

ABSTRAK

Penulisan hukum dengan judul “Pelaksanaan Lelang Eksekusi Obyek Hak Tanggungan di Kantor Pelayanan Kekayaan Negara dan Lelang (KPKNL) Semarang”, bertujuan untuk mengetahui proses pelaksanaan lelang eksekusi obyek hak tanggungan di KPKNL Semarang dan untuk mengetahui hambatan dan solusi dalam proses pelaksanaan lelang eksekusi obyek hak tanggungan di KPKNL Semarang.

Penelitian ini menggunakan spesifikasi penelitian deskriptif-analisis. Jenis penelitian yang dilakukan memakai pendekatan hukum yuridis-sosiologis yaitu mengutamakan hasil wawancara. Jenis data yang dipergunakan meliputi primer dan data sekunder. Teknik pengumpulan data yang dipergunakan yaitu kepustakaan dan penelitian lapangan berupa wawancara. Analisis data dalam penelitian ini menggunakan analisis normatif deskriptif yakni menggambarkan tentang tinjauan yuridis mengenai Pelaksanaan Lelang Obyek Hak Tanggungan. Penelitian ini mengambil lokasi di Kantor Pelayanan Kekayaan Negara dan Lelang (KPKNL) Semarang.

Pelaksanaan lelang eksekusi obyek hak tanggungan di KPKNL Semarang terdiri dari tiga tahap, yaitu tahap pralelang, tahap pelaksanaan lelang, dan tahap pascালেlang. Pada tahap pralelang meliputi mengajukan permohonan lelang, penetapan hari dan tanggal lelang, dan pengumuman lelang. Dalam tahap pelaksanaan lelang, hal yang perlu diperhatikan yaitu jenis lelang berdasarkan cara pelaksanaannya., tata cara lelang., peserta lelang. penawaran pembatalan lelang, penetapan pemenang lelang. biaya lelang dan risalah lelang. Tahap Pasca lelang terdiri dari pengembalian uang jaminan dan peralihan hak atas tanah. Setelah pemenang ditentukan, uang jaminan akan dikembalikan kepada peserta lelang yang tidak memenangkan lelang. Dan peralihan hak atas tanah obyek hak tanggungan yang dilelang menjadi tanggung jawab pembeli. Hambatan dalam Pelaksanaan Lelang Eksekusi Obyek Hak Tanggungan di KPKNL Semarang, yaitu : Gugatan atau Perlawanan lelang, selanjutnya Pengosongan tanah atau bangunan, lalu Barang tidak marketable atau sulit dijual, dan Persiapan yang kurang matang dalam pemasaran lelang, yang terakhir Obyek lelang tidak sama dengan dokumen obyek lelang.

Kata kunci : Pelaksanaan Lelang, Hambatan Lelang, Hak Tanggungan

ABSTRACT

Legal writing with the title "Implementation of the Auction for Underwriting Right Object Execution at the State Wealth and Auction Service Office (KPKNL) Semarang", aims to find out the auction process for execution of objects of mortgages in KPKNL Semarang and to identify obstacles and solutions in the process of implementing object rights dependents at KPKNL Semarang.

This study uses the specification of descriptive analysis. The type of research carried out using the juridical-sociological legal approach is prioritizing the results of interviews. The type of data used includes primary and secondary data. Data collection techniques used are literature and field research in the form of interviews. Data analysis in this study uses descriptive normative analysis, which describes the juridical review of the implementation of the auction rights object. This research took place at the Office of State Wealth Services and Auctions (KPKNL) Semarang.

The auction execution of objects of mortgages in KPKNL Semarang consists of three stages, namely the pre-auction stage, the stage of the auction, and the post-auction phase. At the pre-auction stage, it includes submitting an application for auction, determination of day and date of auction, and announcement of auction. In the stage of auction implementation, things that need to be considered are the type of auction based on the way it is carried out, auction procedures, auction participants, bidding for cancellation of auction, determination of winner of auction, auction fees and auction minutes. The Post-auction stage consists of returning the security deposit and transfer of land rights. After the winner is determined, the security deposit will be returned to the bidders who did not win the auction. And the transfer of rights to the object of the mortgages auctioned is the responsibility of the buyer. Obstacles in the Implementation of Auction Execution of Mortgage Rights Objects at KPKNL Semarang, namely: Claims or Resistance auctions, then Emptying land or buildings, then Goods not marketable or difficult to sell, and Preparations that are less mature in auction marketing, the latter Object auction is not the same as documents auction object.

Keywords: Implementation of Auctions, Barriers to Auctions, Mortgage Rights