

ABSTRACT

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JURIDICAL ANALYSIS OF TRANSFER OF RIGHTS FROM SALE OF LAND BUYING THROUGH CREDIT TAKEOVER IN BOGOR REGENCY (CASE STUDY ON THE DECISION OF COURT OF CIBINONG NUMBER 334/ PDT.G/2017/PN.CBI).

The process of transferring the right to the object of the KPR, that is, a house carried out under the hands of previous debtor to a new debtor (over credit) through a deed of sale and purchase agreement. This study aims to determine the process of transferring rights (behind the name) of land obtained from takeover credit whose seller is unknown and how legal considerations and decisions of the Cibinong District Court Number 334/Pdt.G/2017/PN.Cbi in terms of the Law Book Civil Code and Government Regulation Number 24 of 1997 Concerning Land Registration. The method used in this research is normative juridical. The results of the study explained that in the event of a debtor transfer being carried out under the hand and the debtor of which the domicile was no longer known, the legal settlement step was to file a civil suit in the local District Court, because the Court could decide by his own judgment that the transfer of the debtor was carried out can be authorized or not, as long as the Bank does not question or cancel the sale and purchase. And according to the provisions in articles 1338 and 1320 BW the agreement made by the parties has fulfilled the requirements as a legal agreement, whereas according to the provisions in government regulation number 24 of 1997 about land registration in article 55 paragraph (1), (2) and (3) clearly states that changes in land registration data can be made based on court decisions or decisions reinforced by the regulation of the minister of agrarian state or head of the national land agency number 3 of 1997 about the implementation of government regulation number 24 of 1997 about land registration article 125 paragraph (1), (2) and (3).

Keywords: Transfer of Debtors, Buy-Sell, Take Over Credit, KPR BTN