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Implementation of Upgrading Building Use Rights to Land Ownership Rights in Semarang City

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Abstract

This study examines the implementation of the conversion of Building Use Rights (Hak Guna Bangunan/HGB) into Ownership Rights (Hak Milik/HM) in Semarang City by highlighting various administrative, legal, and institutional challenges encountered in practice. The research employs a socio-legal approach that combines normative analysis of statutory regulations with empirical data obtained through field observations, in-depth interviews with stakeholders at the Semarang City Land Office of the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) and notaries, as well as document analysis. The findings reveal that the primary obstacles in the conversion process include overlapping authority among government agencies, incomplete application documents, and land status disputes, particularly involving land associated with government assets or land under Management Rights (Hak Pengelolaan/HPL). In addition, inadequate inter-agency coordination and the lack of

integration within the land administration system further contribute to procedural delays and legal uncertainty for the public. These findings underscore the importance of strategic measures, including regulatory harmonization between central and local governments, institutional synchronization in land administration, and the digitalization of land registration services to enhance efficiency, transparency, and accountability in public service delivery. Therefore, this study contributes to the discourse on urban land governance by identifying practical obstacles in the field and offering policy recommendations aimed at strengthening legal certainty and the protection of land rights in urban areas of Indonesia.

Keywords

Building Use Rights, Ownership Rights, Land Registration, Legal Certainty, Land Administration.

A. Introduction

Land rights are an important instrument in the agrarian legal system in Indonesia. Law Number 5 of 1960 concerning the Basic Regulation of Agrarian Principles (UUPA) regulates various types of land rights, including Property Rights (HM), Business Use Rights (HGU), Building Use Rights (HGB), and Use Rights. HGB is one of the rights that is widely used in urban areas because it gives the holder the authority to erect and own buildings on land that does not belong to him for a limited period of time, which is 30 years and can be extended up to 20 years. However, its impermanent nature often causes insecurity for rights holders, so many people are trying to upgrade the status of HGB to HM. HM is considered to provide more legal certainty, is permanent, and can be inherited.¹

In Semarang City, the need to upgrade the status of HGB to HM is increasing along with rapid urbanization and

¹ Flowers. (2018). Settlement of land disputes through mediation at the Land Office of Yogyakarta City, Sleman Regency, and Bantul Regency. Yogyakarta: Gadjah Mada University.

urban economic activities. However, its implementation in the field still faces various administrative and legal obstacles. One of the real cases occurred in the Simpang Lima Semarang Shop, where a number of shophouse owners experienced difficulties in the process of extending or upgrading HGB to HM. The obstacles faced include the overlap of authority between the National Land Agency (BPN) of Semarang City and the Regional Government, as well as the refusal of the village in issuing a certificate of non-dispute and a certificate of state land ownership. This condition results in the land administration process being hampered, so that shophouse owners do not get legal certainty over the land they occupy.²

In addition, a case study at the Semarang City ATR/BPN Office shows that there are public complaints regarding the length of time it takes to complete applications for upgrading HGB to HM. Some applicants are constrained because the required documents, such as the Land and Building Tax Certificate (PBB), the Land and Building Rights Acquisition Fee (BPHTB), and the sale and purchase deed, are considered incomplete or not in accordance with the format. In fact, there are cases where the application for an increase in rights must be rejected because the land in question is still a Management Rights (HPL) owned by the local government, so it cannot be immediately upgraded to Property Rights without a change in the agreement between the government and the HGB holder. This fact shows the weak coordination of regulations and coordination between agencies in practice in the field³

Furthermore, data from the Ministry of ATR/BPN shows that in Central Java, including Semarang City, there are still around 19% of land that has not been certified. This condition shows the potential for agrarian conflict and greater

² Dewi, R., & Ramli, A. (2023). Strengthening mediation in land dispute resolution in Indonesia. *Journal of Agrarian Law*, 7(2), 120–134.

³ Harsono, B. (2008). *Indonesian Agrarian Law: The History of the Formation of the UUPA, Its Content and Implementation*. Jakarta: Djembatan.

legal uncertainty if the mechanism for improving rights is not immediately addressed. Thus, research on the implementation of increasing Building Use Rights to Property Rights on land in Semarang City is important to be carried out, especially by highlighting concrete cases at Simpang Lima Shops and case studies at ATR/BPN Semarang City. This research not only aims to understand the practices that occur in the field, but also to identify obstacles and formulate policy solutions that can improve the effectiveness of land systems in urban areas.⁴

This research aims to answer three main problems related to the implementation of increasing Building Use Rights (HGB) to Property Rights (HM) in Semarang City, namely:

1. How is the legal and administrative process for upgrading HGB to HM carried out in Semarang City?
2. What are the legal, administrative, and institutional obstacles faced by applicants in the process of improving these rights?
3. What kind of policy solutions can be proposed to improve efficiency, transparency, and legal certainty in the process of upgrading HGB to HM?

These questions will be answered through empirical and normative analysis in the results and discussion sections, which are arranged into three sub-chapters according to the structure of the problem.

SA number of previous studies have shown that the problem of increasing Building Use Rights (HGB) to Property Rights (HM) is not only administrative, but also closely related to normative and institutional aspects. Research by I Gusti Ayu Ketut Rachmi Handayani confirms that there is a disharmonization of regulations between the central and regional governments that hinders legal certainty, while Urip Santoso stated that normatively the increase of HGB to HM is possible as long as it meets the requirements in accordance with Law Number 5 of 1960 concerning the Basic Regulations

⁴ Santoso, U. (2012). *Agrarian law: A comprehensive study*. Jakarta: Kencana.

of Agrarian Principles. Furthermore, Maria S.W. Sumardjono found that obstacles often arise due to the status of land that is still under Management Rights (HPL), while Adrian Sutedi identified bureaucratic factors and lack of transparency as the cause of the slow administrative process. On the other hand, Boedi Harsono emphasized the importance of an orderly land registration system to ensure legal certainty. The overall research shows that the increase of HGB to HM requires harmonization of regulations, improvement of administrative governance, and strengthening coordination between agencies in order to be able to provide optimal legal certainty for the community.

This study uses a juridical-socio-legal approach that combines normative analysis of laws and regulations with the exploration of empirical data in the field to obtain a complete picture of the phenomenon being studied. This approach was chosen because it is able to bridge the gap between "das sollen" (the law that should be) and the "das sein" (the law in practice), so that it does not only stop at the textual study of legal norms, but also traces how these norms are implemented in social reality. In the context of this research, this approach is used to understand in depth the dynamics of the process of upgrading Building Use Rights (HGB) to Property Rights (HM), including how formal procedures are carried out, the extent to which regulations are complied with, and various factors that affect the success and obstacles in its implementation. The object of the research is focused on the administrative process of upgrading HGB to HM at the ATR/BPN Office of Semarang City, with special emphasis on the case in the Simpang Lima Shopping area as a representation of commercial areas that have high complexity in land aspects. The research subjects involved various parties who have a direct connection to the process, namely BPN officers as policy implementers, notaries/PPAT as parties who play a role in the formal legal aspects, and shophouse owners as parties who directly experience the administrative process and its impacts.⁵

⁵ Sugiyono. (2013). *Quantitative, qualitative, and R&D research*

The data collection techniques in this study are carried out comprehensively through several complementary methods, namely in-depth interviews, field observations, and documentation studies. Interviews were conducted directly with key informants, including BPN officials and notaries to obtain contextual and in-depth information related to their experiences, constraints, and perceptions of the rights improvement process. Field observations were carried out at the Semarang City ATR/BPN Office to see firsthand how the service process took place and the real conditions in the field. Meanwhile, the documentation study was carried out by examining various official documents such as rights application files, rejection letters, BPN internal policies, and relevant laws and regulations, so that the data obtained has a strong basis and can be accounted for. All data collected are then analyzed qualitatively using thematic analysis techniques, namely by grouping the data into main themes such as the legal process, obstacles faced, and the resulting policy recommendations. The results of the analysis are then associated with the theoretical framework used in the research, namely the theory of legal certainty, access to justice, and good governance so as to produce a deeper and more comprehensive understanding of the problems being studied.⁶

B. The Process of Upgrading HGB to HM in Semarang City

1. Administrative Procedures and Legal Requirements

Administrative procedures and legal requirements in increasing Building Use Rights (HGB) to Property Rights (HM) in Semarang City have been normatively regulated in the Regulation of the Minister of ATR/BPN Number 29 of 2018. Formally, the stages that must be passed include the submission of an application by HGB holders, checking the completeness of documents, verifying the legal status of the land, to the issuance of new rights in the form of a Property Rights certificate. However, based on the results of field

methods. Bandung: Alfabeta.

⁶ Moleong, L. J. (2017). *Qualitative research methodology*. Bandung: Remaja Rosdakarya.

research, it can be seen that the implementation of these procedures does not always run according to the normative framework that has been set. In practice, there are various administrative dynamics that make this process more complex, especially because it involves many parties and interrelated bureaucratic stages.⁷

Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was carried out on April 14, 2026, the initial process begins with the submission of an application made by the HGB holder by attaching the main documents such as the original HGB certificate, the identity of the applicant, proof of payment of the Land and Building Tax (PBB), and other supporting documents. After that, the officer will verify the file administratively to ensure the completeness and validity of the documents submitted. In this stage, data discrepancies are often found such as differences in names, land area, or ownership status that has not been updated, so that the applicant must make improvements first before the process can continue.

Table 1. Administrative Requirements for Upgrading HGB to HM in Semarang City

No.	Types of Requirements	Descriptions / Common Problems in the Field
1.	Original HGB certificate	Often expires; must be extended first
2.	Identity of the applicant (KTP, KK)	Not in sync with the data in the certificate
3.	Proof of UN repayment	The PBB SPPT has not been updated or is still in the name of the previous owner
4.	Sale and Purchase Act (in case of transfer of rights)	Not registered or not in accordance with the certificate data
5.	Certificate of Non-Dispute	The issuance process in the

⁷ Sutedi, A. (2011). *Transfer of land rights and their registration*. Jakarta: Sinar Grafika.

		sub-district is slow, often with different data
6.	IMB or PBG (Building Approval)	There are still many applicants who do not have
7.	Roya Document (if the land is still credited)	Often unmanaged, thus hampering the process
8.	Proof of BPHTB payment	Must be repaid; The cost is quite large for the community

Source: The results of the author's interview with Ragil Setyowargo, S.Tr. and Notary H. Agus Wahyu Nugroho, S.H., M.Kn.

This condition when analyzed using the theory of legal certainty as stated by Gustav Radbruch, who stated that the law must meet the elements of clarity of norms, consistency, and predictability in its application, shows that administrative processes that are still often subject to obstacles have the potential to reduce the guarantee of legal certainty.⁸ According to Radbruch, legal certainty requires strict rules and implementation that does not cause doubt for the community in obtaining their rights. In the context of this study, the existence of data inconsistencies and administrative obstacles reflects the suboptimal implementation of the principle of legal certainty, because the applicant does not obtain certainty of time, procedure, or results from the process of increasing these rights. Thus, the findings of this study confirm that although normatively the procedure has been clearly regulated, at the empirical level there are still obstacles that hinder the effective realization of legal certainty.

Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was conducted on April 14, 2026, he said that after administrative verification, a thorough land status inspection was carried out. This inspection aims to ensure that the submitted land is not in dispute, is not in confiscated status, and is not the object of

⁸ Gustav Radbruch, *Legal Philosophy*, translated by Kurt Wilk, Cambridge: Harvard University Press, 1950, pp. 107–108.

collateral at financial institutions. This process also involves checking the history of the land to find out if there were any legal problems in the past. In practice, this stage is often a crucial point because of the many cases where the historical data of the soil is not well documented.

The results of observations at the Semarang City Land Office with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Planner at the Semarang City Land Office which was carried out on April 14, 2026 show that the service process still combines manual and digital systems. Although there are applications such as Touch My Land, its use is not fully optimal in speeding up the administration process. This can be seen from the accumulation of physical files and a fairly long application queue, especially during certain service hours. This condition shows that digital transformation in land services still needs strengthening, both in terms of systems and human resources.

In the context of inter-agency coordination, the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was carried out on April 14, 2026 shows that the process of upgrading HGB to HM does not only involve BPN, but also other agencies such as urban villages, sub-districts, and city governments. This coordination is especially needed in the issuance of a non-dispute certificate as well as in the case of land that is above the Management Rights (HPL). However, in practice, this coordination is often slow because there is no integrated system that connects all agencies effectively.⁹

Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Planner at the Semarang City Land Office which was carried out on April 14, 2026, stated that ideally the process of upgrading HGB to HM can be completed in about three months if all documents are complete and there are no legal problems. However, in reality, the process is often delayed. "If the file is complete and there are no problems, it can usually be fast, but it is often

⁹ Parlindungan, A. P. (2009). *Land registration in Indonesia*. Bandung: Mandar Maju.

constrained by a letter from the village or HPL approval that takes a long time," (interview results, 2026). This statement shows that external factors outside BPN also greatly affect the duration of settlement.

From the notary/PPAT side, the results of the interview with Notary H. Agus Wahyu Nugroho, S.H., M.Kn., as a Notary/PPAT show that their role is very important in ensuring the completeness and validity of documents before they are submitted to BPN. Notaries not only function as deeds, but also as parties who provide legal advice to the public regarding procedures and risks in upgrading HGB to HM. In practice, many applicants do not understand the importance of completeness of documents, so it often hinders the administrative process.¹⁰ This shows that from the point of view of access to justice (*access to justice*), there is still limited public understanding which has an impact on the non-optimal access to land services that should be obtained easily and effectively.

The most common problems found based on an interview with Notary H. Agus Wahyu Nugroho, S.H., M.Kn. on Thursday, April 23, as a Notary/PPAT are HGB certificates that have expired, roya documents that have not been taken care of when the land is still in credit status, and inconsistencies in the physical data of the land. This condition requires the applicant to carry out additional processes such as HGB renewal or remeasurement, which of course increases the time and costs that must be incurred. Based on the documentation study of land data and the cases that occurred, it can be seen that administrative problems such as data inconsistency and lack of validation are the main causes of the inhibition of the process of increasing rights. This shows that the land administration system still has weaknesses in terms of data accuracy and integration. In addition, the lack of supervision in the verification process also opens up opportunities for administrative errors.

This situation reflects the lack of optimal application

¹⁰ Rahardjo, S. (2009). *Progressive law: A synthesis of Indonesian law*. Yogyakarta: Genta Publishing.

of the principles of good governance (*good governance*) which in the Indonesian context is understood as the implementation of a government that prioritizes transparency, accountability, effectiveness, efficiency, the rule of law, and community participation. These principles as stated in the study by Mardiasmo emphasize that good governance requires an administrative system that is transparent, accountable, and able to provide public services effectively and efficiently. In the context of this study, the weak accuracy of the data and verification process shows that the principles of transparency and accountability have not been fulfilled, while the length of the process due to administrative improvements reflects the lack of optimal principles of effectiveness and efficiency in public services in the field of land.¹¹

In addition to administrative factors, regional regulatory factors also affect the process of increasing HGB to HM. In some cases, there are restrictions on land use based on zoning set by the local government. This causes not all land to be upgraded to HM, especially when it is in certain areas such as protected areas or borders. Zoning provisions in the regional spatial plan function as an instrument to control the use of space, so that it can limit or even prohibit the use of certain land for the sake of environmental protection and regional spatial planning.¹²

From an academic perspective, this problem is in line with the results of research which states that "administrative errors, lack of supervision, and incompatibility of physical and juridical data are the main causes of land problems".¹³ This

¹¹ Mardiasmo, "Realizing Public Transparency and Accountability Through Public Sector Accounting: A Means of Good Governance," *Journal of Government Accounting*, Vol. 2, No. 1, 2002, pp. 1–17.

¹² Salman Farishi, Nirwan Junus, and Dolot Alhasni Bakung, "Uncovering Legal Conflicts: Property Rights Regulation with Border Land Ownership in the Limboto Lake Area," *Al-Zayn: Journal of Social & Legal Sciences*, Vol. 3, No. 5, 2024, explains that the determination of boundary areas and zoning results in restrictions on land use and prohibition on the issuance of new rights in certain areas.

¹³ Dewi, R. T. P., & Ramli, A. (2023). Analysis of overlapping land

statement reinforces the field finding that the obstacles in the process of upgrading HGB to HM are not only technical, but also structural. Furthermore, based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Planner at the Semarang City Land Office which was conducted on April 14, 2026, the community still has a low level of understanding of land procedures. Many applicants come without bringing complete documents or do not know the stages that must be passed. This shows the need to increase socialization and education to the community so that the administrative process can run more effectively and efficiently.¹⁴

From an institutional perspective, the implementation of a one-stop integrated service system is not optimal is one of the factors that slows down the process. Applicants still have to take care of various documents in different agencies, increasing the potential for delays and administrative errors. This condition shows that the lack of integration of inter-agency services has a direct impact on the effectiveness of public services, especially in land administration.¹⁵ Ideally, the entire process can be carried out in one integrated system to make it easier for the community. Overall, it can be concluded that the administrative procedures and legal requirements in upgrading HGB to HM in Semarang City have a clear legal basis, but in their implementation they still face various obstacles. These obstacles include data mismatches, lack of coordination between agencies, limitations of digital systems, and low public understanding. Therefore, comprehensive improvement efforts are needed both in terms of regulation, administration, and public services to realize a more effective, transparent, and legal certainty process for the community.

rights ownership (case study in Muktiharjo Kidul Village, Semarang City). *Book Chapter Law and Environment Volume 1*, 1595.

¹⁴ Widodo, J. (2019). Implementation of the complete systematic land registration policy (PTSL) in realizing legal certainty. *Journal of Land*, 9(1), 45–60.

¹⁵ Siti Nurhayati and Hardianto Djanggih, "The Effectiveness of One-Stop Integrated Services in Improving the Quality of Public Services," *Legal Policy Scientific Journal*, Vol. 13, No. 2, 2019, pp. 155–166.

2. Determining Factors for the Success of Increasing Rights

The success of increasing Building Use Rights (HGB) to Property Rights (HM) is basically not only determined by the fulfillment of administrative procedures alone, but also greatly influenced by substantive factors of legal, technical, and institutional nature. In practice in Semarang City, this process shows that although regulations have provided a clear framework, implementation in the field often faces various obstacles of a complex nature. Therefore, the success of increasing rights cannot be seen as an ordinary administrative process, but as a result of the interaction of various variables that affect each other, both in terms of the applicant, related agencies, and the condition of the land object itself. One of the most decisive main factors is the legal status of the land that is the object of the application. Land with HGB status that stands on state land directly is relatively easier to upgrade to HM compared to land that is above Management Rights (HPL). Based on the results of interviews with Land Office officers, land that is still under the control of HPL owned by the local government requires an additional process in the form of relinquishment, which is a crucial stage and often hinders the process of increasing rights as a whole.¹⁶

Table 2. Determining Factors for the Success of Increasing HGB to HM

Factors	Supporting Conditions	Obstructive Conditions
Legal status of land	Land on national land (non-HPL)	Land above HPL (requires release of rights from the Regional Government)

¹⁶ Hidayat, T., & Andira, A. (2019). Digitization of land services in improving the quality of public services. *Journal of Public Administration*, 6(2), 88–101.

Completeness of documents	Complete, valid, and synchronous documents between agencies	HGB certificate expires, UN not paid off, identity does not match
Applicant's readiness	Understand procedures, prepare costs, take care of documents early on	Lack of information, no IMB/PBG, only take care of it when pressed
Institutional coordination	Integrated system, officers are actively coordinating, SOPs are clear	Overlapping authority, no unified data system
Digitization of services	Use of e-registration, online access, real-time monitoring	Still manual, application less than optimal, limited human resources

Source: Data processing results from Maria S.W. Sumardjono (2010), Hidayat & Andira (2019), and Kurniawan (2020).

In practice, the HPL release process is not simple because it involves internal policies of the local government and regional spatial planning considerations. This means that even if the applicant has administratively met all the requirements, the application can still be delayed or even rejected if it does not get approval from the HPL holder¹⁷. This condition shows that there is a high dependence on institutional decisions outside BPN, so that the success of increasing rights is greatly influenced by coordination between institutions. Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Planner at the Semarang City Land Office which was carried out on April 14, 2026, it shows that many people do not understand

¹⁷ Maria S.W. Sumardjono, "The Right to Management in the Perspective of National Agrarian Law," *IUS QUIA IUSTUM Legal Journal*, Vol. 17, No. 3, 2010, pp. 357–372.

the difference in land status, especially between HGB on state land and HGB on HPL. This ignorance led to the emergence of the perception that every HGB holder had the same right to upgrade his status to HM. In fact, in reality there are fundamental differences that have direct implications for the chances of successful applications.¹⁸

Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was conducted on April 14, 2026, it was found that a number of commercial areas in Semarang City, such as shopping areas in the city center, stand on land with HPL status. This condition causes some building owners to be unable to apply for an increase in rights even though they have economically controlled and utilized the land for a long period of time. This situation creates an imbalance between physical control and legal certainty over land. In addition to the legal status of the land, the second factor that is no less important is the completeness and validity of the supporting documents. interview with Notary H. Agus Wahyu Nugroho, S.H., M.Kn. on Thursday, April 23, many applications were delayed because the documents submitted were incomplete or not in accordance with the data recorded at BPN. Problems that often arise include incompatibility with the applicant's identity, unpaid tax obligations, and the absence of supporting documents such as IMB or PBG.

In practice, the completeness of documents is not just a formality, but also the main basis in the legal verification process by BPN. Incomplete or invalid documents will immediately hinder the process, and may even lead to the application being rejected.¹⁹ This shows that the administrative aspect has a very important role in determining the success of increasing rights.

¹⁸ Kurniawan, R. (2020). The effectiveness of public services in the field of land is electronic-based. *Journal of Government Science*, 5(1), 33–47.

¹⁹ I Made Suwitra, "Land Registration in Realizing Legal Certainty of Land Rights," *Scientific Journal of the Faculty of Law, Udayana University*, Vol. 5, No. 2, 2017, pp. 1–12.

From the results of an interview with Notary H. Agus Wahyu Nugroho, S.H., M.Kn. on Thursday, April 23, it is also known that some documents that are often obstacles include:

- a. HGB certificates that have expired so must be renewed first before they can be upgraded
- b. Unmanaged roya documents when the land is still in the status of credit guarantee at the bank
- c. Discrepancies in physical data such as unclear land area and land plot boundaries
- d. The identity of the applicant that is not synchronized between the ID card, KK, and the data on the certificate

These problems show that many applicants have not made thorough preparations before applying for an increase in rights. In addition, technical factors such as the accuracy of soil measurement data are also important determinants. Based on an interview with Notary H. Agus Wahyu Nugroho, S.H., M.Kn. on Thursday, April 23, there were still cases where the results of field measurements did not match the data listed in the certificate. This condition requires re-measurement, which of course requires additional time and has the potential to cause disputes if there is a difference in boundaries with the surrounding land. Another factor that also affects is the level of public understanding of land procedures. Based on an interview with Notary H. Agus Wahyu Nugroho, S.H., M.Kn. on Thursday, April 23, many people have not understood the stages of the process of upgrading HGB to HM in its entirety. This causes them to often come to BPN without bringing complete documents or not knowing the procedures that must be passed, thus slowing down the service process. From an institutional perspective, coordination between agencies is also an important factor in determining the success of the process. The process of increasing rights does not only involve BPN, but also villages, sub-districts, and local governments, especially in terms of issuing certificates and approvals related to land status. The lack of system integration between agencies makes this process longer and prone to delays.²⁰

²⁰ Munir, M. (2017). Bureaucratic reform in land services in Indonesia. *Journal of Public Policy*, 8(2), 112–125.

In addition, the implementation of a land digital system that is not fully optimal is also an obstacle in itself. Although there are various supporting applications available, in practice there are still many processes that are done manually. This has an impact on the slow verification process and the high potential for administrative errors. From the perspective of legal justice, this condition poses its own problems, especially for people who have controlled the land physically and economically for a long period of time but do not have legal certainty in the form of Property Rights. The inability to improve the status of rights due to administrative constraints or HPL status creates inequality that is felt by the community.²¹

The success of increasing land rights is greatly influenced by the combination of the applicant's readiness and the effectiveness of the land administration system. The readiness of documents, the accuracy of technical data, and the public's understanding of procedures are important factors that determine the smooth running of the process. On the other hand, the effectiveness of the administrative system, including coordination between institutions and the quality of public services, also plays a role in accelerating or even hindering the process. Without simultaneous improvements in these aspects, the process of increasing rights will continue to face recurring obstacles. Therefore, comprehensive efforts are needed through improving the land administration system, improving service quality, and strengthening legal education to the community to realize a more effective, efficient, and legal certainty process.²²

C. Obstacles in the Implementation of Upgrading HGB to HM

1. Administrative and Bureaucratic Barriers

Administrative and bureaucratic obstacles are one of

²¹ Arsyad, A. (2017). Analysis of public policies in the land sector. *Journal of Administrative Sciences*, 14(1), 55–68.

²² Tri Wahyuni and I Nyoman Nurjaya, "Factors Affecting the Effectiveness of Land Registration in Realizing Legal Certainty," *Bhumi Journal: Journal of Agrarian and Land Registration*, Vol. 6, No. 2, 2020, pp. 191–204.

the most dominant factors in slowing down the process of upgrading Building Use Rights (HGB) to Property Rights (HM) in Semarang City. Although normatively the procedure has been clearly regulated, in practice the implementation in the field shows significant inefficiencies. This is reflected in the length of the completion time that far exceeds the service standards set nationally. Based on a study of documentation and internal data of the National Land Agency (BPN), the average completion time for upgrading HGB to HM in Semarang City reaches more than one year. This figure shows that there is a gap between the expected service standards and the reality that occurs in the field. This delay not only has an impact on the administrative aspect, but also creates legal uncertainty for the community as an applicant.²³

Table 3. Obstacles to the Implementation of Upgrading HGB to HM in Semarang City.

Types of Barriers	Main Causal Factors	Impact on the Process
Administrative & Bureaucratic	- The length of time for the issuance of a certificate in the sub-district/sub-district - Lack of data integration between agencies - Manual system is still dominant	- Completion time >1 year - Long file queues - Administrative errors are frequent
Law & Policy	- There are no technical rules on the release of HPL in the Regional Regulation - Differences in	- The process of releasing assets must go through the DPRD (old) - Rejection or postponement of

²³ Daryanto. (2016). Public service management based on good governance. *Journal of Management*, 10(2), 90–104.

	interpretation of rules by officers - Data is out of sync between BPN, Dispenda, Asset Office	application - Legal uncertainty
Social & Economic	- High total costs (BPHTB + notary services + re-measurement) up to tens of millions - Low legal literacy of the community - Complex and expensive process perception	- The community is reluctant to propose an increase in rights - Access gap between rich and poor groups - The rise of unofficial intermediary services

Source: The results of the author's observations and interviews, processed based on Daryanto (2016), Siregar (2018), and Dwiyanto (2006).

Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was carried out on April 14, 2026, it shows that one of the main causes of delays is the administrative process that is still long and layered. Each stage requires repeated verification, both in terms of documents and the physical condition of the soil. In addition, limited human resources are also a factor that slows down the process, especially when the number of applications increases significantly. In practice, administrative obstacles often start from the initial stage, namely the management of certificates from sub-districts and sub-districts. Based on the results of the interview, the process of issuing the letter is often delayed due to data differences between the documents owned by the applicant and the data recorded in the village or sub-district administration. This condition requires a re-check which takes quite a long time.²⁴

²⁴ Siregar, R. (2018). Legal problems in increasing the status of land

Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was conducted on April 14, 2026, it can be seen that the process at the village level is still very dependent on the manual system, so it is vulnerable to recording errors and service delays. In addition, the absence of a clear time standard in the issuance of certificates causes this process to be uncertain and depends on the internal conditions of each agency. Based on interviews with notaries/PPAT, it is known that often clients have prepared all the necessary documents, but still experience obstacles because a certificate from the village has not been issued. This is due to differences in data or internal processes that have not been resolved, thus hindering the continuation of the process at BPN.

In addition to factors from government agencies, administrative obstacles also come from the applicant's own side. Many applicants have not completed the documents correctly and in accordance with the provisions. Interview with Notary H. Agus Wahyu Nugroho, S.H., M.Kn. on Thursday, April 23, documents that are most often an obstacle include the PBB SPPT that has not been updated, the sale and purchase deed that does not match, and the applicant's identity that is not synchronized.

Administrative problems originating from the applicant can be detailed as follows:

- a. SPPT PBB that has not been paid off or is still in the name of the previous owner
- b. Sale and purchase deeds that have not been registered or do not match the certificate data
- c. The identity of the applicant is different between the ID card, KK, and certificate
- d. Other supporting documents such as IMB or PBG that are not yet available

This condition shows that the lack of public understanding of administrative requirements is one of the significant inhibiting factors. In addition, the overlap of authority between agencies is also a serious obstacle in the

rights. *Journal of Law and Development*, 48(3), 210–225.

bureaucratic process. Based on the results of the interviews, coordination between BPN and the City Land Office often does not run optimally. This is especially the case for land that is above the Management Rights (HPL), where approval from the local government is required before the process can proceed.²⁵

In practice, the absence of an integrated coordination system causes the process to become convoluted. The applicant must take care of various documents in different agencies without a clear time certainty.²⁶ This not only lengthens the process, but also increases the potential for administrative errors. An interview with Notary H. Agus Wahyu Nugroho, S.H., M.Kn. on Thursday, April 23 also showed that the land service system still combines manual and digital methods. Although there are supporting applications available, their implementation has not been fully effective in speeding up the bureaucratic process. As a result, many stages are still carried out manually, thus increasing the possibility of delays. This condition shows that the non-optimal use of electronic-based systems in public services can hinder the efficiency of the administrative process and increase the potential for errors and delays in service completion.²⁷

From an institutional perspective, the lack of data integration between agencies is one of the main causes of administrative obstacles. Data that is not synchronized between BPN, local governments, and other agencies causes the verification process to take longer. This also increases the risk of errors in decision-making. From the perspective of public services, this condition shows that the land bureaucratic system is still not fully efficient and responsive

²⁵ Pratama, A. (2021). Administrative barriers in land services in Indonesia. *Journal of State Administration*, 12(1), 67–80.

²⁶ Andi Faisal and Abd. Halim, "Inter-Agency Coordination in Public Services to Realize Good Governance," *Journal of Public Administration*, Vol. 14, No. 1, 2018, pp. 45–56.

²⁷ Indrajit, Richardus Eko, "Electrification of Public Services (E-Government) in Improving Bureaucratic Efficiency," *Journal of Information and Communication Technology*, Vol. 6, No. 2, 2015, pp. 101–110.

to the needs of the community. The length of the process and the many stages that must be passed cause people to feel burdened, both in terms of time and cost.²⁸

In addition, administrative obstacles also have an impact on decreasing public trust in the land system. The uncertainty of settlement times and the complexity of procedures encourage people to look for other alternatives that are not always in accordance with the provisions of the law, such as using the services of unofficial intermediaries. This phenomenon reflects that the low quality of public services can trigger informal practices outside the applicable legal mechanisms.²⁹ Administrative and bureaucratic obstacles in the process of upgrading HGB to HM in Semarang City are caused by a combination of various factors, namely the length of the process at the village level, the incompleteness of the applicant's documents, and the lack of coordination between agencies. Therefore, comprehensive improvement efforts are needed, both through simplifying procedures, increasing system integration, and strengthening the capacity of human resources, so that the service process can run faster, be transparent, and provide legal certainty for the community.

2. Legal and Policy Barriers

Legally, there is no explicit prohibition on increasing HGB to HM. However, the lack of clarity of secondary regulations and inconsistencies in interpretation by officers led to discrimination in the implementation of policies. For example, Semarang City Regional Regulation Number 5 of 2020 concerning Regional Asset Management does not explicitly regulate the mechanism for the release of HPL for the sake of increasing rights. As a result, the asset release process must go through a lengthy political and administrative mechanism, including the approval of the

²⁸ Wibowo, S. (2020). Overlapping authority in the management of state land. *Journal of Constitutional Law*, 9(2), 145–159.

²⁹ Dwiyanto, Agus, "Realizing Good Governance Through Public Services," *Journal of Social and Political Sciences*, Vol. 10, No. 2, 2006, pp. 123–134.

DPRD.³⁰

Legal and policy obstacles are one of the important factors that also affect the process of increasing Building Use Rights (HGB) to Property Rights (HM) in Semarang City. Normatively, there is no explicit prohibition in laws and regulations that prohibit the upgrade of HGB status to HM. However, in practice, there are various ambiguities in derivative regulations and differences in interpretation at the implementation level that actually create new obstacles in the process. Lack of clarity in secondary regulations is one of the main sources of problems. Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office conducted on April 14, it was found that although national regulations provide room for the improvement of rights, not all policies at the regional level provide clear technical guidance. This causes officers in the field to often have to interpret the existing rules themselves, which ultimately has the potential to cause differences in treatment between applicants.³¹

In practice, these differences in interpretation have an impact on the emergence of inconsistencies in services. Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was carried out on April 14, 2026, there are cases where applications with relatively the same conditions can result in different decisions depending on the agency or official in hand. This condition shows the potential for administrative discrimination that is not based on the principle of legal certainty. One concrete example of policy obstacles is the absence of clear regulations regarding the mechanism for the release of Management Rights (HPL) in local regulations. Based on the documentation study, Semarang City Regional Regulation Number 5 of 2020 concerning Regional Asset Management

³⁰ Nugroho, B. (2019). Legal certainty in land registration in Indonesia. *Journal of Right Vinding*, 8(1), 23–37.

³¹ Lestari, D. (2022). The role of notaries in the transfer of land rights. *Indonesian Notary Journal*, 4(2), 78–92.

has not regulated in detail the procedure for the release of HPL for the sake of increasing rights. This causes the asset divestment process to be highly dependent on the internal policies of the local government.

As a result of the vacancy in the arrangement, the process of releasing HPL must go through quite long administrative and political stages. Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Planner at the Semarang City Land Office which was carried out on April 14, 2026, this process involves various parties, ranging from related agencies to the approval of the Regional People's Representative Council (DPRD). This of course extends the turnaround time and adds to the complexity of the procedures that the applicant has to go through. In practice, this lengthy process often has no clear time limit. This causes the applicant to be in a condition of prolonged legal uncertainty. In fact, in some cases, the applications that have been submitted cannot be processed further because there has been no decision regarding the release of assets from the local government.³²

In addition to regulatory issues, legal obstacles also arise due to weak data integration between agencies. Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was conducted on April 14, 2026, the lack of an integrated land database caused data differences between BPN, the PUPR Office, and the regional Finance Office. This inconsistency is one of the main factors that hinders the process of increasing rights. In some cases found, there are lands that legally have HGB certificates, but in local government data they are still recorded as regional assets. This condition causes administrative conflicts that must be resolved first before the process of increasing rights can be continued. The process of clarifying this data often takes quite a long time.

Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at

³² Putra, A. (2022). Analysis of land policy in urban areas. *Journal of Regional Planning*, 11(1), 50–63.

the Semarang City Land Office which was conducted on April 14, 2026, this data problem is caused by the lack of optimal digitization and land information integration systems. Each agency still uses a different system, making it difficult to synchronize data in real-time. This shows that legal obstacles come not only from regulations, but also from their supporting systems.

Issues related to policy and data can be detailed as follows:

- a. There are no clear technical rules regarding the release of HPL in local regulations
- b. The process of releasing assets must go through the approval of the DPRD and long bureaucratic stages
- c. Differences in the interpretation of rules by officers in the field
- d. Data insynchronization between BPN and local government agencies
- e. There is no integrated land database system

These factors indicate that legal and policy barriers are systemic and require comprehensive handling. In addition, based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was carried out on April 14, 2026, it also shows that officers are often in a dilemmatic position when facing unclear rules. On the one hand, they must carry out services to the community, but on the other hand they must also be careful not to violate the provisions of the applicable law. This condition causes the decision-making process to be slower. From the perspective of agrarian law, this condition shows that the application of the principle of legal certainty has not been optimal. When regulations do not provide clarity, the implementation in the field becomes non-uniform and has the potential to harm the community. This is contrary to the main purpose of the land registration system which is supposed to provide clear legal protection.³³

In practice, policy barriers also have an impact on increasing indirect costs that applicants must bear. The

³³ Muslim, M. (2022). Implementation of good governance in land services. *Journal of Governance*, 7(2), 89–102.

length of the process and the uncertainty of the procedure cause the applicant to have to incur additional costs, both for document management and for the coordination process between agencies. In addition, policy ambiguity can also trigger the emergence of non-transparent practices in the land administration process. This is certainly a challenge in itself in an effort to realize a clean and accountable land system.³⁴

Legal and policy obstacles in the process of upgrading HGB to HM in Semarang City show that there is a gap between normative regulations and implementation in the field. These problems include unclear rules, differences in interpretation, long asset release processes, and unintegrated land data systems. Therefore, strategic steps are needed to overcome these obstacles, including through the preparation of clearer and more detailed regulations, increased coordination between agencies, and the development of an integrated land database system. Thus, it is hoped that the process of increasing rights can run more effectively, transparently, and provide fair legal certainty for the community.

3. Social and Economic Barriers

Social and economic barriers are important factors that often go unnoticed in the discussion of increasing Building Use Rights (HGB) to Property Rights (HM), even though in practice this factor has a very large influence on people's decisions to propose or not to apply for an increase in rights. In Semarang City, the socio-economic conditions of the community show that there is a gap in financial ability that has a direct impact on access to land services, especially in the process of increasing the status of land rights. Based on the results of interviews with several applicants and notaries/PPAT, it is known that the costs that must be incurred in the process of upgrading HGB to HM are quite

³⁴ Anwar, K. (2021). Land conflicts and their resolution in Indonesia. *Journal of Social and Law*, 6(1), 101–115.

high. These costs not only cover official obligations such as Land and Building Rights Acquisition Duty (BPHTB), but also include notary service fees, measurement fees, and various other administrative costs which in total can reach tens of millions of rupiah.³⁵

In practice, the total cost that must be prepared by the applicant can range from IDR 50 million to IDR 100 million, depending on the value of the land, the area of the field, and the complexity of the case faced. For people with a middle to lower economic level, this figure is a fairly heavy financial burden and often unaffordable, so it is one of the main reasons they postpone or even do not apply for an increase in rights. The results of observations in the field show that many owners of shophouses or commercial properties have actually controlled the land physically and economically for a long time, but have not upgraded their rights status to HM due to cost limitations. They tend to maintain the existing HGB status, despite being aware that the status has a certain period of time and does not provide as strong legal certainty as Hak Pakai.³⁶

Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was conducted on April 14, 2026, there is a tendency that the community prioritizes daily economic needs rather than managing land administration which is considered non-urgent. This is especially the case for small and medium business actors who use shophouses as their main source of income, so the allocation of funds for the improvement of rights is not a top priority. In addition, indirect costs are also a factor that aggravates the economic burden on the community. These

³⁵ Nurlaelah, E. (2020). Land administration and its challenges in the digital era. *Journal of Public Administration*, 8(1), 12–25.

³⁶ Harahap, D. S. (2020). Analysis of public services in the land sector. *Journal of Social Sciences*, 9(2), 134–147.

costs include expenses for transportation, time wasted in the management process, and potential additional costs due to delays or administrative errors. In some cases, the protracted process actually adds to the cost burden that the applicant must bear.

From the social side, the level of public understanding of the importance of improving the status of rights is also still relatively low. Based on an interview with Notary H. Agus Wahyu Nugroho, S.H., M.Kn. on Thursday, April 23, many people do not fully understand the difference between HGB and HM, as well as the accompanying legal implications. This causes them to tend to postpone the management until an urgent need arises, such as selling or pledging land. Another social factor that also influences is the perception that the process of increasing rights is complicated, expensive, and time-consuming. This perception is formed from the experiences of other people or information that circulates informally, thus causing a reluctance to start the process in the first place.³⁷

The social and economic problems faced by the community can be detailed as follows:

- a. High official fees such as BPHTB which are adjusted to the value of the land
- b. The cost of notary/PPAT services is quite large, especially for complex cases
- c. Additional costs such as remeasurements and other administration
- d. Indirect costs such as transportation and handling time
- e. Low public understanding of the importance of increasing rights

³⁷ Angga Putra, A., et al. (2022). Integration of land information systems in public services. *Journal of Information Technology*, 10(1), 66–79.

This condition shows that economic barriers do not stand alone, but are closely related to social factors and public perception. In practice, an interview with Notary H. Agus Wahyu Nugroho, S.H., M.Kn. on Thursday, April 23 also showed that some people choose to use the services of intermediaries or brokers to facilitate the process, even though they have to incur additional costs. This shows that people prefer routes that are considered practical, although not always economically efficient. In addition, there is also a tendency that new communities will take care of increasing rights when facing certain needs, such as selling land, applying for credit to banks, or facing disputes. This means that increasing rights is not seen as a preventive need, but as a solution when problems arise.

From an economic perspective, this condition shows that there is limited public access to land services that should be inclusive. The high cost is the main obstacle for people to obtain legal certainty over the land they own. Based on the results of a meeting with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Planner at the Semarang City Land Office which was conducted on April 14, 2026, it also shows that there is no financing or subsidy scheme specifically aimed at helping low-income communities in the process of increasing rights. This has led to a stronger access gap to ownership of land rights.

From a social justice perspective, this condition has the potential to cause inequality between economically capable groups of people and those who are not. People with good financial ability can easily improve their rights status, while people with economic limitations must remain in the status of HGB who have legal limitations. In addition, social and economic barriers also have an impact on the slow process of the overall orderly process of land administration. When many plots of land are not upgraded in status, the

potential for future conflicts is also greater, especially related to the validity period of HGB and land ownership.

The social and economic obstacles in the process of increasing HGB to HM in Semarang City show that financial factors and public understanding have a very significant role. High costs, low legal literacy, and negative perceptions of the administrative process are combinations that hinder people from accessing their rights optimally. Therefore, more comprehensive efforts are needed, such as simplifying costs, providing subsidies or incentives for low-income communities, and increasing socialization about the importance of legal certainty on land. Thus, it is hoped that the process of increasing rights can be more inclusive and accessible to all levels of society without exception.

D. Policy Recommendations for Increased Effectiveness

1. Harmonization of Regulations and Institutional Coordination

Harmonization of regulations and institutional coordination is an indispensable strategic step in overcoming various obstacles that have occurred in the process of increasing Building Use Rights (HGB) to Property Rights (HM) in Semarang City. In practice, the insynchronization between policies at the central and regional levels has caused various problems, ranging from unclear procedures to slow decision-making processes.³⁸ This condition shows that regulatory disharmony and weak coordination between levels of government can hinder the effectiveness of the implementation of public services, including in the field of land administration.¹ Therefore, regulatory harmonization is not only interpreted as harmonizing rules, but also as an

³⁸ Arif Hidayat and Zaenal Arifin, "Synchronization of Central and Regional Policies in the Implementation of Regional Government," *Journal of Law and Development*, Vol. 49, No. 4, 2019, pp. 789–804.

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Source: The author's analysis is based on the results of research and literature of Arif Hidayat & Zaenal Arifin (2019), Yance Arizona (2019), and Budi Winarno (2006).

This condition shows that the problems that occur are not only technical, but also closely related to the aspect of public administration governance. In line with the theory of public administration as explained by Budi Winarno, public administration essentially emphasizes the importance of procedural clarity, strict division of authority, and an effective supervision system in the implementation of public policies so that service objectives can be achieved optimally. In the context of this study, data inconsistencies, weak document validation, and lack of supervision in the verification process show that these principles have not been fully implemented, resulting in the inhibition of the process of increasing HGB to HM and decreasing the effectiveness of land services.³⁹

Coordination and control of the implementation of land services is an important instrument to ensure that each stage of the administrative process runs in accordance with the provisions of applicable laws and regulations. Therefore, strengthening internal governance, increasing the capacity of the apparatus, and optimizing the supervision and performance evaluation system are necessary steps to ensure that the implementation of land services is able to provide certainty and legal protection effectively in accordance with the principles of the rule of law.⁴⁰

³⁹ Budi Winarno, "Public Policy Theory and Process," *Journal of Social and Political Sciences*, Vol. 10, No. 1, 2006.

⁴⁰ Fitriana, D. N., & Ramli, A. (2026). Legal analysis of the delay in the issuance of land certificates in the process of transferring land rights. *Kertha Semaya: Journal of Legal Sciences*, 14(2), 28.

Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was conducted on April 14, 2026, it was found that although national regulations have provided a fairly strong legal basis, their implementation at the regional level often faces obstacles due to the absence of specific derivative rules. This is especially the case in the case of land that is above the Management Rights (HPL), where the mechanism for the release of rights has not been regulated in detail in local regulations. In this context, the formation of a city land task force (task force) is one of the solutions that can be considered. Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was conducted on April 14, 2026, the existence of a task force consisting of representatives of BPN, local governments, and the DPRD can accelerate the coordination and decision-making process. This task force is expected to be an effective communication forum to solve various problems that arise in the process of improving rights.

The role of the land task force can include various aspects, including:⁴¹

- a. Coordination between agencies in the HPL release process
- b. Solving complex administrative and legal problems
- c. Acceleration of the decision-making process related to the application for increased rights
- d. Monitoring and evaluation of the implementation of land policies
- e. Preparation of policy recommendations for future system improvements

<https://doi.org/10.24843/KS.2026.v14.i02.p02>

⁴¹ Yance Arizona, "Agrarian Conflict Resolution through Task Force Policy and Agrarian Reform," *Bhumi Journal: Agrarian and Land Journal*, Vol. 5, No. 2, 2019, pp. 137–150.

With the existence of the task force, it is hoped that the process that has been running separately can become more integrated and efficient. In addition to the formation of the task force, regulatory harmonization also requires the preparation of regional regulations that specifically regulate the mechanism for increasing HGB to HM. These regulations should include clear procedures, transparent requirements, and definite deadlines for each stage of the process. Thus, the public can obtain legal certainty and no longer face ambiguity in the administrative process.

Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was carried out on April 14, 2026, the existence of clear regulations will also help officers in the field in carrying out their duties. Officers no longer need to interpret unclear rules, so as to reduce the potential for errors and improve service consistency. This will also have a positive impact on public trust in the land system. From an institutional perspective, regulatory harmonization must be followed by increasing the capacity of human resources. Based on observations, there are still differences in understanding among officers regarding applicable procedures and policies. Therefore, continuous training and socialization are needed so that all officers have the same understanding.

In addition, the integration of information systems between agencies is also an important part of harmonization efforts. Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was conducted on April 14, 2026, it shows that currently each agency is still using a different data system, making the coordination process difficult. With an integrated system, data exchange can be carried out faster and more accurately. From the perspective

of public services, regulatory harmonization and institutional coordination will have a significant impact on improving service quality. A faster, transparent, and coordinated process will make it easier for the community to access land services and reduce the administrative burden that has been felt. In addition, this harmonization will also support the creation of a more accountable land system and free from non-transparent practices. With clear rules and good supervision mechanisms, the potential for irregularities in the administrative process can be minimized.

Regulatory harmonization and institutional coordination are the main keys in improving the system of increasing HGB to HM in Semarang City. Without alignment between regulations and institutions, it will be difficult to achieve optimal results. Therefore, a commitment from all parties, both the central government, local governments, and legislative institutions, is needed to jointly develop comprehensive regulations and build an effective coordination system. Thus, the process of increasing rights can run more efficiently, provide legal certainty, and create justice for the entire community.

2. Digitization and Integration of the Land Administration System

Digitization and integration of the land administration system is a very important strategic step in increasing the effectiveness and efficiency of the process of increasing Building Use Rights (HGB) to Property Rights (HM) in Semarang City. In the current conditions, the land administration system still faces various obstacles caused by the use of manual methods that have not been completely abandoned. Therefore, the transformation towards a digital-based system is an urgent need to overcome various administrative obstacles that have occurred so far. Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City

Land Office which was conducted on April 14, 2026, the implementation of digital systems such as e-registration is considered to be able to significantly speed up the service process. This system allows applicants to apply online without having to come to the office in person, thus reducing queues and speeding up the initial verification process. In addition, digitization also makes it easier for officers to record and track files more systematically.⁴²

In practice, based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Planner at the Semarang City Land Office which was conducted on April 14, 2026, it shows that even though the digital system has begun to be implemented, the implementation is not yet fully optimal. There are still certain stages that are carried out manually, especially in the process of document verification and physical checking of the soil. This causes the benefits of digitalization to not be felt optimally by the public. Documentation studies show that one of the main weaknesses in the current land administration system is the lack of integration of databases between agencies. Data owned by BPN, the Regional Revenue Office (related to the United Nations), and the Regional Asset Management Office are still running separately. As a result, the process of verifying the status of the land must be carried out repeatedly in each agency, which of course is time-consuming and increases the potential for errors.

Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Planner at the Semarang City Land Office which was carried out on April 14, 2026, database integration is one of the urgent needs to improve the quality of land services. With an integrated system, officers can directly access information related to

⁴² Kukreti, A., & Yadav, P. (2023). Governance and land administration reforms in developing countries. *Jurnal Studi Kebijakan*, 5(2), 44–58.

land status, ownership history, and tax obligations in real-time without having to wait for confirmation from other agencies. This will be very helpful in speeding up the decision-making process. In practice, the integration of this system will also reduce the risk of overlapping data. Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was conducted on April 14, 2026, there are still often data differences between BPN and local governments, especially related to the status of land assets. With an integrated system, these data differences can be minimized because all agencies refer to the same data source.

Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was conducted on April 14, 2026, it also shows that digitalization not only has an impact on the speed of the process, but also on the transparency of services. Applicants can monitor the progress of their application directly through the online system, thereby reducing uncertainty and increasing trust in land services. In addition, digitalization can also help in reducing the potential for administrative errors. In manual systems, recording errors often occur due to human error. With a digital system, data can be validated automatically so as to minimize errors that can have an impact on the next process.

The advantages of digital systems and database integration can be detailed as follows:⁴³

- a. Speed up the application submission and verification process
- b. Enable real-time data access between agencies

⁴³ Rahayu Pratiwi and Dian Herdiana, "The Implementation of E-Government in Improving the Quality of Public Services," *Journal of Administrative Sciences*, Vol. 16, No. 1, 2019, pp. 1–12.

- c. Reduce the potential for data logging errors and duplication
- d. Increase transparency and accountability of services
- e. Facilitate process monitoring by applicants

With these various advantages, digitalization is a very relevant solution in overcoming various administrative obstacles. However, based on the results of observations, there are several challenges in the implementation of land system digitalization. One of them is the limitation of technological infrastructure, especially at the regional level. Not all agencies have adequate facilities and systems to support optimal data integration.

In addition, the human resource factor is also a challenge in itself. Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was conducted on April 14, 2026, there are still officers who do not fully understand the use of digital systems, so they need continuous training and assistance. Without increasing human resource capacity, the implementation of digital systems will not run effectively. From the community's perspective, the level of digital literacy also affects the success of the implementation of this system. Not all applicants have the ability or access to use online-based services. This shows that digitalization must be balanced with educational efforts for the public so that they can take advantage of the available system.

The results of the study show that data security is a crucial aspect in the digitalization of the land system. Land data is sensitive information, so it requires a strong protection system to prevent misuse and data leakage. From an institutional perspective, system integration requires commitment and effective coordination between related agencies. Without good coordination, the implementation of

digital systems will not run optimally. Therefore, policies that are able to encourage synergy between institutions in land data management are needed. In addition, digitalization also has the potential to minimize non-transparent administrative practices. Through a well-automated and well-documented system, every stage of the process can be monitored and audited, thereby contributing to increased accountability of public services.⁴⁴

Digitization and integration of the land administration system is a very effective solution in improving service quality and accelerating the process of upgrading HGB to HM. However, its implementation requires comprehensive support, both in terms of technology, human resources, and regulations. Therefore, strategic steps are needed such as developing digital infrastructure, increasing human resource capacity, integrating databases between agencies, and socialization to the community. Thus, it is hoped that the land administration system can become more modern, efficient, transparent, and able to provide better legal certainty for the community.

3. Improving Legal Literacy and Legal Facilitation

Increasing legal literacy and legal facilitation is one of the fundamental strategies that greatly determines the success of the process of increasing Building Use Rights (HGB) to Property Rights (HM) in Semarang City. In the context of land services, legal literacy is not only related to public knowledge of applicable regulations, but also includes understanding of rights and obligations as land rights holders, as well as the ability to follow administrative procedures correctly and appropriately. Therefore, improving legal literacy must be seen as an integral part of land system reform oriented towards more inclusive and equitable public services.

⁴⁴ Rina Shahriyani Shahrullah and Nurul Fibrianti, "Data Security in the Digitalization of Public Services in the Land Sector," *Journal of Law and Development*, Vol. 52, No. 3, 2022, pp. 412–425.

Based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Planner at the Semarang City Land Office which was conducted on April 14, 2026, there are still many people who do not fully understand the procedure for upgrading HGB to HM. This can be seen from the number of applications submitted in incomplete conditions or not in accordance with applicable regulations. Applicants often do not know what documents must be prepared, what stages must be passed, and which agencies must be contacted in the process, thus causing confusion and slowing down the overall administrative process.⁴⁵

In practice, based on the results of an interview with Mr. Ragil Setyowargo, S.Tr., as the First Expert Land Administrator at the Semarang City Land Office which was conducted on April 14, 2026, it shows that low legal literacy causes people to tend to make repeated mistakes in document management. For example, there are applicants who come to the land office many times because the documents brought are incomplete or inappropriate. This condition not only burdens the community in terms of time and cost, but also increases the workload of service officers. In addition, people also often do not understand the difference between different types of land rights, such as HGB, Property Rights, and Management Rights (HPL). This ignorance leads to the emergence of wrong perceptions, such as the assumption that all lands with HGB status can be directly upgraded to HM without paying attention to the legal conditions inherent in the land. This shows the importance of more in-depth and systematic education to the community.

The socialization program carried out by the local government and BPN is still not running optimally and sustainably. Existing socialization activities tend to be sporadic and have not reached all levels of society, especially community groups with lower levels of education and

⁴⁵ Creswell, J. W. (2013). *Research design: Qualitative, quantitative, and mixed approaches*. Yogyakarta: Student Library.

economy. This causes a significant information gap in the community. The results of the interviews also show that the public urgently needs legal consultation services that are easily accessible and not high cost. Many applicants find it difficult to understand the legal aspects of land without the help of a more competent party, such as a notary or land officer. However, the cost of professional services is often an obstacle for middle-to-lower income people.

In practice, the absence of free legal consultation services causes some people to choose not to continue the process of improving rights because they feel unsure of the procedures that must be undertaken. This condition shows that limited access to legal aid can be a real obstacle for communities in obtaining legal certainty over land rights, especially for low-income groups⁴⁶. This shows that legal facilitation has an important role in increasing community participation in the land legalization process.

Forms of legal facilitation that can be carried out include:

- a. Provision of free legal consultation services at land offices or village halls
- b. Establishment of a special legal aid post (posbakum) in the land sector
- c. Preparation of practical guidelines that are easy for the public to understand
- d. Implementation of routine socialization at the sub-district and sub-district levels
- e. Utilization of digital media for the dissemination of legal information⁴⁷

⁴⁶ Herlambang P. Wiratraman, "Access to Justice and Legal Aid in Indonesia," *RechtsVinding Journal: National Legal Development Media*, Vol. 2, No. 1, 2013, pp. 1–16.

⁴⁷ Sulistyowati Irianto, "Access to Justice and Community Legal Empowerment," *Journal of Law & Development*, Vol. 40, No. 3, 2010, pp. 289–302.

With these facilities, it is hoped that the public can more easily understand and follow the applicable procedures. Based on the results of observations, the use of digital media also has great potential in improving people's legal literacy. Information about land procedures can be disseminated through official websites, social media, and public service-based applications. This will make it easier for the public to access information without having to come directly to the land office.

However, there are challenges in the use of digital media, especially related to the level of digital literacy of the community which still varies. Therefore, the delivery of information must be adjusted to the characteristics of the community, both through direct and indirect approaches, so that it can be well received. In addition, the results of the interviews show that collaboration between local governments, BPN, and educational institutions can be an effective strategy in improving legal literacy. Education about land can be included in community counseling activities or community service programs by universities.

From an institutional perspective, increasing legal literacy will also have an impact on service efficiency. People who understand the procedures well tend to apply with complete and correct documents, so that they can speed up the verification process and reduce the administrative burden at the land office. In addition, increasing legal literacy also contributes to the creation of a more transparent and accountable land system. People who understand their rights and obligations will be more critical in supervising the service process, so as to prevent the occurrence of practices that are not in accordance with the provisions.

From a social perspective, increasing legal literacy can also strengthen public awareness of the importance of legal certainty over land. With a good understanding, the

community will be more encouraged to take care of the legality of their land early, so that it can reduce the potential for future disputes. The results of the study show that regions that have good socialization and legal facilitation programs tend to show a higher level of community participation in land legalization programs. This condition indicates that the level of community legal literacy has a direct correlation with the success of the implementation of land programs, especially in encouraging awareness and active participation of the community in the registration process and increasing land rights.⁴⁸ Increasing legal literacy and legal facilitation is the key to overcoming the various obstacles faced by the community in the process of upgrading HGB to HM. Without adequate understanding, people will continue to face difficulties in accessing land services. Therefore, systematic and sustainable efforts are needed from local governments and BPN to improve public legal literacy through routine socialization, the provision of free consultation services, and the use of information technology. Thus, it is hoped that the community can more actively participate in the land legalization process and obtain better legal certainty.

E. Conclusion

The implementation of increasing the Building Use Rights (HGB) to Property Rights (HM) in Semarang City is in fact still faced with various challenges that are complex and multidimensional, both from legal, administrative, and institutional aspects. Although normatively the procedure for increasing rights has been clearly regulated in laws and regulations, the reality on the ground shows that there is a significant gap between legal provisions and the practice of their implementation. Various obstacles such as overlapping

⁴⁸ Siti Rahmawati and Suparjo Sujadi, "The Role of Legal Counseling in Increasing Public Legal Awareness of Land Registration," *Bhumi Journal: Journal of Agrarian and Land*, Vol. 5, No. 1, 2019, pp. 45–56.

authority between agencies, unclear land status, especially those above Management Rights (HPL), and the length of the bureaucratic process are the main factors that hinder the effectiveness of the implementation of this policy. In addition, the lack of coordination between institutions, the lack of integration of the land administration system, and the low public understanding of legal procedures further worsen the condition. As a result, many people, especially business actors and shophouse owners in commercial areas, have factually controlled and utilized land for a long period of time but have not obtained adequate legal certainty for their land ownership. This condition not only causes legal uncertainty, but also has the potential to trigger future land conflicts and hinder the development of the urban economy based on the certainty of land rights.

Therefore, this study emphasizes the importance of comprehensive and sustainable strategic measures to overcome various existing problems. The main recommendations proposed include (1) harmonization of regulations between the central and regional governments to eliminate policy incompatibility, (2) digitalization and integration of the land administration system to improve the efficiency and transparency of services, and (3) increasing community legal literacy through more massive and structured legal socialization and facilitation. These three steps not only aim to speed up the administrative process, but also to create a land system that is more accountable, inclusive, and responsive to the needs of the community. With the harmonization of regulations, it is hoped that there will no longer be differences in policy interpretations in the field. Through digitization, the verification and data processing process can be carried out faster and more accurately. Meanwhile, increasing legal literacy will encourage people to be more active and aware in taking care of the legality of their land. Thus, if these three strategies can be implemented consistently and integrated, then the process of increasing HGB to HM in urban areas such as Semarang City is expected to run more effectively, efficiently, transparently, and be able to provide legal certainty and fair protection of land rights for all levels of society.

F. References

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Generative AI Statement

N/A