

## ABSTRAK

Materi pokok penelitian Tanggung Gugat Kreditur Dan Pejabat Lelang Atas Penentuan Harga Limit Lelang Di Bawah Nilai Tanggungan, dengan rumusan masalah Apa akibat hukum penjualan obyek lelang yang penentuan harga limit lelang di bawah nilai tanggungan dan Apakah kreditur dan pejabat lelang bertanggung gugat atas penentuan harga limit lelang di bawah nilai tanggungan. Diperoleh kesimpulan sebagai berikut: Perbuatan kreditur dalam penentuan harga limit lelang di bawah nilai tanggungan telah memenuhi keseluruhan unsur pasal 1365 KUH Perdata sehingga akibat hukum penjualan obyek lelang yang penentuan harga lelang di bawah nilai tanggungan adalah bilamana obyek hak tanggungan laku terjual maka lelang tersebut dapat dimintakan pembatalan melalui pengadilan. Kreditur bertanggung gugat atas penentuan harga limit lelang di bawah nilai tanggungan karena kreditur selaku penjual memang mempunyai hak untuk menetapkan harga limit lelang tetapi tetap harus memperhatikan kepatutan dari harga limit lelang yang ditentukannya dan Pejabat Lelang tidak bertanggung gugat atas penentuan harga limit lelang di bawah nilai tanggungan karena dalam Petunjuk Pelaksanaan Lelang menyebutkan penetapan harga limit lelang tidak menjadi tanggung jawab KPKNL atau Pejabat Lelang Kelas II

**Kata Kunci: Tanggung Gugat, Kreditur, Pejabat Lelang.**



## **ABSTRACT**

*Main research material for Liability of Creditors and Upper Auction Officers Determination of Auction Limit Prices Under Depreciation Value, with the formulation of the problem What is the legal effect of auctioning objects whose auction limit is below the dependency and whether creditors and auction officials are accountable for auction limit pricing below the value of dependents. The conclusions are as follows: The act of creditor in determining the price of the auction limit below the value of the liability has fulfilled the whole element of article 1365 of the Civil Code so The legal consequence of auction object sales is that the auction price is below the value of the hold and if the object of the right of sale is sold under the value of the mortgage, the auction can be requested by the court. The creditor is liable for the price of the auction limit below the value of the creditor because the creditor as the seller does have the right to set the auction limit price but still must pay attention to the appropriateness of the specified auction limit price and the Auction Officer is not liable for the auction limit price below the hold value because the Auction Guidelines state that the auction limit price is not the responsibility of the KPKNL or the Class II Auction Officer*

**Keywords: Liability, Creditors, Official Auction**

