

The aim of our learning program is twofold: to enhance our Shabbat meals with divrei torah and to study together as a community. The weekly sheet contains a real-life practical question with a halachik response, as well as parsha questions on the reverse side for adults and children to review.

#### Scenario and Discussion

*(Courtesy of the Business Halacha Institute  
[www.businesshalacha.com](http://www.businesshalacha.com))*

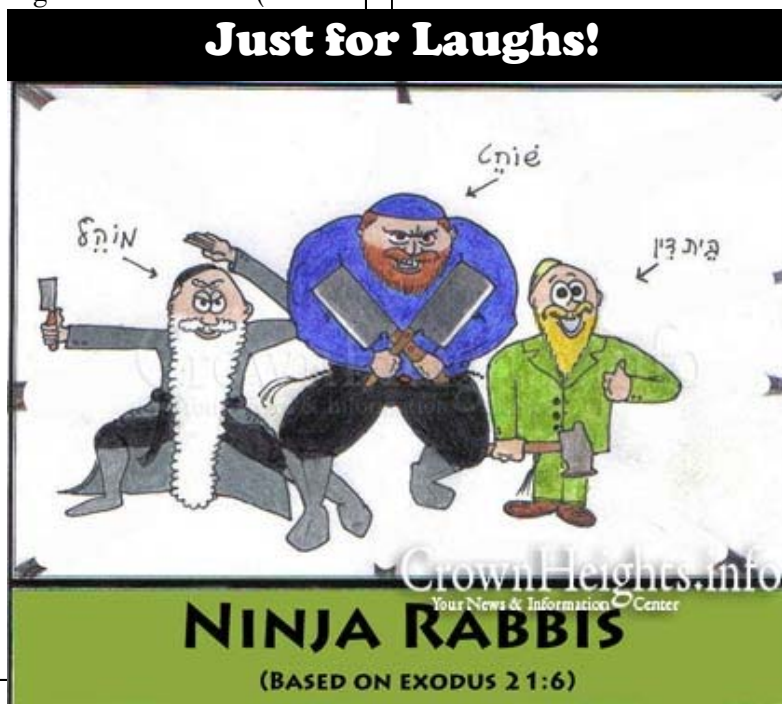
My tenant's lease expired two weeks ago. Although he was paying me more than the market value for the apartment, he has been a difficult tenant and I want him to leave as soon as possible. I am anyway fed up with renting the place. In order to be sure that he would leave when the lease was up, I gave him a three months' oral and written notice informing him that he must leave, and if he stays against my wishes, his rent will increase to three times his current rate until I successfully evict him. He just laughed, saying that he would never pay the increase.

**Q:** Now that the lease expired and he hasn't left, am I halachically allowed to charge him the 200% rent increase until I am able to evict him?

**A:** Although you have the right to evict him (C. M. 312:8), the issue of the renting fee is not so simple. Shulchan Aruch (C. M. 363:6) discusses a case in which Reuven occupied Shimon's property without permission. Shimon told Reuven to leave his property, but Reuven did not leave. The halacha is that Reuven is obligated to pay Shimon the market rate for renting that property even if it is not a rental property. Sema

(363:14) explains that although when one discovers someone living on his property that is not used as rental property, he usually may not charge rent for the time that he was there, this case is different since he already told him to leave. Once Shimon explicitly tells Reuven to leave his property, if Reuven stays, he is obligated to pay rent for the time that he remains on the property. Erech Shai (363:6) extends the ruling of Shulchan Aruch to a case that is even more similar to yours. He writes that if an owner warns a squatter that he will charge him an inflated rent if he does not leave the property and the squatter says he will not pay, the squatter is obligated to pay only the market rate for rental of this type of property. The rationale behind this ruling is that once the squatter makes the decision to stay against the wishes of the owner, he becomes a thief and is obligated to reimburse the owner according to its market value. This principle applies in your circumstance as well. You informed your tenant that

he must leave and he refused. He is there against your wishes. Although you warned him that after the lease expires you will charge him three times the value of his rent, you don't want him as a tenant. As such, he is living there as a thief and is only obligated to pay the lower range of the market value for the stolen property.



# Parsha Questions

*Courtesy of the Pardes Institute for Jewish Studies*

*All references are to the verses and Rashi's commentary, unless otherwise stated.*

1. How many years was a Hebrew slave (servant) required to serve and when did he go free?
2. If the slave did not want to go free, what did the master do?
3. What was the penalty for a man who hit or cursed either his mother or father?
4. If two men got into a fight, and one was hurt to the extent that he had to be put to bed, but recovered later, what was the penalty upon the one who hurt him?
5. If a man hit his slave or maidservant and the result is a lost tooth or eye, what is the penalty upon the man?
6. If a man stole an ox or a sheep, killed it or sold it, what did he have to pay (if he was caught)?
7. What was the penalty upon a person who stole an ox or sheep and was caught with it alive?
8. If a person afflicted a widow or fatherless child, and the afflicted one cried out to G-d, what would G-d do to the persecutor?
9. If you lend someone money, and take their garment as a pledge, by when must it (the garment) be returned and why?
10. What does G-d mean when He says you shall not utter a false report?

1. 6 years of service and the 7th year he goes free.
2. He was to bring the slave to or door post, and pierce his ear.
3. He was to be put to death.
4. He had to pay the other's doctor bills and for the loss of his pay while not working.
5. He must let them go free.
6. 5 oxen for the ox and 4 sheep for the sheep.
7. He had to return the stolen animal plus 1 more like it.
8. Kill him with the sword.
9. Before the sun goes down, because it is his only covering in which to sleep.
10. You must not be an unrighteous witness, perverting justice.

Parsha Answers