



Bedikat Chametz for Guests at a Hotel

לעילוי נשמת
 יואל אפרים בן אברהם עוזיאל זלצמן ז"ל

Question: I will be at a hotel for Pesach. When I arrive, a few hours before Pesach, should I do *bedikat chametz* (=bc), or rely on the hotel to give me a *chametz-free* room?

Answer: The *gemara* (Pesachim 4a) decides that when one rents a house from another Jew before Pesach, the one who has access to it on the night of *bc* is obligated in *bc*. So, since you are coming a few hours before Pesach, the hotel is obligated to do *bc*.

The *gemara* continues with a question – can one who starts renting on *erev Pesach* assume that the landlord indeed did *bc*? We rule that one may assume he did *bc* (Shulchan Aruch, Orach Chayim 437:2), but the renter must ask the landlord if he is available. So, ostensibly, if the hotel did not report they did *bc*, you should inquire.

There are a few reasons, though, why this might not be necessary. Arguably, the *hashgacha* on the hotel includes an assurance that the rooms were properly checked. While this is true in some hotels, there are definitely arrangements where the *mashgiach* is responsible for the kitchen, whereas non-rabbis are responsible for other proper halachic operation of the hotel. Just like in the *gemara*'s case one needs to ask a fine landlord whether he did *bc*, perhaps here too you must ask. Therefore, it is difficult to give clear guidance about unspecified locations.

Another sometimes valid point of leniency is that at some hotels, you may have difficulty receiving a credible answer. Will the receptionist know? Will you be able to get hold of the relevant person on this hectic day? Therefore, it may be equivalent to what the *gemara* calls “he is not around to ask.” While it could be more practical to ask in advance whether the hotel does a halachic *bc* on the rooms, if he did not, perhaps one there can rely on the assumption they did.

The major question is if there was no formal *bc* done but the hotel can assure you that the room is clean, because a hotel's job is to provide clean rooms all year long. This should fall under the general rule that a professional will not endanger his professional standing (see Shach, Yoreh Deah 155:3).

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While no hotel is perfect, a standard *bc* is not perfect either.

But can a chambermaid's cleaning without a candle and perhaps not on the night of the 14th of Nisan count in lieu of *bc*? If one checks without the halachically prescribed lighting, he does not have to redo the *bc* (Shulchan Aruch, OC 433:1 and Mishna Berura 433:6). Also, most of us rely on the serious cleaning we do in the days leading up to Pesach but not with the characteristics of *bc*, and then do only a cursory *bc*, which would not uncover most of the *chametz* if it still existed. This is based on effectively creating places that are assumed to be *chametz* free (see Living the Halachic Process III, D-15).

Remember, that the *mitzva* of *bc* was not supposed to fall upon you (outside the one you likely will do at your home – see Living the Halachic Process II:D-14). It is just that there is a possibility that your concern about *chametz* may make it necessary. The *gemara* (Pesachim 8a) posits that one does not need to check outdoor areas frequented by *chametz*-eating animals because he can assume there will not be *chametz* there. The birds do

not fulfill the *mitzva* of *bc* for us; they create a place which is excluded from the need of *bc*. For our purposes, the chambermaid is no worse than the birds. Even if she is not Jewish and cannot be an agent to fulfill the *mitzva*, she can still eliminate the likelihood of *chametz*.

It is therefore fine to not do *bc* when you come. (Coming in the afternoon of *erev Pesach*, when *chametz* is useless, makes things slightly but not fully more lenient – see Magen Avraham 437:3; Tosafot, Pesachim 2a. Further discussion is beyond our scope). If one wants to be *machmir* and do *bc*, fine (it can be done in a minute). However, the opinion (see Piskei Teshuvot 437:1) that if the hotel did not do “*bc*,” one should do one with a *beracha* is wrong. ■

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