

ABSTRAK

Denaya Aprinata (01656190013)

LEGALITAS PROSES PERALIHAN KREDIT PEMILIKAN RUMAH YANG MASIH DALAM PEMASANGAN HAK TANGGUNGAN

(xi + 107 halaman)

Tesis ini membahas tentang peralihan kredit pemilikan rumah yang masih dalam pemasangan Hak Tanggungan, dimana masih banyak masyarakat awam yang belum paham mengenai peralihan Kredit Pemilikan Rumah (KPR) sesuai dengan peraturan perundang-undangan. Tujuan penelitian ini adalah untuk mengetahui legalitas proses peralihan KPR yang telah dipasang Hak Tanggungan dan mengetahui kepastian hukum bagi kreditur baru dalam proses peralihan KPR. Penelitian ini merupakan penelitian hukum dengan metode yuridis normatif, yaitu dengan studi kepustakaan dan didukung dengan hasil wawancara sebagai data pendukung. Hasil yang diperoleh dari penelitian ini adalah peralihan KPR oleh debitur dapat dilakukan dengan cara debitur beralih dari kreditur sebelumnya ke kreditur baru, mengalihkan kepada pihak ketiga selaku pembeli dengan kreditur yang sama, atau dari debitur beralih kepada pihak ketiga selaku debitur baru serta ke kreditur baru. Dari ketiga cara peralihan KPR ini, semuanya harus dilakukan roya atau penghapusan Hak Tanggungan sebelum dilakukan peralihan. Dalam hal terdapat kreditur baru, bank sebagai kreditur baru juga harus mendapatkan kepastian hukum agar proses KPR dapat menguntungkan para pihak.

Referensi : 41 (1976-2017)

Kata kunci: Kredit Pemilikan Rumah, Hak Tanggungan, peralihan.

ABSTRACT

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THE LEGALITY OF THE PROCESS OF HOME CREDIT LOAN TRANSITION WITH BAIL RIGHT COLLATERAL

(xi + 107 pages)

This final project criticize about the transition of home credit loans with bail right collateral, where there are still many people who do not understand about the transition of home credit loan accordance with the laws and regulations. The purpose of this study was to determine the legality of the process of home credit loan transition with bail right collateral and to determine legal certainty for new creditors in the process of home credit loans transition.

This research is a legal research with a normative juridical method, namely by studying literatures and supported by the results of interviews as supporting data. The results obtained from this study are that the transfer of home credit loan by the debtor can be done by transferring to a third party as the buyer or the debtor switching to a new creditor who usually provides more facilities. New creditors must also obtain legal certainty so that the mortgage process can benefit both parties. The results obtained from this study are that the transition of KPR by the debtor can be done by switching the debtor from the previous creditor to the new creditor, transferring to a third party as a buyer with the same creditor, or from the debtor switching to a third party as a new debtor and to a new creditor. Of the three ways of home credit loans transitions, all of them must be done for the roya or crossed out the collateral before the transfer is made. In the event that there is new creditor, the bank as the new creditor must also obtain legal certainty so that the transition of home credit loans can benefit the parties

References : 41 (1976-2017)

Key words: Home Ownership Loans, bail right collateral, transition.