



**JLPH:**  
**Journal of Law, Politic  
and Humanities**

E-ISSN: 2962-2816  
P-ISSN: 2747-1985

<https://dinastires.org/JLPH>    [✉ dinasti.info@gmail.com](mailto:dinasti.info@gmail.com)    [☎ +62 811 7404 455](tel:+628117404455)

DOI: <https://doi.org/10.38035/jlph.v6i4>  
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## Dispute Resolution of State-Owned Housing Occupied By The Deceased Occupant'S Spouse

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**Abstract:** State-Owned Houses (RMN) are part of State-Owned Assets that function to support government administration and public services, and therefore their control falls under the regime of administrative law. In practice, the management of RMN often raises legal issues, particularly when official residences continue to be occupied by the widow of a deceased occupant after the lawful tenant has passed away. This situation creates disputes between the state as the asset owner and the occupant's family, who emphasize social and humanitarian considerations. This study aims to analyze the legal status of RMN occupied by the widow of a deceased tenant and to examine the dispute resolution mechanisms in the context of protecting state assets fairly. The research employs normative legal methods with statutory and conceptual approaches, and analyzes legal materials qualitatively using a prescriptive-analytical method. The findings show that RMN cannot be inherited and may only be lawfully occupied based on valid administrative authorization, meaning that the widow of the deceased tenant has no legal basis to continue occupation without a new permit from the competent authority. Dispute resolution over RMN should be carried out gradually through administrative mechanisms, non-litigation processes, and litigation as the last resort. This study recommends consistent enforcement of administrative law, strengthening of measured administrative policies, and the provision of alternative social policies to ensure the protection of state assets without neglecting humanitarian values.

**Keyword:** State-Owned Houses; State-Owned Assets; Administrative Law; State Asset Disputes; Living Law

### INTRODUCTION

State-Owned Housing (Rumah Milik Negara/RMN) is one form of State Property (Barang Milik Negara/BMN) that has a strategic function in supporting the administration of

government and public services (Ministry of Finance of the Republic of Indonesia, 2022). The existence of State-Owned Housing (RMN) is intended to ensure the smooth performance of duties by certain state officials or civil servants so that they can carry out their official functions optimally. Therefore, regulations concerning RMN are placed within the legal framework of state administrative law and state financial management, rather than within the realm of civil law (Ridwan & Sudarsono, 2021).

In administrative practice, the management of State-Owned Housing (RMN) often encounters complex legal issues. One of the problems that frequently arises is the occupation of RMN by the deceased occupant's wife after the lawful occupant has passed away. This phenomenon occurs in various government institutions and gives rise to prolonged disputes between the state, as the owner of the asset, and the occupant's family, who emphasize humanitarian considerations and housing needs (Putra & Rahmawati, 2023).

Normatively, State-Owned Housing (RMN) never constitutes private property and cannot be inherited. However, in social reality, RMN is often perceived as part of an inheritance, particularly when it has been occupied for a long period of time. This condition demonstrates a gap between positive law and the social practices that develop within society (living law) (Rahardjo, S., 2009).

State administrative officials are often placed in a dilemma between strictly enforcing the law and taking humanitarian and social considerations into account. Previous studies have largely discussed the management of State Property (BMN) from the perspective of state financial accountability and asset optimization. Research concerning State-Owned Housing (RMN) generally focuses only on administrative aspects, without deeply relating them to the dynamics of living law that occur in practice. Therefore, studies on disputes over RMN occupied by the deceased occupant's wife still provide room for further development, particularly in integrating normative legal analysis with social realities.

The management of RMN cannot be separated from the principles of orderly, efficient, and accountable management of State Property (BMN). As the owner of public assets, the state has a legal obligation to ensure that every asset is used in accordance with its designated purpose. In the context of RMN, such use is directly related to official service interests rather than the personal interests of the occupant. Therefore, RMN must be understood as a functional state facility.

This understanding is important to prevent irregularities in the occupation of State-Owned Housing (RMN) (Ridwan & Sudarsono, 2021). Legal issues concerning RMN become increasingly complex when associated with social and humanitarian factors. The deceased occupant's wife is often in a vulnerable economic and social position. Such circumstances generate sympathy from both society and government officials toward the continued occupation of the RMN. However, this social sympathy does not always align with the applicable positive law. This imbalance frequently becomes the main source of RMN disputes (Putra & Rahmawati, 2023).

In governmental administrative practice, it is not uncommon for the occupation of RMN without a valid legal basis to be tolerated. This tolerance usually begins as a temporary policy without a clear time limitation. Over time, such tolerance develops into prolonged factual occupation. This condition has the potential to create the assumption that the RMN has become the right of the occupant's family. In fact, legally, the status of the RMN never changes (Wignjosoebroto, S., 2002).

This phenomenon indicates that the enforcement of state administrative law has not been functioning optimally. Government officials are often confronted with a dilemma between legal certainty and social stability. Strict measures in regulating RMN are frequently perceived as inhumane actions. As a result, the enforcement of administrative law tends to be

compromise-oriented. Such a pattern has the potential to weaken the authority of the law and the management of state assets.

From the perspective of state administrative law, every governmental action must be based on the principle of legality. This principle requires that every occupation of RMN possess a valid legal basis of authority. Without such a legal basis, the occupation of RMN may be classified as an unlawful administrative act. The state has both the authority and the obligation to terminate unlawful occupation. This obligation forms part of the effort to protect state assets (Ridwan & Sudarsono, 2021).

Furthermore, RMN disputes also have implications for the management of state finances. RMN occupied without legal entitlement cannot be utilized optimally in accordance with the needs of the relevant institution. This situation has the potential to cause state losses, whether financial, administrative, or functional in nature. Therefore, the resolution of RMN disputes has become an urgent necessity (Ministry of Finance of the Republic of Indonesia, 2022).

This study offers novelty by positioning State-Owned Housing (RMN) disputes within the perspective of living law, namely by examining the interaction between the norms of state administrative law and the social practices that develop within society. Accordingly, this research not only emphasizes legal certainty regarding the status of RMN, but also provides a dispute resolution framework that takes justice and utility into consideration.

Based on the foregoing explanation, the issues examined in this study are: (1) what is the legal status of RMN occupied by the deceased occupant's wife; and (2) what dispute resolution mechanisms may be applied in resolving RMN disputes in the context of fair protection of state assets.

## **METHOD**

This research is a normative legal study that focuses on the examination of positive legal norms. The approaches employed include the statutory approach and the conceptual approach. The primary legal materials consist of legislation governing the management of State Property (Barang Milik Negara/BMN), particularly state-owned housing. Secondary legal materials include legal literature, scientific journals, and expert opinions relevant to the research topic. In addition, this study also utilizes tertiary legal materials, such as legal dictionaries and legal encyclopedias, to clarify the concepts and terminology used.

All legal materials are analyzed qualitatively using a prescriptive-analytical method. This method is employed to assess the conformity between the applicable legal norms and the practices in managing state-owned housing. The prescriptive analysis aims to formulate ideal legal recommendations for the resolution of disputes concerning state-owned housing. This normative approach was chosen because the issues examined are directly related to legal status and the administrative authority of the state. Through this method, the research is expected to provide systematic and coherent legal arguments.

The results of the analysis are presented descriptively and analytically in order to explain the relationship between legal norms, legal doctrines, and administrative practices. Thus, this study not only explains the applicable law, but also provides prescriptions regarding how the law ought to be implemented.

## **RESULTS AND DISCUSSION**

This section contains data (in brief form), data analysis, and interpretation of the results. Results can be presented in tables or graphs to clarify the results verbally because sometimes the display of an illustration is more complete and informative than the display in narrative form.

This section must answer the problems or research hypotheses that have been formulated previously.

### **Legal Status of State-Owned Housing**

State-Owned Housing (Rumah Milik Negara/RMN) constitutes part of State Property (Barang Milik Negara/BMN), which juridically falls under the control of the state as a public legal entity, as affirmed within the framework of modern state administrative law (Rahardjo, S., 2009). The state's control over RMN is not civil in nature; rather, it represents the exercise of public authority intended to ensure the effective and sustainable implementation of governmental functions. In this context, the state does not act as a private owner, but rather as a public authority entrusted with the management and utilization of state assets for public purposes the manager of public assets who bears certain legal responsibilities.

RMN is provided as an official residential facility to support the performance of duties by state officials or civil servants. Therefore, the use of RMN is always associated with official status and institutional needs. Occupancy permits are granted through administrative decisions that are temporary in nature and may be revoked at any time. Such permits are not intended to create ownership relations, but merely confer an administrative right of use that is functional in character (Ridwan & Sudarsono, 2021). The length of occupancy does not alter the legal status of RMN. This principle is important in preventing the transformation of public assets into private interests.

Under state administrative law, RMN remains attached to its status as a public asset even when occupied by individuals for a long period of time. This is consistent with the principles governing the management of State Property (BMN), which emphasize orderliness, efficiency, and accountability (Ministry of Finance of the Republic of Indonesia, 2022). RMN does not constitute an object of proprietary rights as regulated under civil law. Consequently, RMN cannot be transferred, sold, pledged, or inherited. The obscuring of RMN's legal status has the potential to generate disputes, particularly when the occupant's family regards the house as part of the deceased's estate (living law).

Disputes concerning RMN frequently arise from public misconceptions reinforced by inconsistent practices of administrative tolerance. For example, in the case of Yani Maryatni v. the Ministry of Health of the Republic of Indonesia, the courts consistently affirmed that RMN does not constitute an inheritable object and that occupation by the deceased occupant's widow without a valid Occupancy Permit (Surat Izin Penghunian/SIP) constituted an unlawful act (Decision of the Surabaya District Court No. 880/Pdt.G/2018; Decision of the Surabaya High Court No. 564/Pdt/2019; Decision of the Supreme Court of the Republic of Indonesia No. 2664 K/Pdt/2020). This jurisprudence strengthens the principle that RMN must be understood as a public instrument attached to state interests, rather than as private property.

Accordingly, affirming the legal status of RMN is crucial to maintaining consistency within state administrative law. RMN must be firmly positioned as a public asset that may only be utilized on the basis of a valid administrative permit. Such affirmation not only protects state interests, but also prevents unilateral ownership claims that may weaken the authority of the law and the governance of State Property (BMN).

### **Legal Status of the Deceased Occupant's Wife**

The legal status of the deceased occupant's wife in relation to State-Owned Housing (Rumah Milik Negara/RMN) often gives rise to tension between legal norms and social considerations. In administrative practice, the deceased occupant's wife is frequently regarded as a party deserving tolerance. Such consideration is generally based on humanitarian aspects and the continuity of housing needs. However, state administrative law places the principle of legality as the primary basis for the control of state assets (Ridwan & Sudarsono, 2021).

Normatively, RMN is not an object of ownership rights and therefore does not constitute part of an inheritance. The death of the occupant results in the termination of the administrative legal relationship, and with the termination of such relationship, the occupancy permit also automatically expires. There is no principle of automatic transfer of rights to heirs. Therefore, the deceased occupant's wife does not acquire a legal basis to continue occupying the RMN. Any continuation of occupancy must be based on a new permit issued by the competent authority. Without such authorization, the occupation may be classified as unlawful occupation.

Social protection may indeed be provided, but it cannot serve as a basis for altering the legal status of state assets. Such protection may only be realized in the form of temporary administrative policies that are limited and measurable in nature. Administrative discretion must not create new rights, because if discretion is left unrestricted, it may lead to legal uncertainty. Such uncertainty can trigger unilateral claims and, in the long term, weaken the system of State Property (BMN) management.

Therefore, the legal status of the deceased occupant's wife must be strictly positioned within the framework of state administrative law. This approach maintains a balance between legal certainty and social justice. In this way, the law continues to be enforced without disregarding humanitarian values.

### **Legal Protection of State Assets**

Legal protection of state assets constitutes a fundamental element in modern state financial governance that is oriented toward accountability and sustainability (Ombudsman of the Republic of Indonesia, 2021). The state has both a constitutional and administrative obligation to safeguard all State Property (Barang Milik Negara/BMN) from misuse or occupation by unauthorized parties. This obligation is a consequence of the state's position as the manager of public assets acting in the public interest.

The protection of state assets encompasses legal, administrative, and physical aspects that must be implemented in an integrated manner. The legal aspect relates to certainty regarding the ownership and control status of state assets. The administrative aspect concerns orderly registration, supervision, and control over the use of assets. Meanwhile, the physical aspect relates to the actual safeguarding of assets owned by the state. The occupation of State-Owned Housing (RMN) without a valid legal basis has the potential to cause state losses. Such losses are not always financial in nature and directly measurable. In many cases, administrative and functional losses are in fact more significant, because RMN occupied without legal entitlement cannot be utilized in accordance with the needs of the relevant institution (Ridwan & Sudarsono, 2021).

As a consequence, the state loses the strategic function of the asset, which may hinder the effectiveness of public services and the performance of governmental organizations. Legal protection of state assets also aims to prevent irregularities from occurring at an early stage. Such prevention is important to ensure that problems do not develop into prolonged disputes. In addition, the protection of state assets serves to uphold the authority of state administrative law. The state's failure to firmly protect public assets may create a negative precedent that encourages unlawful occupation practices within other institutions. If left unchecked, such practices may evolve into deviant administrative customs.

Recent regulations concerning the management of State Property (BMN) expressly emphasize the importance of legal safeguards for state assets (Ministry of Finance of the Republic of Indonesia, 2022). Officials responsible for managing BMN bear direct responsibility for implementing such protection. This responsibility is inherent in their office and cannot be neglected. Failure to protect state assets may result in legal implications for the officials concerned, including administrative sanctions and ethical consequences. Therefore,

the regulation and recovery of RMN must be regarded as an imperative legal obligation rather than an optional policy dependent upon the discretion of officials. This approach is consistent with the principles of good governance in state financial management.

The protection of state assets also contributes to increasing public trust in the government. Public trust constitutes an important foundation for effective governance. Accordingly, legal protection of state assets must be implemented consistently, firmly, and continuously so that the objectives of public asset management may be achieved optimally.

### **Dispute Resolution Mechanism for State-Owned Housing**

The resolution of disputes concerning State-Owned Housing (Rumah Milik Negara/RMN) must be carried out in a gradual, systematic manner and based upon the principles of state administrative law. A gradual approach is necessary to ensure that every dispute is resolved proportionally and is not immediately brought before the courts.

The first stage is the administrative mechanism, which is conducted through verbal warnings, written warnings, and ultimately eviction orders issued by the managing institution. This stage reflects the state's public authority in regulating assets under its control. Administrative settlement aims to provide an opportunity for the party occupying the RMN to comply voluntarily with legal provisions. Through this approach, the state seeks to prevent the escalation of disputes that may generate social conflict (Ridwan & Sudarsono, 2021).

If administrative settlement proves ineffective, non-litigation mechanisms may then be pursued. These mechanisms are generally conducted through dialogue, deliberation, or mediation. Mediation provides a communicative space between the state and the occupants of the RMN. Dialogue within mediation enables each party to express its interests and objections. In this process, social and humanitarian considerations may be taken into account proportionally. Nevertheless, non-litigation mechanisms must not produce agreements that contradict the law. Mediation cannot serve as a basis for altering the legal status of RMN, because the principle of legality must still be maintained in every agreement.

If non-litigation mechanisms fail to achieve a settlement, the state may pursue litigation. Litigation is positioned as an *ultimum remedium*, or a last resort, in the resolution of RMN disputes. Litigation provides legal certainty through court decisions that are final and binding upon the parties. Such legal certainty is important in terminating prolonged disputes, as demonstrated in the case of *Yani Maryatni v. the Ministry of Health of the Republic of Indonesia*, where the courts affirmed that the occupation of RMN without valid authorization constituted an unlawful act (Decision of the Surabaya District Court No. 880/Pdt.G/2018; Decision of the Surabaya High Court No. 564/Pdt/2019; Decision of the Supreme Court of the Republic of Indonesia No. 2664 K/Pdt/2020).

### **Analysis of a Concrete Case of State-Owned Housing Occupation**

In governmental administrative practice, the occupation of State-Owned Housing (Rumah Milik Negara/RMN) by the deceased occupant's wife frequently occurs, particularly in official residences that have been occupied for a long period of time. This phenomenon generally arises in RMN previously used by state officials or civil servants who have retired or passed away. Managing institutions often delay eviction measures on social and humanitarian grounds. Such delays are frequently not formalized in written administrative decisions possessing binding legal force. As a result, factual occupation of RMN occurs without a clear administrative legal basis, thereby creating legal uncertainty both for the state as the owner of the asset and for society at large.

In several cases, prolonged occupation gives rise to unilateral ownership claims by the occupants. These claims are often based on the length of occupancy and contributions toward the maintenance of the house. However, such factual considerations cannot serve as a legal

basis for the creation of ownership rights. Court decisions in similar disputes have consistently affirmed that RMN does not constitute an inheritable object (Putra & Rahmawati, 2023). The courts position RMN as a public asset under the control of the state. In their considerations, judges may acknowledge the existence of humanitarian aspects that deserve attention, yet such considerations are not used as a basis for altering the legal status of RMN (Ridwan & Sudarsono, 2021).

### **The Principle of Legality and the General Principles of Good Governance (AUPB) in the Management of State-Owned Housing**

The principle of legality constitutes a fundamental principle in state administrative law, requiring that every governmental action be based upon valid and applicable legislation (Ridwan & Sudarsono, 2021). This principle affirms that the government must not act arbitrarily in managing state assets, including State-Owned Housing (Rumah Milik Negara/RMN). In the context of RMN management, the principle of legality requires that every grant of occupancy permits, extension of permits, and termination of occupancy be carried out on the basis of a clear legal foundation. The existence of such a legal basis provides certainty both for the state and for the occupants.

In addition to the principle of legality, the management of RMN must also observe the General Principles of Good Governance (Asas-Asas Umum Pemerintahan yang Baik/AUPB). AUPB functions as both an ethical and juridical guideline in the exercise of governmental authority. The principle of legal certainty requires clarity regarding the legal status of RMN from the beginning of occupancy. The principle of prudence obliges officials to consider the legal, social, and administrative consequences of every decision taken. In RMN cases, prudence is necessary to ensure that tolerance does not develop into prolonged administrative neglect.

### **Government Discretion and the Risk of Maladministration in the Management of State-Owned Housing**

Discretion is the authority granted to government officials to make decisions under certain circumstances when legislation does not regulate matters in detail (Ridwan & Sudarsono, 2021). Discretion is intended to ensure the smooth administration of government functions. In the management of State-Owned Housing (Rumah Milik Negara/RMN), discretion is often exercised to provide occupancy tolerance to the deceased occupant's wife. Such tolerance is generally based on social and humanitarian considerations.

However, the exercise of discretion cannot be carried out freely and without limitation. Discretion must remain subject to the principle of legality and the General Principles of Good Governance (Asas-Asas Umum Pemerintahan yang Baik/AUPB). Discretion exercised without a clear time limitation has the potential to develop into administrative neglect. Such administrative neglect may be classified as maladministration. Maladministration in the management of RMN may take the form of failure to regulate occupancy or uncertainty regarding the legal status of occupation. This condition creates legal uncertainty for both the state and society, and may potentially cause administrative and functional losses to the state.

RMN that is allowed to remain occupied unlawfully cannot be utilized in accordance with the needs of the relevant institution. Furthermore, maladministration may create injustice toward other employees who require official housing. The Ombudsman of the Republic of Indonesia has frequently highlighted maladministration practices in the management of public assets. Ombudsman findings indicate that uncontrolled discretion constitutes a serious source of problems (Putra & Rahmawati, 2023). Therefore, discretion must be exercised in a limited and measurable manner. Discretion must not create new rights that contradict the law, and

every discretionary policy must be embodied in a written administrative decision in order to ensure legal certainty.

### **The Relationship Between State-Owned Housing Disputes and the Principle of Protecting Citizens' Social Rights**

Disputes concerning State-Owned Housing (Rumah Milik Negara/RMN) are closely related to the principle of protecting citizens' social rights, which constitutes an important element within the concept of the welfare state. Indonesia adheres to the concept of a welfare state, which places the state in a position of responsibility for ensuring the social welfare of its citizens (Asshiddiqie, J., 2006). One of the social rights frequently associated with RMN disputes is the right to adequate housing, which is recognized as part of human rights and must therefore be respected and protected by the state.

Nevertheless, recognition of such rights does not automatically create ownership rights over RMN. In the context of RMN, citizens' social rights must be understood proportionally and contextually. RMN constitutes a public asset provided for official and public service purposes. Therefore, the use of RMN cannot be equated with private home ownership. The state nevertheless remains obligated to protect citizens who are in vulnerable conditions, including the deceased occupant's wife, who is often in a socially and economically vulnerable position (Ridwan & Sudarsono, 2021).

Such conditions give rise to moral demands for the state to provide protection. However, social protection must not obscure the legal status of RMN as a public asset. Protection for vulnerable parties should instead be provided through alternative social policies, such as housing assistance, relocation programs, or other forms of social support. Providing social protection outside the framework of RMN occupation enables the state to continue fulfilling its welfare functions without violating the principle of legality.

If social rights are used as the basis for permanent occupation of RMN, a conflict with the principle of legality will arise. Such conflict has the potential to weaken the system of state administrative law. When administrative law is overridden solely by social considerations, legal certainty becomes neglected. In the long term, this condition may diminish the authority of the state as the administrator and enforcer of the law.

### **Prevention of Disputes Through Regulatory and Administrative Reform of State-Owned Housing**

The prevention of disputes concerning State-Owned Housing (Rumah Milik Negara/RMN) constitutes a strategic measure in achieving sustainable and accountable public asset management. Many RMN disputes arise from weak technical regulations governing the occupancy of state-owned housing. Existing regulations often fail to regulate in detail the mechanisms for terminating RMN occupancy. Such ambiguity creates room for differing interpretations among managing institutions, thereby resulting in inconsistent administrative practices.

Furthermore, the absence of national standard operating procedures (SOPs) has caused each institution to implement RMN management policies based on its own customary practices. Differences in practices among institutions create legal uncertainty for both occupants and administrators. Such legal uncertainty has the potential to harm the state and generate prolonged conflicts. Recurrent disputes indicate the existence of structural weaknesses within the RMN management system. Therefore, reforming RMN regulations has become an urgent necessity that can no longer be postponed. Regulatory reform may be carried out through the formulation of national technical guidelines that are uniform and binding upon all institutions (Ministry of Finance of the Republic of Indonesia, 2022).

Such technical guidelines must clearly regulate the granting, extension, and termination of RMN occupancy permits. In addition to regulatory reform, the administrative management of RMN occupancy must also be strengthened systematically. RMN occupancy administration must be properly documented, orderly, and transparent. Every occupancy permit must include a clear time limitation and be subject to periodic evaluation. The absence of clear time limitations has the potential to result in prolonged factual occupation (Ridwan & Sudarsono, 2021).

The digitalization of RMN occupancy data may serve as a solution to improve administrative transparency and accuracy. Through a digital system, supervision over the validity period of occupancy permits may be conducted more effectively. Integrated data facilitates managing institutions in carrying out timely regulation and enforcement measures. Furthermore, digitalization also minimizes the potential for manipulation of administrative data.

### **Legal Implications if the State Fails to Regulate State-Owned Housing**

The failure of the state to regulate and recover State-Owned Housing (Rumah Milik Negara/RMN) carries serious and multidimensional legal implications. Such negligence may be classified as a violation of the principle of accountability in the management of state assets. Officials responsible for managing State Property (Barang Milik Negara/BMN) have legal and administrative obligations to safeguard, secure, and regulate state assets on a continuous basis. If these obligations are neglected, the responsible officials may be held administratively accountable in accordance with applicable laws and regulations (Ridwan & Sudarsono, 2021).

Furthermore, failure to regulate RMN may also result in audit findings by the Audit Board of the Republic of Indonesia (Badan Pemeriksa Keuangan/BPK). Such findings may affect the performance assessment of institutions responsible for managing state assets. The consequences are not merely administrative in nature, but may also have implications for the reputation of governmental institutions. From the perspective of state administrative law, allowing unlawful occupation of RMN directly weakens the principle of legal certainty. Legal certainty constitutes one of the principal pillars of the rule of law. Without legal certainty, legal norms lose both their binding force and authority.

State negligence may also encourage the emergence of unfounded ownership claims by parties who factually occupy RMN. Under such circumstances, society may develop the perception that physical control is stronger than the applicable legal provisions. Such a perception clearly contradicts the principle of the supremacy of law. If left unchecked, this misconception may erode public legal awareness. In the long term, state negligence creates a negative precedent in the management of public assets. Such precedent may potentially be imitated by other institutions facing similar problems, thereby expanding the issue of unlawful occupation of state assets.

In addition, failure to regulate RMN may trigger more complex and prolonged legal disputes. Such disputes will ultimately burden the state in terms of costs, time, and resources. State negligence may also be regarded as a form of maladministration in governmental administration. Maladministrative practices may become the object of supervision by external institutions such as the Ombudsman of the Republic of Indonesia (Putra & Rahmawati, 2023). Therefore, the regulation and recovery of RMN must be carried out consistently and continuously. The state must not hesitate to enforce administrative law in order to protect public assets. Firm law enforcement also functions as a preventive instrument against similar violations. Moreover, consistency in law enforcement will increase public trust in the government. Public trust is an essential element in maintaining governmental legitimacy. Accordingly, negligence in regulating RMN must be systematically avoided. Consistent

enforcement of administrative law constitutes the primary key to maintaining the authority of the law and the protection of state assets.

## CONCLUSION

State-Owned Housing (Rumah Milik Negara/RMN) constitutes a public asset that cannot be inherited, and its occupation may only be carried out on the basis of a valid administrative permit. The legal status of RMN remains under the control of the state as a public legal entity and never transfers into private ownership rights (Ridwan & Sudarsono, 2021). The death of the occupant terminates the administrative legal relationship that forms the basis for granting the occupancy permit. Therefore, the deceased occupant's wife has no legal basis to continue occupying the RMN without obtaining a new permit from the competent authority. Any continuation of occupation without valid authorization is classified as unlawful occupation.

Protection of social and humanitarian aspects is indeed important, but it cannot serve as a basis for altering the legal status of RMN. Such protection may only be provided through temporary administrative policies that are limited and measurable in nature. The state has a legal obligation to safeguard and protect state assets from unlawful occupation. The resolution of RMN disputes must be carried out gradually through administrative, non-litigation, and litigation mechanisms as a last resort. This gradual mechanism reflects the principles of proportionality and procedural justice in state administrative law, thereby enabling the state to enforce the law without disregarding social stability.

Consistency in the enforcement of administrative law is essential to prevent the recurrence of similar disputes in the future. Accordingly, the management of RMN must be conducted in an orderly, accountable manner and oriented toward the public interest. This study is expected to contribute to the development of state administrative law, particularly in the management and resolution of state asset disputes in a fair manner, while also strengthening the integration between legal certainty and social protection within the framework of living law.

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