

**PENYELESAIAN SENGKETA JUAL BELI TANAH DAN BANGUNAN  
YANG DIAGUNKAN  
(Studi Pelaksanaan Jual Beli Tanah dan Rumah Toko Bintang Permata Indah  
Blok C Nomor 2 Tanjungpinang)**

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**Abstrak**

Jual beli Tanah dan Ruko Bintang Permata Indah Blok C Nomor 2 Tanjungpinang, tidak dapat dibuat AJB karena diagunkan. Pembeli sudah melunasi harganya. Menurut Pasal 617 KUHPPerdata akta jual beli benda tak bergerak harus berbentuk otentik. Tidak dapat didaftarkan peralihan hak menurut Pasal 37 ayat (1) Peraturan Pemerintah Nomor 24 Tahun 1997 dan peralihan nama dalam Sertifikat tanah karena tidak ada AJB. Tujuan penelitian untuk mengetahui pelaksanaan jual belinya dan penyelesaian sengketa. Metode penelitian kualitatif. Jenis penelitian normatif empiris dengan pendekatan perundang-undangan dan kasus. Objek penelitian pelaksanaan jual beli tanah dan ruko dan penyelesaian sengketa. Fokus penelitian cara penyelesaian sengketa. Sumber data adalah data primer dan sekunder yang terdiri dari bahan hukum primer, sekunder, dan tersier. Hasil penelitian adalah Pengembang menerapkan tata cara jual beli untuk bangunan dalam tahap pembangunan dengan pembayaran angsuran yang memungkinkan Pengembang menjual tanah dan bangunan yang diagunkan. Sedangkan jual beli tanah dan ruko Bintang Permata Indah Blok C Nomor 2 Tanjungpinang adalah ruko siap huni dengan pembayaran lunas seharusnya dilakukan dihadapan PPAT dan dibuat AJB. Penyelesaian sengketa dengan musyawarah, tidak melibatkan pihak ketiga, membuat aturan penyelesaian sendiri, dan tidak berdasarkan KUHPPerdata, Undang-undang Nomor 30 Tahun 1999 tentang Arbitrase dan Alternatif Penyelesaian Sengketa (APS). Kesimpulan Pengembang menerapkan tata cara jual beli bangunan tahap pembangunan dalam jual beli tanah dan ruko siap huni dengan pembayaran lunas. Penyelesaian sengketa secara musyawarah.

Kata kunci: Sengketa, Jual Beli, Rumah Toko

**SETTLEMENT OF DISPUTE SELLING GUARANTEED LAND AND  
BUILDING**  
*(Study on the Implementation of the Sale and Purchase of Land and Houses at  
Ruko Bintan Permata Indah Block C Number 2 Tanjungpinang)*

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**Abstract**

*The sale and purchase of Land and shop house Bintan Permata Indah Blok C Number 2 Tanjungpinang, cannot be made Deed Of Sale because it is collateral. The buyer has paid the price. According to Article 617 of the Civil Code, the deed of sale and purchase of immovable objects must be authentic. The transfer of rights cannot be registered according to Article 37 paragraph (1) of Government Regulation Number 24 of 1997 and the change of name in the land certificate because there is no Deed Of Sale. The purpose of the study was to determine the implementation of the sale and purchase and settlement of the dispute. Qualitative research methods. This type of empirical normative research with a statutory and case approach. The object of research is the implementation of the sale and purchase of land and shop houses and dispute resolution. The focus of research on how to resolve the dispute. Sources of data are primary and secondary data consisting of primary, secondary, and tertiary legal materials. The result of the research is that the developer applies the buying and selling procedure for buildings under construction with installment payments that allow the developer to sell the land and buildings that are pledged as collateral. Meanwhile, the sale and purchase of land and shop-houses for Bintan Permata Indah Blok C Number 2 Tanjungpinang are shop-houses ready for habitation with payment in full, which should be made before Land Deed Official and made Deed Of Sale. Settlement of disputes by deliberation, does not involve third parties, makes rules for self-resolution, and is not based on the Civil Code, Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution. Conclusion The developer applies the procedures for buying and selling buildings at the construction stage in the sale and purchase of land and shop houses ready for habitation with payment in full. Settlement of disputes by deliberation.*

*Keywords: Dispute, Buy and Sell, Shop House*