



## Legal Protection for First-Time Land Registration Applicants Related to Transportation and Accommodation Costs in Medan City

Nur Rahmi Wahyundari<sup>1</sup>, Isnaini<sup>2</sup>, M. Ridha Haykal Akmal<sup>1</sup>

<sup>1</sup>Master of Law Program, Postgraduate School, Universitas Medan Area, Indonesia

\*Corresponding Author: Nur Rahmi Wahyundari

E-mail: [rahmi.wahyundari@gmail.com](mailto:rahmi.wahyundari@gmail.com)



### Article Info

#### Article history:

Received 28 April 2025

Received in revised form 15

May 2025

Accepted 2 June 2025

#### Keywords:

Land Registration

Transportation Costs

Accommodation

Legal Protection

Public Services

### Abstract

Land registration for the first time is part of the land system that provides a guarantee of legal certainty for the owner. In Indonesia, including in the city of Medan, land registration does not only involve administrative aspects, but also costs that are often burdensome for applicants, especially related to transportation and accommodation. This research aims to explore legal protection for first-time land registration applicants, focusing on the cost aspect that must be borne by the applicant. This research uses a qualitative approach with an empirical juridical method, which involves interviews with various sources, such as applicants, employees of the Medan City Land Office, and agrarian law experts. The results show that despite the regulations governing land registration, in practice, applicants still face difficulties related to transportation and accommodation costs, especially for those who live far from the city center. The lengthy and bureaucratic registration procedure also increases people's expenses, as they have to go back and forth to the land office. Another obstacle is the inefficiency of procedures and lack of adequate information regarding the stages of land registration. In addition, the lack of oversight of the implementation of procedures leads to informal practices, such as the use of unofficial intermediaries, which add to the costs to the community. In the perspective of justice theory, especially John Rawls's social justice theory and Satjipto Rahardjo's view of progressive law, the state should provide affirmative treatment to vulnerable community groups, including providing cost subsidies or pick-up services to reduce access inequality. This research suggests the need for policy reform, digitization of services, and increased public legal literacy so that the land registration process is more transparent, efficient, and fair.

## Introduction

Land is one of the most valuable assets for every individual or legal entity. Ownership of land is not only economically valuable, but also has deep social and cultural significance, especially in Indonesia (Arisaputra & Sh, 2021). Therefore, legal certainty over land ownership is a very important need for the community. In the land system in Indonesia, land registration is the first step to provide certainty and legal protection for the owner (Ramadhani, 2021; Rachmawati et al., 2021; Riyadi & Atmoredjo, 2020; Murni et al., 2022). First-time land registration, or known as first registration, aims to recognize and record a person's rights to a particular piece of land.

The land registration process for the first time is not only related to the administrative aspect, but also involves a number of costs that must be borne by the applicant (Ramadhani & Abduh, 2021; Correia et al., 2024; Busko & Apollo, 2023). These costs include the cost of measurement, soil inspection, document making, and last but not least transportation and accommodation costs. In big cities like Medan, transportation and accommodation costs are often a burden for applicants, especially for people who live in the suburbs or come from other

areas. The long and bureaucratic process causes the applicant to have to go back and forth to the land office and related agencies (Jonnalagadda et al., 2021; Biitir et al., 2021).

This reality raises a new problem that is rarely seriously considered, namely legal protection against the economic burden that must be borne by the applicant during the land registration process. Not infrequently, the applicant has to spend large funds without any clarity or certainty of the settlement time. In this context, it is important to highlight whether there are already regulations or policies that expressly govern or protect the applicant's rights regarding transportation and accommodation financing during the application process. Is the state there to provide protection or does it allow the applicant to face all these burdens independently?

The city of Medan as one of the metropolitan cities in Indonesia has its own dynamics and challenges in terms of public services, including land services. With the population continuing to grow and the need for land legality increasing, efficiency and protection in the land registration process have become very relevant to be studied. The inequality of access to land services in Medan can be seen from the complaints of people who find it difficult to take care of registration due to the location of the land office, complicated processes, and many additional costs. This shows that there is an inequality in access to land rights guaranteed by the state.

Not only from the economic side, this issue also touches on aspects of social justice and human rights. Every citizen has the right to fair treatment in acquiring land rights, without being burdened by disproportionate costs or burdensome procedures (Mustofa et al., 2022; Herd & Moynihan, 2019; Ray et al., 2023). In practice, legal protection is often only associated with land disputes or conflicts. In fact, legal protection should have started from the initial process, including at the stage of administrative management such as land registration for the first time.

Therefore, it is important to dissect how land law in Indonesia, particularly in the City of Medan, regulates and protects the rights of applicants against the costs they have to incur during the registration process. One of the aspects that needs to be explored is the role of related agencies, such as the National Land Agency (BPN), in providing transparency and clarity of costs, including the potential for assistance or subsidies for underprivileged communities. In addition, it is also necessary to see whether there is a sufficiently effective supervision mechanism to ensure that there are no irregular practices or illegal levies that further burden the applicant. In practice, many people do not fully understand the procedures and official fees for land registration. The lack of information and weak socialization make the applicant tend to be passive and accept all forms of cost burden, including for transportation and accommodation, without questioning the legal basis.

This is where the importance of legal education to the community lies. Applicants must be given an adequate understanding of their rights in the land registration process, as well as the complaint route if they feel aggrieved. This study also opens up space to see the possibility of policy reform in the land registration process to be more friendly to the community. The reform can be in the form of simplifying procedures, digitizing services, and providing logistical assistance for vulnerable communities.

In addition, it is also necessary to study how to implement the principle of justice in land services. Has the state been present in a fair and proportionate manner in providing legal protection to every level of society, especially the underprivileged? An inclusive approach to legal protection will help build public trust in the state and the legal system. This is important in creating transparent and accountable land governance.

By looking at the various challenges faced by first-time land registration applicants in Medan City, this research is expected to make a real contribution to the formation of policies and

regulations that are more in favor of the community. Finally, legal protection is not only about handling disputes, but also creating a system that is fair, efficient, and in favor of the people from the beginning of the process. Fair land registration must reflect partiality to the people, not just a difficult administrative procedure.

## **Methods**

This research was prepared using a qualitative approach with an empirical juridical method. This approach was chosen to gain an in-depth understanding of how legal protection for land registration applicants was first applied in practice, especially with regard to the burden of transportation and accommodation costs in the City of Medan (Jonaedi Efendi et al., 2018). The empirical juridical method focuses on the application of legal provisions in social reality, so this study not only examines applicable norms or regulations, but also looks at their implementation in the field. Thus, the data collected is not only normative, but also comes from the experiences and perceptions of the parties directly involved in the land registration process. This type of research is an analytical descriptive research, which is by describing the facts and phenomena that occur in the community related to land registration for the first time, then analyzing them using legal theory and legal protection principles.

This research uses the following approach: 1) The Normative Juridical Approach is by examining the laws and regulations that regulate land registration, land financing, and the principles of legal protection; 2) The Empirical Juridical Approach is by looking at the implementation and real impact of land policies on applicants, especially in the context of transportation and accommodation costs.

## **Research Location**

This research was conducted in the city of Medan, especially in the working area of the Medan City Land Office and several sub-districts that became the location of the first land registration service.

## **Data Collection Sources and Techniques (Data, 2015)**

The data sources used in this study are:

Primary Data: Obtained through interviews with competent sources, including: a) First-time land registration applicants; b) Employee of the Medan City Land Office; c) Relevant local government officials; d) Legal practitioners or academics in the field of agrarian law  
Secondary Data: Obtained through literature studies, which are in the form of: a) Laws and Regulations (Law, PP, Regulation of the Minister of ATR/BPN); b) Official documents of BPN; c) Law books; d) Relevant scientific journals and legal articles; e) Previous research reports  
Data collection techniques are carried out through: a) In-person and in-person interviews (if required); b) Documentation; c) Literature studies

## **Data Analysis Techniques**

The data obtained is analyzed qualitatively, namely by describing and interpreting the data based on relevant legal principles. The analysis is carried out through the following stages: a) Data reduction; b) Data presentation; c) Conclusion drawing. This analysis aims to find out the extent of the form of legal protection provided to applicants, the obstacles faced in the implementation of land registration, and possible policy recommendations that can improve the land service system. To maintain the validity of the data, source triangulation techniques and method triangulation techniques are used. This triangulation is carried out by comparing information from various sources and different data collection methods, to ensure the accuracy and consistency of the findings.

## Results and Discussion

This study shows that legal protection for first-time land registration applicants in Medan City still faces several obstacles, especially those related to transportation and accommodation costs. Although there is a legal basis that provides certainty and protection, in its implementation the community is still burdened with complex unofficial and procedural costs.

### Transportation and Accommodation Cost Constraints

The respondent stated that transportation and accommodation costs are an additional burden when registering land with the land office. This happens especially for people who live far from the center of Medan City or from the location of the Land Office.

Table 1. Average Transportation and Accommodation Costs of First-Time Land Registration Applicants in Medan City Based on Residence Location

Yes	Residence Location	Average Transportation Cost (Rp)	Average Accommodation Cost (Rp)
1	Medan Tuntungan	150.000	200.000
2	Marelan Field	120.000	180.000
3	Medan Belawan	170.000	220.000
4	Medan Johor	130.000	190.000

The results of the study show that first-time land registration applicants in Medan City still face a number of obstacles, especially related to transportation and accommodation costs. This is contrary to the principle of ease of public service as stipulated in Law Number 25 of 2009 concerning Public Services, which emphasizes that every citizen has the right to access services that are easily accessible and economically affordable (Wiranata & Kristhy, 2022).

High transportation and accommodation costs are mainly felt by applicants who live in the suburbs of Medan, such as Medan Belawan and Medan Tuntungan. On average, they spend an additional fee of IDR 150,000 to IDR 220,000 just to reach the land office and complete the administration. This condition causes unequal access to state services for people with economic limitations.

### Inefficient Registration Procedures

Most respondents also complained about the length of the bureaucratic flow and the lack of information available. This inefficient procedure causes them to have to go back and forth from home to the land office, which indirectly increases expenses.

Table 2. Types of Additional Expenses Experienced by First-Time Land Registration Applicants in Medan City

Additional Types of Withdrawals	Respondents Experiencing
Repeated transportation	85%
Additional accommodation	62%
Brokerage service fees	45%

The results of the study revealed that one of the main obstacles in the first land registration process in Medan City was the long, convoluted, and inefficient administrative procedure. Applicants often do not get adequate information about the stages, documents needed, and estimated completion time. This encourages most respondents to make repeated visits to the land office, resulting in a waste of time and costs of transportation and accommodation.

This condition is contrary to the principle of efficiency and effectiveness of public services as stipulated in Law No. 25 of 2009 concerning Public Services, which states that organizers are obliged to provide true, clear, and non-discriminatory information to the public. In practice, procedural inefficiencies are often a loophole for informal practices such as the use of unofficial intermediary services (brokers), which actually erodes public trust in the state service system (Sukiyat, 2020).

Furthermore, based on interviews and questionnaires, it was found that 85% of respondents experienced additional expenses due to having to come to the land office more than twice. As many as 45% of them end up using intermediary services because of confusion with the flow of procedures and slow services.

This phenomenon is in line with the findings (Sopyan & Sidipurwanty, 2024) in the *Journal of Tunas Agraria*, which stated that the complexity of land registration procedures in Indonesia is a structural obstacle in agrarian reform efforts. Procedures that are not based on user-friendly principles encourage informal practices, prolong the process, and burden the public with additional costs.

When viewed from the Weberian theory of rational bureaucracy, ideally the land service system prioritizes a clear hierarchy, systematic documentation, and standard procedures. However, the reality on the ground shows that there is still a weak enforcement of standard procedures, both in the form of socialization and technical implementation. One of the relevant solutions is the implementation of digital-based (online) services that have been successfully implemented in several regions through the *Sentuh Tanahku* program owned by the Ministry of ATR/BPN (Kurniati, 2025). However, in Medan City, the implementation of this program has not reached all regions and levels of society, especially those in suburban areas or have limited digital literacy.

### **Legal Protection Aspects**

Although there are regulations such as Government Regulation No. 24 of 1997 and the Regulation of the Head of BPN on services, their implementation has not fully guaranteed legal protection for applicants. Some respondents felt less legally protected due to weak supervision of technical implementation in the field. If viewed from John Rawls' theory of justice, justice requires that inequality is only acceptable if it benefits the most disadvantaged groups (Rawls, 1971). In this context, the state should provide affirmative treatment in the form of pick-up facilities or cost subsidies to people who experience geographical and economic barriers.

From the perspective of legal protection, according to (Tanya et al., 2013), the law should not only stop at normative rules, but present in a pragmatic dimension to protect the rights of citizens. However, this study found that legal protection in land registration is still symbolic and has not been able to touch the basic needs of applicants in the field. Most respondents admitted that they had to make more than one visit to the land office because the information provided was not clear, and the procedures were technical and not user-friendly. This inefficiency directly impacts the rising cost of transportation and accommodation. As a result, the practice of using intermediaries or "brokers" with high rates has emerged, which actually adds to the burden on the community.

This phenomenon has also been found in research (Yustina, & Widodo, 2018) in the *IUS Law Journal*, which states that land administration procedures in Indonesia are prone to incurring transactional costs due to system inefficiencies and lack of public legal literacy. This further confirms that there is a gap between norms and implementation. Normatively, the land registration system is regulated in Government Regulation No. 24 of 1997 concerning Land Registration, and further described in the Regulation of the Head of BPN No. 1 of 2010

(Kaunang, 2016; Jushendri, 2020; Richard et al., 2018; Hanafi, 2025). In this regulation, it is stated that land registration services must be carried out openly, transparently, and accountably. However, in practice, the lack of supervision and evaluation of implementers in the field leads to deviations from these principles.

This research is in line with the findings (Rachman & Hastri, 2021) in the Journal of the Mulawarman Law Review, which shows that land services in urban areas tend to be centralized and have not reached marginalized groups as a whole. In addition, the absence of mobile or digitalization service systems in certain regions exacerbates the access gap. Referring to the Good Governance approach, public services must prioritize the principles of participation, transparency, efficiency, and fairness (Resmadiktia et al., 2023). In this context, the Medan City Land Office needs to initiate procedural reform by implementing online services, legal counseling in suburban areas, and subsidies for applicants with geographical barriers.

The pick-up initiative carried out by the Ministry of ATR/BPN in several regions such as Yogyakarta and Solo has proven to be able to cut costs and expand people's access to land services. This strategy can be adopted in Medan to answer the problems found in this study.

## Conclusion

This research reveals that although regulations related to land registration for the first time already exist, their implementation in the field, especially in the city of Medan, still faces a number of obstacles that hinder the effectiveness of legal protection for applicants. One of the main obstacles is the cost of transportation and accommodation that applicants have to bear, especially for those who live in suburban areas. These additional costs create unequal access to land services, as applicants from remote areas have to spend more to meet time-consuming procedures. Complicated and inefficient land registration procedures are also a significant obstacle. Many applicants have to make repeated visits to the land office, which is not only time-consuming but also adds to the cost of transportation and accommodation. Unclear procedures and lack of information about the stages of land registration cause confusion among applicants. This opens up opportunities for informal practices, such as the use of intermediary services, which are increasingly burdening the community. In addition, although there is a legal basis governing public services and land registration, supervision of the implementation of procedures in the field is still weak. This leads to deviations from the principles of transparency, accountability, and efficiency. The legal protections afforded to applicants tend to be symbolic and do not touch on real issues faced by the community, such as additional costs incurred during the registration process. Based on John Rawls' theory of justice, the state should provide affirmative treatment to the most vulnerable, such as providing subsidies or pick-up services to facilitate access to land services. From the point of view of progressive law Satjipto Rahardjo, the law must be present not only in the form of rules, but also in practices that protect the rights of citizens in daily life. Therefore, policy reforms in land registration procedures are needed, including the implementation of digital services and legal counseling in suburban areas to improve accessibility. Policy recommendations to address this problem include introducing a digitalization system to facilitate online land registration, providing cost subsidies for people living in remote areas, and conducting stricter evaluation and supervision of the implementation of procedures at land offices. These reforms aim to create a more fair, transparent, and efficient land system, which is in favor of the people, especially the less fortunate.

## References

Arisaputra, M. I., & Sh, M. K. (2021). *Reforma agraria di Indonesia*. Sinar Grafika (Bumi Aksara).

- Biitir, S. B., Miller, A. W., & Musah, C. I. (2021). Land administration reforms: Institutional design for land registration system in Ghana. *Journal of Land and Rural Studies*, 9(1), 7-34. <http://dx.doi.org/10.1177/2321024920968326>
- Busko, M., & Apollo, M. (2023). Public Administration and Landowners Facing Real Estate Cadastre Modernization: A Win-Lose or Win-Win Situation?. *Resources*, 12(6), 73. <https://doi.org/10.3390/resources12060073>
- Correia, P. M. A. R., Pedro, R. L. D., Mendes, I. D. O., & Serra, A. D. (2024). The challenges of artificial intelligence in public administration in the framework of smart cities: reflections and legal issues. *Social sciences*, 13(2), 75. <https://doi.org/10.3390/socsci13020075>
- Data, T. P. (2015). Instrumen Penelitian. *Kisi-Kisi Instrumen*.
- Hanafi, W. M. (2025). Agricultural Land Control Based on the Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 18 of 2016 Concerning Control of Agricultural Land Tenure. *Journal of Law, Politic and Humanities*, 5(4), 2720-2732. <https://doi.org/10.38035/jlph.v5i4.1617>
- Herd, P., & Moynihan, D. P. (2019). *Administrative burden: Policymaking by other means*. Russell Sage Foundation.
- Jonaedi Efendi, S. H. I., Johnny Ibrahim, S. H., & Se, M. M. (2018). *Metode penelitian hukum: normatif dan empiris*. Prenada Media.
- Jonnalagadda, I., Stock, R., & Misquitta, K. (2021). Titling as a contested process: Conditional land rights and subaltern citizenship in South India. *International Journal of Urban and Regional Research*, 45(3), 458-476. <https://doi.org/10.1111/1468-2427.13002>
- Jushendri, J. (2020, March). Juridical Review of Using Criminal Law in Settlement of Land Disputes Based On Government Regulation Number 24 Year 1997 on Land Registration. In *Journal of World Conference (JWC)* (Vol. 2, No. 3, pp. 120-127). <https://doi.org/10.29138/prd.v2i3.240>
- Kaunang, M. C. (2016). Proses Pelaksanaan Pendaftaran Tanah Menurut Peraturan Pemerintah Nomor 24 Tahun 1997. *Lex Crimen*, 5(4).
- Kurniati, D. Y. (2025). *Perlindungan Hukum Terhadap Keamanan Data Pribadi Pemilik Sertifikat Tanah Dalam Penerapan Sistem Online (E-Certificate) di Kabupaten Sorong*. Universitas Pendidikan Muhammadiyah Sorong.
- Murni, C. S., Kelen, B. B., & Sulaiman, S. (2022). the Legal Certainty of Land Ownership Right in Registration'S Context. *International Journal of Law Reconstruction*, 6(1), 13. <http://dx.doi.org/10.26532/ijlr.v6i1.16422>
- Mustofa, H., SH, M. S., & Suratman, S. H. (2022). *Penggunaan hak atas tanah untuk industri*. Bumi Aksara.
- Rachman, A. M. I., & Hastri, E. D. (2021). Analisis Kendala Implementasi Peraturan Menteri ATR/Kepala BPN Nomor 1 Tahun 2021 Tentang Sertipikat Elektronik. *Mulawarman Law Review*, 91–104. <https://doi.org/10.30872/mulrev.v6i2.646>
- Rachmawati, F. A., Choirinnisa, S. A., & Latif, L. (2021). Integrated Land Registration System: Between Legal Certainty and Challenges (Case of Semarang City). *Indonesian Journal of Advocacy and Legal Services*, 3(2), 217-232. <https://doi.org/10.15294/ijals.v3i2.45895>

- Ramadhani, R. (2021). Pendaftaran tanah sebagai langkah untuk mendapatkan kepastian hukum terhadap hak atas tanah. *SOSEK: Jurnal Sosial Dan Ekonomi*, 2(1), 31–40. <https://doi.org/10.55357/sosek.v2i1.119>
- Ramadhani, R., & Abduh, R. (2021). Legal Assurance of the Land Registration Process in the Pandemic Time of Covid-19. *Budapest International Research and Critics Institute-Journa*, 4, 349. <https://doi.org/10.33258/birci.v4i1.1612>
- Rawls, J. (1971). A theory of justice. *Cambridge (Mass.)*.
- Ray, V., Herd, P., & Moynihan, D. (2023). Racialized burdens: Applying racialized organization theory to the administrative state. *Journal of Public Administration Research and Theory*, 33(1), 139-152.
- Resmadiktia, N. M., Utomo, Y., & Aiman, L. (2023). Pertanggungjawaban Pemerintah dalam Mewujudkan Good Governance sesuai Hukum Administrasi Negara. *Jurnal Ilmiah Wahana Pendidikan*, 9(11), 685–697. <https://doi.org/10.5281/zenodo.8097882>
- Richard, R., Saptomo, A., Santiago, F., & Barthos, M. (2018). Regional regulation of land registration in Indonesia related to government regulation no. 24 of 1997 concerning land registration. *International Journal of Civil Engineering and Technology (IJCIET)*, 9(10), 270-280.
- Riyadi, B. S., & Atmoredjo, S. (2020). Politic of economy law in Indonesia: Land certification program in the framework of legal certainty on land title and its impact on community economic empowerment. *International Journal of Law*, 6(2), 16-23.
- Sopyan, A. A. P., & Sidipurwenty, E. (2024). Mengurai Kompleksitas Pemberdayaan Tanah Masyarakat: Pelajaran dari Gugus Tugas Reforma Agraria di Bangka Tengah. *Tunas Agraria*, 7(2), 201–220. <https://doi.org/10.31292/jta.v7i2.296>
- Sukiyat, H. (2020). *Teori dan Praktik Pendidikan Anti Korupsi*. Jakad Media Publishing.
- Tanya, B. L., Simanjuntak, Y. N., & Hage, M. Y. (2013). *Teori Hukum*. Genta publishing.
- Wiranata, R. A., & Kristhy, M. E. (2022). Undang-Undang Nomor 25 Tahun 2009 Tentang Pelayanan Publik Sebagai Values Of Law Atas Pelayanan Publik Terhadap Penyandang Disabilitas. *Jurnal Komunikasi Hukum (JKH)*, 8(1), 208–218. <https://doi.org/10.23887/jkh.v8i1.43906>
- Yustina, E., & Widodo, T. (2018). Biaya Transaksional dalam Pendaftaran Tanah: Studi Kasus di Jakarta dan Surabaya. *Jurnal Hukum Ius*, 15(3), 95–112.