dispute resolution thru formal channels such as BPSK or the courts is relatively rarely used in laundry service cases. This is due to several obstacles, such as the lack of consumer knowledge regarding the mechanism, the assumption that the process is complicated and costly, and the perceived value of the loss not being worth the effort required. As a result, many disputes are not resolved thoroughly and do not deter negligent business operators.

In addition to the issue of the effectiveness of dispute resolution mechanisms, there are also various obstacles in the implementation of legal protection for laundry service consumers.²⁵ One of the main obstacles is the low level of legal awareness among consumers. Many consumers are unaware of their rights as stipulated in consumer protection laws, so they do not take legal action when they suffer losses. On the other hand, laundry business operators often do not adequately understand their legal obligations, including the obligation to provide appropriate compensation.²⁶

Another obstacle is the use of standard clauses that limit the liability of business operators, such as disproportionate compensation limits. These clauses are often included without a balanced agreement between the parties, potentially contradicting the principle of consumer protection.²⁷ In addition, the absence of standardized operational procedures in the laundry business also leads to differences in service quality and dispute resolution mechanisms among the various business operators.²⁸

External factors such as the lack of supervision from local governments also contribute to the weak legal protection for consumers.²⁹ The lack of technical regulations and oversight causes business operators to run their businesses without clear standards, increasing the potential for negligence and disputes. This condition shows that legal protection does not only depend on normative rules, but also on the effectiveness of implementation and supervision in the field.

²⁴ Tanya Woker, "Consumer Protection and Alternative Dispute Resolution," *SA Mercantile Law Journal* 28, no. 1 (2016): 21–48.

²⁵ Farkhani Farkhani et al., "Legal Protection of Minority Rights: Study on the Implementation of Qanun Number 6 of 2014 Concerning the Jinayat Law in Langsa City, Aceh Special Region Province," *Al-Manahij: Jurnal Kajian Hukum Islam* 17, no. 2 SE-ARTICLES (October 31, 2023): 215–32, <https://doi.org/10.24090/mnh.v17i2.7897>.

²⁶ Yosua Nicholas Tan, Abdurrahman Alhakim, and Nurlaily Nurlaily, "Human Rights Protection in the Digital Sphere: The Problematics of Legal Certainty and Its Relevance to the SDGs," *SIGn Jurnal Hukum* 8, no. 1 (April 6, 2026): 18–31, <https://doi.org/10.37276/sjh.v8i1.652>.

²⁷ W. Suyadi. Budoyo, S., Widodo, "Legal Protection for Teachers from the Threat of Criminalization in Instilling Student Discipline," *Pandecta Research Law Journal* 19, no. 1 (June 30, 2024), <https://doi.org/10.15294/pandecta.vol19i1.1046>.

²⁸ Satrio Ageng Rihardi et al., "REVISING THE CONCEPT OF HEARINGS THROUGH THE 'PROCEEDINGS DISMISSAL' MECHANISM FOR THE RESOLUTION OF CONSUMER DISPUTES AT THE CONSUMER DISPUTE RESOLUTION BOARD (BPSK)," *Veredas Do Direito* 23, no. 8 (May 13, 2026): e236209, <https://doi.org/10.18623/rvd.v23.6209>.

²⁹ Hariyanto Hariyanto, Idamatussilmi Idamatussilmi, and Daud Rismana, "The Government's Role in Legal Protection of Land Ownership: Urutsewu Case," *Legality: Jurnal Ilmiah Hukum* 32, no. 2 (August 6, 2024): 277–91, <https://doi.org/10.22219/ljih.v32i2.34254>.

Thus, it is concluded that the dispute resolution mechanism in laundry services is not yet fully effective in providing legal protection for consumers in practice. This is due to various obstacles, both from the consumer side, business operators, and the supervision system. Therefore, efforts are needed to raise legal awareness, establish clear operational standards, limit the use of standard clauses that harm consumers, and strengthen the government's role in supervision. With these measures, it is hoped that legal protection for laundry service consumers can be realized optimally, fairly, and provide legal certainty.³⁰

Conclusion

Based on the discussion results, it can be concluded that the regulation regarding the legal responsibility of laundry business operators for consumer losses has essentially been clearly stipulated in Law Number 8 of 1999 concerning Consumer Protection and civil law provisions. Business operators are obliged to be responsible for losses arising from their negligence, whether in the form of damage, loss, or delay in service. However, in practice, the implementation of that responsibility has not been fully optimal, as evidenced by the still-existing compensation that is not proportional to the consumer's loss and the use of standard clauses that tend to disadvantage consumers. The mechanism for resolving disputes between laundry business operators and consumers is generally conducted non-litigiously thru a familial approach or direct negotiation. Although this mechanism is considered faster and more efficient, its effectiveness in providing legal protection is still limited due to the lack of clear standards and the weak bargaining position of consumers. In addition, formal channels such as the Consumer Dispute Settlement Agency (BPSK) and the courts are rarely utilized due to various obstacles, such as a lack of legal understanding, cost factors, and relatively small loss values. Overall, legal protection for laundry service consumers has not been effective. This is due to the low legal awareness of consumers, the lack of understanding among business operators regarding their legal obligations, the use of disproportionate liability limitation clauses, and the minimal government oversight. Therefore, efforts are needed to enhance legal education for the public, enforce regulations more strictly, and establish operational standards for laundry businesses to ensure the realization of fair, balanced, and legally certain consumer protection.

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³⁰ Sahat Maruli Tua Situmeang, Athari Farhani, and Subagyo Sri Utomo, "Human Rights Protection Related to Arrest, Detention, and Judicial Remedies: A Comparative Legal Study of Indonesia, Saudi Arabia, and Egypt," *Lex Scientia Law Review* 10, no. 1 (May 7, 2026): 1925–64, <https://doi.org/10.15294/lslr.v10i1.30553>.

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