

RINGKASAN

**INTAN RAHMANIAR IZZATI
NIM 210510188**

**JUAL BELI TANAH YANG BELUM
BERSERTIFIKAT DI GAMPONG COT
TRIENG MUARA SATU KOTA
LHOKSEUMAWE
(Dr. Herinawati, S.H., M.Hum. dan Dr.
Ramziati, S.H., M.Hum.)**

Jual beli tanah menurut Peraturan Pemerintah Nomor 24 Tahun 1997 tentang Pendaftaran Tanah harus melalui PPAT dan harus didaftarkan ke BPN, namun di Gampong Cot Trieng terjadi sengketa antara penjual dan pembeli tanah yang belum bersertifikat, saat awal perjanjian jual beli tanah, penjual sudah mengetahui tanah ini belum ada sertifikat, maka saat penjual sedang mengurus sertifikat, namun pembeli meminta secara paksa dan terjadi keributan, sehingga akhirnya bisa diselesaikan secara kekeluargaan di Gampong Cot Trieng Muara Satu Kota Lhokseumawe.

Penelitian ini bertujuan untuk menganalisis proses jual beli tanah yang belum bersertifikat di Gampong Cot Trieng, hambatan dan upaya yang dilakukan dalam jual beli tanah yang belum bersertifikat di Gampong Cot Trieng Muara Satu Kota Lhokseumawe.

Metode penelitian ini menggunakan pendekatan yuridis empiris dengan sifat deskriptif analitis. Penelitian ini dilakukan di Gampong Cot Trieng, Kecamatan Muara Satu, Kota Lhokseumawe. Data diperoleh melalui wawancara. Data yang terkumpul dianalisis secara kualitatif melalui tahapan pengumpulan, reduksi, penyajian, hingga penarikan kesimpulan.

Hasil penelitian ini menunjukkan bahwa hambatan utama terletak pada rendahnya kesadaran masyarakat terhadap pentingnya administrasi pertanahan, ditambah dengan ketiadaan sertifikat pecahan yang membuat peralihan hak atas tanah tidak dapat dicatat secara resmi sesuai ketentuan UUPA dan peraturan pelaksanaannya. Upaya penyelesaian dilakukan melalui mediasi di tingkat gampong dengan melibatkan Geuchik, Tuha Peut, dan perangkat desa lain yang menghasilkan kesepakatan bahwa penjual menanggung biaya pengurusan sertifikat sebagai langkah untuk memperjelas status kepemilikan dan mencegah timbulnya sengketa di kemudian hari.

Disarankan agar setiap transaksi tanah di Indonesia mengikuti pedoman, tidak hanya di Gampong Cot Trieng dicatat resmi melalui PPAT, aparat gampong bekerja sama dengan BPN untuk sosialisasi pentingnya sertifikat, serta hasil mediasi dituangkan dalam berita acara tertulis sebagai dasar pengurusan sertifikat guna memperkuat bukti hukum dan mencegah sengketa.

Kata Kunci : Jual Beli Tanah, Sertifikat, Kepastian Hukum, Gampong.

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SUMMARY
THE SALE AND PURCHASE OF
UNCERTIFIED LAND IN GAMPONG
COT TRIENG MUARA SATU,
LHOKSEUMAWE CITY
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The sale and purchase of land according to Government Regulation Number 24 of 1997 concerning Land Registration must be carried out through a PPAT (Land Deed Official) and must be registered with the BPN (National Land Agency). However, in Gampong Cot Trieng, a dispute occurred between the seller and the buyer of land that had not yet been certified. At the beginning of the land sale agreement, the seller was already aware that the land did not yet have a certificate. While the seller was in the process of arranging the land certificate, the buyer forcibly demanded it, which led to a commotion. Ultimately, the dispute was resolved amicably through a family-based settlement in Gampong Cot Trieng, Muara Satu District, Lhokseumawe City.

This study aims to analyze the process of uncertified land sale and purchase in Gampong Cot Trieng, the obstacles encountered, and the efforts made to resolve disputes in the land transactions in Gampong Cot Trieng, Muara Satu District, Lhokseumawe City.

This research uses an empirical juridical approach with a descriptive analytical nature. The study was conducted in Gampong Cot Trieng, Muara Satu District, Lhokseumawe City. Data was obtained through interviews. The collected data was analyzed qualitatively through the stages of collection, reduction, presentation, and conclusion drawing.

The results of this study indicate that the main obstacle lies in the low level of public awareness regarding the importance of land administration, compounded by the absence of subdivided land certificates, which makes the transfer of land rights unable to be officially recorded in accordance with the provisions of the Basic Agrarian Law (UUPA) and its implementing regulations. Dispute resolution efforts were carried out through mediation at the gampong level, involving the Geuchik, Tuha Peut, and other village officials, resulting in an agreement that the seller would bear the costs of processing the land certificate as a step to clarify ownership status and prevent future disputes.

It is recommended that every land transaction in Indonesia, not only those in Gampong Cot Trieng, be officially recorded through a PPAT. In addition, gampong authorities should cooperate with the BPN to raise public awareness of the importance of land certificates, and the results of mediation should be documented in a written official report as the basis for processing land certificates in order to strengthen legal evidence and prevent disputes.

Keywords: *Land Sale and Purchase, Certificate, Legal Certainty, Gampong (Village).*