

ABSTRAK

Rian Hidayat NIM E.180055 “Eksekusi Hak Tanggungan Dalam Penyelesaian Kredit Macet Melalui Kantor Pelayanan Kekayaan Negara Dan Lelang Bogor”. Skripsi Program Studi Hukum, Fakultas Hukum Universitas Djuanda Bogor 2022.

Penelitian Hukum ini terdapat identifikasi masalah yaitu bagaimana pelaksanaan eksekusi hak tanggungan melalui kantor pelayanan kekayaan negara dan lelang (KPKNL) Bogor dan bagaimana perlindungan hukum terhadap kreditur pemegang hak tanggungan. Penelitian ini bertujuan untuk mengetahui dan mengkaji mengenai pelaksanaan eksekusi hak tanggungan di kantor pelayanan kekayaan negara dan lelang (KPKNL) Bogor. Untuk mengetahui dan mengkaji hambatan pelaksanaan eksekusi hak tanggungan pada kantor pelayanan kekayaan negara dan lelang (KPKNL) Bogor. Penelitian ini menggunakan pendekatan Yuridis Normatif yaitu penelitian yang dilakukan berdasarkan bahan hukum utama dengan cara meneleah teori-teori, konsep-konsep, asas-asas, hukum serta peraturan perundang-undangan yang berhubungan dengan penelitian ini. Hasil penelitian ini menunjukkan Pelaksanaan lelang eksekusi hak tanggungan di Kantor Pelayanan Kekayaan Negara dan Lelang (KPKNL) Bogor telah dilakukan sesuai dengan Peraturan Menteri Keuangan No.213/PMK.06/2020, Eksekusi Hak Tanggungan di KPKNL Bogor menerima dan mendisposisi surat permohonan lelang beserta lampirannya. Kepala Seksi Pelayanan Lelang menerima, meneliti, dan mendisposisi permohonan lelang beserta lampirannya. Pelaksana lelang mencatat permohonan lelang dalam buku register permohonan lelang. Apabila sudah lengkap pelaksana membuat konsep surat penetapan jadwal lelang (SPJL), yang disampaikan kepada Kepala Seksi Pelayanan Lelang untuk diteliti dan diparaf. Selanjutnya Kepala KPKNL Bogor meneliti dan menandatangani surat penetapan jadwal lelang (SPJL). Hambatan-hambatan pelaksanaan eksekusi hak tanggungan di Kantor Pelayanan Kekayaan Negara dan Lelang (KPKNL) Bogor antara lain, Tidak terbitnya SKPT menyebabkan lelang tidak bisa dilaksanakan, karena SKPT merupakan salah satu syarat yang harus dipenuhi sebelum pelaksanaan lelang. SKPT terbit namun terlambat, pelaksanaan lelang menjadi terhambat, karena harus menunggu sampai SKPT terbit. Dalam syarat pelaksanaan lelang seharusnya tidak perlu lagi di butuhkan Surat Keterangan Pendaftaran Tanah karena Sertifikat Hak Tanggungan seharusnya sudah memenuhi keyakinan bahwa objek hak tanggungan itu ada.

Kata Kunci : *Eksekusi Hak Tanggungan, Kredit Macet, Debitu*

ABSTRACT

Rian Hidayat NIM E.180055 "Execution of Mortgage Rights in the Settlement of Bad Loans at the Bogor State Asset and Auction Service Office". Thesis of the Legal Studies Program, Faculty of Law, Djuanda University, Bogor 2022.

In this legal research there is an identification of problems, how the execution of mortgage rights is carried out through the Bogor State Property and Auction Service Office (KPKNL) and how the legal protection is for creditors holding mortgage rights.. To find out and examine the obstacles to the execution of mortgage rights at the Bogor State Assets and Auction Service Office (KPKNL). This study uses a normative juridical approach, namely research conducted based on the main legal material by examining theories, concepts, principles, laws and regulations related to this research. The results of this study show that the implementation of the Mortgage Execution auction at the Bogor State Property and Auction Service Office (KPKNL) has been carried out in accordance with the Minister of Finance Regulation No. auction and its attachments. The Head of the Auction Service Section receives, examines, and disposes of the auction application and its attachments. The auctioneer shall record the auction application in the auction application register book. When it is complete, the executor makes a draft of a letter of determination of the auction schedule (SPJL), which is submitted to the Head of the Auction Service Section to be researched and initialed. Furthermore, the Head of the Bogor KPKNL examined and signed the letter of determination of the auction schedule (SPJL). Obstacles to the execution of mortgage rights at the Bogor State Property and Auction Service Office (KPKNL), among others, the non-issue of the SKPT caused the auction to not be carried out, because the SKPT is one of the requirements that must be met before the auction. The SKPT was issued but late, the auction was hampered, because they had to wait until the SKPT was issued. In the terms of the auction, there should no longer be a need for a Land Registration Certificate because the Mortgage Certificate should have fulfilled the belief that the mortgage object exists.

Keywords : Mortgage Execution, Bad Credit, Debtor