

Legal Counseling Regarding the Limits of Debt Collector and Leasing Authority in the Execution of Motor Vehicles

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Abstract. Unauthorized motor vehicle executions by debt collectors and leasing companies in Indonesia often violate legal provisions, causing public confusion and concerns about consumer rights. According to Constitutional Court Decision No. 18/PUU-XVII/2019, such executions must follow legal mechanisms, like court orders or debtor approvals. This community service activity aimed to enhance public understanding of the legal limits of debt collectors' and leasing companies' authority in bad credit cases. An educational and preventive approach was used, involving discussions, question-and-answer sessions, and simulations to clarify legal processes and consumer rights in vehicle financing. The evaluation showed a significant improvement in participants' understanding, with 91.88% demonstrating enhanced knowledge of the lawful authority of debt collectors, leasing companies, and legal execution mechanisms. These findings highlight the importance of legal education in empowering consumers to protect their rights and ensuring compliance with applicable laws. This program effectively increased public legal awareness and is expected to help reduce unlawful execution practices. Continued efforts in legal education are recommended to sustain and expand these positive outcomes.

Keywords: Debt Collector Authority; Leasing Company Rights; Motor Vehicle Execution Law; Consumer Rights Protection; Legal Education in Finance; Court Approval for Repossession

1. Introduction

Motorized vehicles are one of the important needs for the community in supporting daily activities, both for personal and work purposes. Every year, the number of motorized vehicles continues to grow. This can be seen from data from the Central Statistics Agency (BPS), where from 2018 to 2023, the number of motor vehicles, especially motorcycles, continues to increase. In 2018, the number of motorcycles was still 106 million units. Six years later, in 2023, the number has reached 132 million, or an increase of 26 million motorcycles. Likewise, cars increased by around 4 million units in the same time span, from 14 million to 18 million cars (N, 2024).

Indonesia, with a population of 283 million people and ranks fourth as the country with the largest population in the world, as of August 2024 is recorded to have more than

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164 million units of motor vehicles. Most of these numbers, or more than 83%, are motorcycles (Binsar, 2024; Novelino, 2024). The increase in the number of motor vehicles is also directly proportional to the high demand for vehicle purchases through leasing financing schemes which has soared by more than 12% annually (Ramli & Setiawan, 2024; Untari, 2024). As a result, the risk of late payments or bad loans is increasing, causing problems related to vehicle execution by leasing companies and debt collectors.

Debt collectors are third parties who act as a liaison between creditors and debtors in the credit collection process (Kusniawan, 2024; Mailangkay et al., 2024; Messac et al., 2024; Sari, 2023). This collection can only be done if the credit status has been included in the category of doubtful collectibility or is stuck. Unlike company employees, debt collectors are external parties who are authorized through employment contracts to handle consumers who experience late payments or defaults (Atikah, 2018). In society, debt collectors are often considered as parties who use intimidating methods in the collection process. Many debtors feel forced to hand over their vehicles, even though they are still in the installment period, due to pressure exerted by debt collectors (Hura, 2023). This practice is increasingly a concern because it is often carried out without paying attention to the applicable legal procedures (Amri et al., 2021; Manurung et al., 2023; Munawaroh, 2023; Utomo, 2022).

In carrying out their duties, debt collectors generally look for motor vehicles that are included in the list of credit arrears in strategic locations that are often passed by the public, such as highways, shopping centers, markets, or other public places. When they find a targeted vehicle, they often immediately carry out a forced withdrawal without giving the debtor the opportunity to negotiate or resolve the problem legally. This action not only causes unrest in the community but also has the potential to violate the rights of debtors that have been regulated in laws and regulations (Purnama, 2023). Therefore, understanding the limits of the authority of debt collectors is very important so that the public can protect themselves from the practice of executing vehicles that are not in accordance with the provisions of the law.

The Constitutional Court (MK), through Decision Number 18/PUU-XVII/2019, has affirmed that the execution of motor vehicles by leasing companies can only be carried out through court mechanisms or with the approval of the debtor. This ruling aims to protect consumer rights and ensure that the execution process is carried out fairly in accordance with applicable legal principles. However, the lack of socialization regarding this decision causes many people to still face the risk of arbitrary vehicle recall. In this context, legal education is important to be carried out, especially by academics who have an obligation to contribute to educating the public and increasing legal awareness.

Kedaung Wetan Village is part of Neglasari District, Tangerang City. This area consists of 4 Neighborhood Units (RW) and 22 Neighborhood Units (RT) with a population of 19,493 people. Most of the people work as private employees, traders, and laborers. However, there are still many residents who have a limited understanding of the law, especially related to the authority of debt collectors and leasing companies in the execution of motor vehicles. In order to be able to bridge and provide the understanding needed by community members, lecturers and students (PKM Team) from the Sheikh-Yusuf Islamic University (UNIS Tangerang) intend to carry out community service activities (PKM).

This service activity aims to provide education to the public about the limits of authority in the vehicle execution process, so that they can better understand their rights



and take appropriate steps in dealing with the situation. Through an educational and preventive approach, this program is expected to increase legal awareness, reduce potential conflicts, and ensure that the vehicle execution process is carried out in accordance with applicable legal provisions. In addition, this activity also aims to protect the community from illegal or arbitrary executions. It is hoped that this activity can help the community and provide solutions in accordance with the applicable legal corridor.

2. Methods

This activity was initiated by Mr. H. Sri Jaya Lesmana, S.H., M.H., a lecturer at the Faculty of Law UNIS Tangerang, who was inspired by his concern after witnessing and being involved in the process of pulling motor vehicles on the highway several times. This concern prompted him to provide legal understanding to the public regarding the limits of authority in the motor vehicle execution process. In carrying out this activity, several fellow lecturers are also involved, including students so that they have experience in actively contributing to society. This activity is carried out in three main stages, namely preparation, implementation of counseling, and evaluation.

2.1. Preparation Stage

At this stage, observations and interviews with related parties are carried out. Interviews were conducted with the Kedaung Wetan Village Head to identify various problems that occurred in the environment. Based on the results of the interview, the PKM Team then mapped the problems found and compiled relevant counseling materials. In addition to interviews, observations were also carried out to understand the social conditions of the community in Kedaung Wetan Village and determine the appropriate time and location for the implementation of counseling.

With the support of the village, this observation helps the community service team in getting an initial overview of the material that needs to be delivered so that counseling can be on target and beneficial to the community. Based on the results of observations and interviews, the legal counseling material is focused on three main issues, namely debt collectors, online loans (*pinjol*), and online gambling (Kusumaningrum et al., 2023). These three topics are of special concern because they are becoming a lively discussion among the public.

2.2. Implementation Stage

This PKM activity is carried out using community education methods through legal counseling (Hikmah, 2023). Legal counseling is a form of fostering legal culture that aims to increase public awareness and understanding of the applicable rules (Alam et al., 2023). Legal counseling that is communicative and able to touch the conscience of the community is an important factor in instilling the values of compliance with the law (Lesmana, 2019). With an interactive method, this approach can run more effectively in fostering legal awareness in the community, so that they not only understand their legal rights and obligations, but are also encouraged to respect and obey the law in their daily lives (Adnan et al., 2024).

In this activity, learning is carried out by combining theory and inquiry approaches, which involve quizzes delivered by presenters/resource persons during the material session (Ristiyana et al., 2024). In addition, questionnaires in the form of pretest and



posttest were also given to measure the level of understanding and absorption of participants in the material presented. Participants who participated in this activity were representatives of RT and RW in Kedaung Wetan Village. After the presenter delivered his material, the participants were allowed to ask questions to the presenter which would then be responded to and discussed together for the best and correct solution legally and ethically in the community.

2.3. Evaluation Stage

The evaluation stage is an important part of PKM activities to assess the effectiveness of the programs that have been implemented. The evaluation was carried out to measure the extent to which the goals and objectives of the activity were achieved and to identify obstacles that arose during the implementation (Gunawan & Mutaqin, 2024; Junaidi et al., 2024). This evaluation is also the basis for the improvement and development of similar programs in the future. This evaluation is carried out on the process, results, impacts, feedback and recommendations (Lesmana et al., 2024).

3. Results and Discussion

3.1. Implementation of Activities

This PKM activity was held on Thursday, December 5, 2024 at the Kedaung Wetan Village office hall, which is located at RT 004 RW 004 Kedaung Wetan, Neglasari District, Tangerang City 15128. The participants who took part in this counseling activity were 32 people. This activity is an activity carried out by Kedaung Wetan Village in collaboration with UNIS Tangerang. The speakers in this activity were Mr. H. Sri Jaya Lesmana, S.H., M.H. In addition, there were also several other lecturers who accompanied and assisted in the implementation of PKM activities such as Mr. Hasan Hamid Safri, S.H., M.H., Mrs. Dr. Siti Humulhaer, S.H., M.H., Mr. Dippo Alam, S.H., M.H., Mrs. Dr. Lily Kalyana, S.H., M.Kn. and Mrs. Rida Ristiyana, S.E., M.Ak., CIQnR.

Table 1 PKM Event Rundown

Num.	Time	Agenda	PIC
1	08.30-09.00	Registration	Committee
2	09.00-09.10	Opening and prayer	Committee
3	09.10-09.30	Welcome	Village Head
4	09.30-10.10	Material 1: "Debt Collector"	Mr. H. Sri Jaya Lesmana, S.H., M.H.
5	10.10-11.00	Material 2: "Understanding Online Loans"	Mr. Dippo Alam, S.H., M.H.
6	11.00-11.40	Q&A Session	All
7	11.40-12.00	Closing	Committee

This activity began by providing information about the introduction of the speakers and the purpose of the activity, after which the participants were allowed to listen to the material presented by the presenters. The resource person provided information about debt collectors, specifically in the context of motor vehicle execution in the event of bad loans. The discussion of this material began with the definition of debt collector, legal rules that govern its role and authority, and ethics in the debt collection process. In



addition, the speaker also explained the rights and obligations of debtors, legal mechanisms that can be taken if debtors face debt collector actions that violate the rules, as well as complaint procedures to authorities such as the police and consumer protection agencies. In addition to the presentation of the material, this activity was also equipped with an interactive discussion session, where participants could ask questions related to personal experiences or cases that had occurred in their environment.

The resource person also provided a brief simulation on how to deal with debt collectors wisely and in accordance with the law, so that participants can understand the steps that must be taken in dealing with the situation. As part of preventive education, the speaker also conveyed alternative dispute resolution that can be done between debtors and financing companies, such as renegotiation of credit agreements, mediation with the help of third parties, and legal channels if necessary. With this approach, it is hoped that the community will be better prepared to face problems related to the execution of motor vehicles and can protect their rights in accordance with the applicable legal provisions.



Figure 1 Implementation of Legal Counseling

In addition, material was also presented regarding the understanding of online loans. As we know, currently financial technology or fintech in the form of peer-to-peer lending is on the rise, especially online loans because it has proven that there are many enthusiasts (Arvante, 2022). The rise of lending practices, both legal and illegal, is due to difficult economic conditions due to the Covid-19 pandemic and also the consumptive behavior of the digital community and weak regulations, both from the supervision system to law enforcement against fraudulent companies. With the lure of easy terms, many people are tempted by this online loan. No doubt many cases have emerged along with the spread of users of this online loan service. The problem arose after they could not pay the bills from the online loan provider. Various terrors attacked them, even to the point that some committed suicide because they could not bear the shame (Tim BBC News, 2021).

The aspects discussed in the agenda of this activity include the meaning of loans and online gambling, as well as the negative impact it has on the community. In the session



related to loans, the speaker explained the definition of loans, the difference between legal and illegal lending platforms, as well as the regulations that govern their existence and operations in Indonesia. Participants were also given insight into various risks that can arise from the use of loans, such as high interest, hidden fees, and misuse of personal data by illegal loan service providers. In addition, preventive measures that can be taken by the community to avoid debt entanglement from irresponsible loans were also discussed.

Meanwhile, in the discussion of online gambling, the speaker discussed the definition, modus operandi, and dangers that lurk online gamblers. Online gambling has become a rampant phenomenon and has a negative impact on various aspects of people's lives, including family economic instability, increased debt, addiction, and legal consequences that can ensnare players and online gambling service providers. In addition, the speaker also highlighted how online gambling practices are often associated with cybercrime, such as identity theft and money laundering.

As a preventive measure, participants were given insight into how to recognize fraud modes that are often used in loans and online gambling, as well as how to report these illegal practices to the authorities. With this education, it is hoped that the public can be wiser in making financial decisions and avoid the entanglement of practices that can be financially and legally harmful. The essence of the implementation of this legal counseling is to make the community more literate and aware of the law, so that the goal of the law to create order, justice, and welfare in society can be achieved (Anjarwati et al., 2023).



Figure 2 Q&A Session

3.2. Evaluation and Reporting

In this activity, the PKM team also carried out an evaluation to assess the effectiveness of the programs that have been implemented (Lesmana, 2019), especially in increasing partners' understanding of debt collectors, loans, and online gambling. The evaluation was carried out through the provision of pretest and posttest to participants. The pretest aims to measure the level of participants' initial knowledge of the material to be delivered in counseling. Meanwhile, the posttest was carried out after the activity was completed to assess the extent to which the participants' understanding and skills had improved after participating in the training. The results of the analysis of the pretest and posttest are presented in Table 2.

Table 2 Results of Pretest and Posttest of Legal Counseling

<i>Pretest</i>					<i>Posttest</i>				
Num.	Score	%	n	Info	Score	%	n	Info	



1	20	38	12	Not pass				
2	25	22	7	Not pass	70	6	2	Passed
3	35	19	6	Not pass	75	3	1	Passed
4	50	6	2	Not pass	85	6	2	Passed
5	55	3	1	Not pass	90	34	11	Passed
6	60	6	2	Not pass	95	22	7	Passed
7	70	3	1	Passed	100	28	9	Passed
		100	32			100	32	
Avg.		30,31				91,88		

Note: Minimum passing grade = 70

Based on Table 2, it can be seen that the level of understanding of participants in the training material regarding debt collectors, loans, and online gambling has increased significantly. This can be seen from the comparison of pretest and posttest scores obtained by participants. Before the training began, the results of the pretest showed that the average understanding of the participants was still low, with an average score of 30.31%. However, after the training was completed, there was a significant increase in posttest results, with the average score increasing to 91.88%. This increase indicates that the training has succeeded in providing a deeper understanding to the participants.

This result also indicates that legal counseling activities have a positive impact on the community, especially in Kedaung Wetan Village. With increasing legal awareness, participants are expected to be able to face problems related to debt collectors, loans, and online gambling more wisely and understand their rights and obligations in relevant legal aspects. In addition, the results of this evaluation can also be the basis for the development of similar programs in other regions to expand the benefits of legal education for the community.

The results of this evaluation will later be reported to related parties such as the Institute for Research and Community Service (LPPM) UNIS Tangerang and Kedaung Wetan Village as partners in this PKM activity. The report aims to provide an overview of the effectiveness of the implementation of activities and their impact on improving people's understanding of the law. In addition, the results of this evaluation can also be the basis for the preparation of future legal counseling programs that are more targeted and in accordance with the needs of the community.

As a part of the sustainability plan for this community service activity, the PKM Team intends to maintain ongoing collaboration with Kedaung Wetan Village to provide legal counseling on various relevant topics in the future. The selection of these topics will be tailored to address the specific legal challenges faced by the local community. Potential themes include consumer protection, inheritance law, and cybercrime, which are increasingly significant in everyday life. By focusing on these pressing issues, the program aims to equip residents with practical legal knowledge that can help them navigate complex legal situations more effectively and assert their rights confidently.

The continuation of this legal counseling program is expected to significantly improve the community's legal awareness and empower them to safeguard their rights across different aspects of life. Regular educational sessions will help bridge the gap between legal regulations and public understanding, making legal concepts more accessible and actionable for the general population. By fostering a culture of legal literacy, the PKM



Team hopes to contribute to a more informed and resilient community capable of addressing legal disputes proactively and responsibly.



Figure 3 Giving Souvenirs to Kedaung Wetan Village

4. Conclusions

The legal counseling activity on the limits of the authority of debt collectors and leasing companies in motor vehicle executions effectively enhanced public understanding of their legal rights. Using an educational and preventive approach, the program clarified that executions must be conducted based on court orders or with the debtor's approval, as stipulated by Constitutional Court Decision No. 18/PUU-XVII/2019. Evaluation results demonstrated a high level of comprehension among participants, with 91.88% achieving a substantial understanding of the legal mechanisms involved. These findings highlight the effectiveness of the counseling program in achieving its objectives and addressing legal uncertainties experienced by the community.

The success of this activity underscores the importance of legal education in empowering citizens to protect their rights against unlawful practices. Positive feedback from participants further supports the relevance of the program, indicating a significant impact on their ability to navigate legal challenges related to debt collection and vehicle execution. However, the program's reliance on interactive and face-to-face methods suggests that similar approaches should be considered for other legal topics that affect the community. Expanding such initiatives to cover issues like consumer protection, inheritance law, and cybercrime could enhance community resilience against various legal risks.

Despite its success, the program had some limitations. The scope was limited to a single area, which may restrict the generalizability of the findings to other communities with different legal awareness levels and challenges. Additionally, the focus was primarily on providing information without long-term follow-up to assess retention of knowledge or behavioral changes among participants. The limited duration of the activity also constrained the depth of material that could be covered comprehensively. Future research should focus on expanding similar legal counseling programs to different regions to assess their effectiveness across diverse communities. Longitudinal studies are recommended to evaluate the retention of legal knowledge and its influence on community behavior in dealing with legal disputes. Additionally, exploring the integration of digital platforms for



legal education could enhance accessibility and reach a broader audience, ensuring that more citizens are informed about their rights and legal processes.

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