The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תקל"ט סעיף י"ב-י"ד

Overview

Siman 539 Seif 12:

One may not purchase houses, stones, slaves or animals unless they are necessary for the *moed* or if a merchant does not have food to eat or for a worker who delivers purchased items who does not have food to eat. The restriction is limited to these items that are purchased in public and create a buzz but the custom regarding other utensils is to purchase them in private.

- Some maintain that one may purchase these items from a gentile since one is salvaging it from him. (M.B. 40)
- In order to provide for a worker who does not have food to eat a merchant and customer may engage in a business transaction and the same is true for a broker. One may not take advantage of this *halacha* and claim that one is making the transaction for the sake of the broker. (M.B. 42)
- Authorities write that one should not be lenient with other utensils that are not needed for the *moed* unless they will not be available for such a cheap price after the *moed*. (M.B. 43)

Siman 539 Seif 13:

It is permitted to make an interest bearing loan to a gentile to whom one regularly lends money since it is considered a *davar ha'avud*. It is also permitted to lend others but one must use some of the interest from the first week for *simchas* Yom Tov. It is permitted to take security for a loan that will be issued after the *moed*.

- If one does not issue the loan the gentile will go elsewhere and may not return as a borrower in the future. The money earned in this case need not be used for *simchas* Yom Tov. (M.B. 44)
- It is also permitted to lend money to a Jew with *ribbis* in the permitted manner as well as invest money in a business venture. (M.B. 45)
- Since the loan will not be issued until after Yom Tov, it is not considered trade. (M.B. 46)

Siman 539 Seif 14:

Loans or changing money from/with a professional money changer are prohibited.

Halacha Highlight

Bank transactions and bill paying

Shulchan Aruch Siman 539 Seif 14
הלואה דשלחנות בקביעות
Loans from a bank that is constantly involved in lending

Shulchan Aruch (סע' י"ד) rules that a loan from a bank, which is constantly involved in lending and changing money, is forbidden. *Poskim* write that this restriction includes many different types of financial transactions. However, the same allowances that permit other *melachos* apply here as well and thus if the transaction is necessary for the *moed* and one did not plan to perform the transaction during the *moed* figuring he will have free time, or if it is to prevent a loss, it is permitted.

Generally, one should not deposit money into one's account on *chol hamoed*. However, if one fears that if the money is not deposited it will get stolen or if refraining from depositing money will result in a penalty, e.g., he does not have a minimum amount of money in the account when his monthly statement closes, it is permitted to deposit the money. The restriction against depositing the money applies even though it can be done electronically, either from an ATM or from one's phone.

Cashing checks is also generally prohibited but there are a number of circumstances in which it is permitted. For example, if one fears that by waiting there will no longer be funds in the issuer's account to cover the amount of the check, it is permitted to cash it during *chol hamoed*. Similarly, if one needs the funds to cover checks that he has written because without these funds his checks will bounce, it is also permitted. A third allowance is if one needs the cash to purchase *moed* related items.

Generally, bills should be paid before or after the *moed*. However, if a bill is due during *chol hamoed* and one did not have the funds until *chol hamoed* to pay and delaying will result in a penalty, it may be paid during *chol hamoed* (פסקי תשובות אות י"ב).