

ABSTRACT

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LEGAL STATUS OF HEIRS RIGHTS TO LAND AND BUILDING OBJECTS TO BE AUCTION BASED ON REGULATION OF THE MINISTER OF FINANCE NUMBER 213/PMK.06/2020 CONCERNING AUCTION IMPLEMENTATION INSTRUCTIONS >>
(XII + 103 pages)

Granting credit can sometimes cause problems, one of which is that the debtor is in a state of default, that is, he is unable to fulfill his obligations in repaying his debt. In this regard, banks as a means of providing funds require legal certainty, one of which is the binding guarantees. The guarantee in this case is a material guarantee, namely the Mortgage Right. Andriawan's breach of contract resulting in Article 6 of Law Number 4 of 1996 concerning Mortgage Rights on Land and Objects Related to Land, the creditor as the Mortgage Holder has the right to sell the Mortgage object through a public auction. The object of the Mortgage in this case is the inheritance of Andriawan's late father to which the object still has the rights of the other heirs. This research was carried out to find out what the legal position is regarding the rights of an heir to land and building objects in the form of inherited assets to be auctioned based on Minister of Finance Regulation Number 213/PMK.06/2020 concerning Instructions for Auction Implementation, as well as to find out legal certainty regarding the rights of an expert inheritance of land and building objects in the form of inherited assets involved in the auction. The type of legal research used is normative legal research with an emphasis on secondary data, both in the form of primary, secondary, and tertiary legal materials. The data collection technique in this study was a literature study using a legal systematic approach and using qualitative data analysis techniques. The results of this study are that the position of the heir is contained in Article 27 of the Minister of Finance Regulation Number 213/PMK.06/2020 concerning Instructions for Implementation of the Auction which states that for the auction to be carried out, the heir can file a lawsuit to stop or slow down the auction process for the Mortgage Right. The legal certainty that can be obtained by the heirs is that an agreement can be made between Andriawan's and other heirs under the Civil Code.

References: 68 (1986-2022)

Keyword: Credit, Inheritance Law, Mortgage Auctions.