



בית הוראה Halacha Hotline

of the Five Towns and Far Rockaway Community

Under the Leadership of HaRav Binyomin Forst, שליט"א

PRACTICAL HALACHA

Practical Pesach Pointers Part 2: Pesach Away From Home

Note: while this article focuses on hotel rooms,¹ an astute reader will realize that many of the *halachos* presented herein are relevant as well to one who will be spending Pesach in one's vacation home or someone else's empty apartment for Pesach; some of the *halachos* might even be relevant to one who will be spending Pesach at relatives.

Bedikas Chametz (Searching for Chametz) and Chametz in the Hotel Room

One who checks in to a hotel for Pesach prior to the night of the 14th of *Nisan* is obligated to perform *bedikas chametz* in his hotel room on the night of the 14th using a flashlight. One should not assume that housekeeping takes the place of the *bedikah*, and one should, therefore, check all areas of the room, with a *b'rachah*. (**However, see notes.**)^{2,3} Before performing the *bedikah*, one should put out the customary ten pieces of bread.⁴

¹ It should be understood that including this topic in this article is not intended as the *Halacha Hotline's* condoning going to just any hotel for Pesach. One must be very scrupulous in choosing a hotel with a reliable *hechsher* (kosher supervision). Also, when in a hotel, one should try one's utmost to not lose the yearly opportunity to have a proper family *Seder*, which traditionally is an auspicious time to impart *Emunah* (belief in G-d) to our children.

² If one previously recited a *b'rachah* on performing *bedikah* at home earlier that night, one does not recite a *b'rachah* when performing *bedikah* in the hotel room (see *Shulchan Aruch Orach Chaim* 432:2). The same would likely apply if one checks in after the night of the 14th (see below in the article) and already recited a *b'rachah* when performing *bedikah* on the night of the 14th (see *Piskei Teshuvos* 432:6 with notes; cf. *She'arim M'tzuyanim B'halacha* 111:3 note 5).

³ It is possible that an argument can be advanced (due to various factors, some beyond the scope of this article; see *Koveitz Halachos, Pesach* page 76 note 5) that one should not recite a *b'rachah*. In addition, the position of Rav Shmuel Kaminetsky (*Koveitz Halachos, Pesach* pages 77-78) is that the cleaning staff is presumed to have cleaned the room well and only a superficial *bedikah* is required in a hotel – without a *b'rachah*. This assumption probably depends upon the quality of the hotel cleaning staff, the type of room and the layout of its furniture, and the potential for there to be *chametz* that remains hidden (typically unnoticed by most travelers) but *halachically* accessible. Following this position, it is sufficient – in a quality hotel with little potential of hidden *chametz* – for one to use a flashlight to look under the beds, in the closets, and in the drawers (see *Sha'arei Teshuvah to Rema* 433:11); but according to this position, one should probably not recite a *b'rachah* (even if one put out ten pieces of bread).

⁴ It is customary to put out pieces of bread before performing *bedikas chametz*. The reason is as follows: The purpose of performing a *bedikah* is to search for *chametz*. If one does not find any *chametz*, there is concern that the *b'rachah*

If one checks in to the hotel on Erev Pesach before *sof z'man bi'ur chametz* (the time by which the *chametz* must be destroyed – preferably burned by fire),⁵ one should not assume that a *bedikah* was performed the previous night,⁶ and one should do a proper *bedikah* as above (see note)⁷ with a *b'rachah* (see, however, notes 2 and 3), using a flashlight.

If one arrives on Erev Pesach after *sof z'man bi'ur chametz*, or during *Chol Hamoed*, one should have in mind when renting the room that one does not want to acquire any *chametz* that might be in the room.⁸ If one knows for certain that the room had been occupied by a Jew who performed a proper *bedikas chametz* (and there were no other occupants since then who might have brought *chametz* into the room), no *bedikah* is necessary. Otherwise,⁹ one should perform a *bedikah* upon arrival without putting out pieces of bread and without a *b'rachah*,¹⁰ using a flashlight.¹¹

In the event that when arriving before *sof z'man bi'ur chametz* one notices that there are items of *chametz* in the hotel room that are being offered for sale by the hotel (such as

on the *bedikah* is a *b'rachah l'vatalah* (blessing in vain). To prevent such a scenario, we put out bread before beginning the *bedikah* so that we are assured of finding at least those pieces (*Rema O.C. 432:2*). (Putting out specifically ten pieces of bread is based on the Kabbalistic writings of the *Arizal*; see *Kaf Hachayim* 432:13.) The *Poskim* (*halachic* authorities) write, however, that putting out *chametz* before the *bedikah* is actually not required according to *halacha*, since the *mitzvah* is not to locate *chametz*, but merely to search for *chametz* (*Rema* *ibid.*; see also *Taz*, cited in *Mishnah Berurah* ad loc.). Nevertheless, the *Poskim* write that one should act in accordance with the custom (*M.B. ibid.*). (See also the end of this note.) In the case of a hotel, however, since the requirement of *bedikah* is less than certain (see note 3), there is concern that the *b'rachah* might be a *b'rachah l'vatalah*. By bringing bread into the room, one creates a definite obligation to perform a *bedikah*, and the *b'rachah* is warranted (see, however, note 2). Accordingly, one should be sure to put out the ten pieces of bread before the *bedikah*. [In fact, nowadays that we follow the ruling of the *Rema* (*O.C. 433:11*) that prior to the *bedikah* one should clean one's house well, it would seem that we should be required according to *halacha* to put out the pieces of bread even when doing *bedikah* at home. Indeed, *Sha'ar Hatziyun* (432:12) writes such in the name of the *Eimek Halacha*. Cf. *Dirshu Mishnah Berurah* note to *Sha'ar Hatziyun* (*ibid.*) and *Koveitz Halachos* chapter 5 note 8.]

⁵ That is, until the end of the fifth *sha'ah z'manis* (proportional hour) of daytime (*S.A. O.C. 443:1*). One *sha'ah z'manis* is calculated by dividing the hours of *halachic* daytime into twelve equal portions. There is a dispute amongst the *Poskim* how to define *halachic* daytime for this purpose: According to the *Magen Avraham*, *halachic* daytime is defined as beginning at *alos hashachar* (daybreak) and ending at *tzeis hakochovim* (nightfall – when three medium size stars are visible); whereas according to the *Vilna Gaon* (*GR"A*), *halachic* daytime is defined as beginning at *haneitz hachamah* (sunrise) and ending at *sh'kiah* (standard sunset). See *M.B. 233:4* and *334:8*. See also *M.B. 443:8*. The times for *sof z'man bi'ur chametz* may be found at www.myzmanim.com. **(This year – 5779/2019, in the Five Towns/Far Rockaway vicinity, *sof z'man bi'ur* according to the opinion of the *GR"A* is at approximately 11:47 AM, and according to the opinion of the *Magen Avraham* is at approximately 11:35 AM – if calculating with *alos hashachar* as 72 minutes before *haneitz hachamah* and *tzeis hakochovim* as 72 minutes after *sh'kiah*; and approximately at 11:32 – if calculating with dawn to be when the sun is 16.1 degrees below the horizon and nightfall to be when the sun is 8.5 degrees below the horizon.)** The *Mishnah Berurah* (443:8) writes that with regard to *achilas chametz* one should *l'chatchilah* (initially/preferably) follow the more stringent opinion of the *Magen Avraham*. Perhaps the same ruling applies to *bi'ur chametz*.

⁶ If indeed one knows for certain that the room had been occupied the previous night by a Jew who performed a proper *bedikas chametz*, no *bedikah* is necessary.

⁷ This ruling presupposes there will be enough time to do a *bedikah* and burn any discovered *chametz* and the ten pieces of bread before *sof z'man bi'ur chametz*. Otherwise, one should follow the instructions for one who arrives after *sof z'man bi'ur chametz*.

⁸ Although such intent will not absolve a person from dealing with the *chametz*, it will likely accomplish that one's *halachic* obligation is not necessarily to destroy the *chametz*, but merely to ensure that it not remain in the room so that one not come to eat it.

⁹ Despite having in mind not to acquire any *chametz* that might be in the room.

¹⁰ See note 4. Here one does not have the option of putting out pieces of bread, since doing so is prohibited after *sof z'man bi'ur*.

¹¹ Even if it is daytime, one may not rely on the daylight streaming in through the windows; one must use a flashlight (see *M.B. 435:4*).

liquor or snacks in the minibar), one must remove the *chametz* or have the hotel staff do so. If this is not feasible, if the *chametz* is situated in a cabinet, one should tape or tie the door shut so that people will not open the cabinet on Pesach. If the *chametz* is not situated in a cabinet, one should erect a partition of ten *tefachim* tall¹² in front of the *chametz* so as to separate the *chametz* from the rest of the room.¹³ There is an additional factor, however: The responsibility that the guest has for such *chametz* in the room creates a semblance of ownership of *chametz* on the part of the guest, which might obligate him to remove the *chametz* before *sof z'man bi'ur chametz*.¹⁴ If the *chametz* items cannot be removed, one should specify in the contract that one is not responsible for the drinks and snacks in the room. One should then follow the guidelines in the paragraph that follows.

If one first becomes aware of such *chametz* items in the room after *sof z'man bi'ur* on Erev Pesach, one should inform the hotel that one does not wish to accept any responsibility for the *chametz*, and then have the hotel staff remove it. If it is not feasible for them to remove the *chametz*, one should immediately erect a partition of ten *tefachim* tall in front of the *chametz*,¹⁵ or cover it with a sheet and knot it such that the *chametz* cannot be accessed without untying the knot. The same guidelines apply if one found such items on a weekday of *Chol Hamoed*.

Under no circumstances should one touch any *chametz* in the room – even on a weekday – unless one is doing so to facilitate destroying it, disposing of it, or erecting a partition/covering it.¹⁶

If one first becomes aware of such items of *chametz* on Yom Tov or on Shabbos Chol Hamoed, similar guidelines apply, with two additional factors: 1) One may not handle the *chametz* on Yom Tov since it is *muktzah*.¹⁷ 2) If the *chametz* is not located in a cabinet, one may not erect a partition in front of the *chametz* on Yom Tov,¹⁸ (nor may one tie knots in a sheet). One should instead cover the *chametz* with a utensil, sheet (without knotting it), or towel to ensure that one not come to eat the *chametz* mistakenly.¹⁹ Then on *Motz'ei Yom Tov* (of the first days; i.e., the beginning of *Chol Hamoed*) or on *Motz'ei Shabbos Chol Hamoed*, one should follow the guidelines in the previous paragraph.

If one becomes aware on the 14th after *sof z'man bi'ur* or on *Chol Hamoed* of the presence of *chametz* in the room that is not being offered for sale by the hotel (such as a complementary cookie left on the table or a cookie that fell under the bed), one should dispose of the *chametz* by immediately flushing it down the toilet (but see note).²⁰ However, if one finds it on *Yom Tov*, one may not handle the *chametz* even to destroy it (see previous paragraph). The proper procedure would depend: If one had in mind specifically before

¹² Handbreadths. Ten *tefachim* is 33-39 inches.

¹³ See S.A. O.C. 440:2 with *Rema* and *M.B.* #15.

¹⁴ See S.A. O.C. 440:1.

¹⁵ *M.B.* 440:14-15.

¹⁶ See *Sh"ut Rivash* #401, cited in *Bi'ur Halacha* 446:1 s.v. *b'veiso*.

¹⁷ S.A. O.C. 446:1 with *Rema*.

¹⁸ *M.B.* 440:13.

¹⁹ See *Rashi* to *Pesachim* 6a s.v. *Kofeh*; S.A. O.C. 440:2 with *Rema*; *M.B.* 446:3.

²⁰ If one checked in before the *sof z'man bi'ur* and one had sold one's *chametz* in a manner that would include also *chametz* in the hotel room, one may destroy the *chametz*, but putting it behind a partition or covering it with a sheet would likely suffice.

checking in to the hotel to not acquire any *chametz* that might be in the room,²¹ one should inform the hotel that one wants the *chametz* removed immediately, and have the hotel staff remove it. If, however, one did not have such in mind specifically,²² one should inform the hotel that one wants the *chametz* flushed down the toilet immediately, and one should supervise the process to ensure that the hotel staff member does not eat the *chametz* instead and that the *chametz* is completely destroyed.²³ If for some reason one cannot get the hotel to take care of the matter, one should cover the *chametz* with a utensil or a towel (or the like) to ensure that no one eats the *chametz* mistakenly; then on *Motz'ei Yom Tov* (first days), one should destroy the *chametz*.

Next week, *IY"H*,²⁴ we will discuss some *halachos* relative to the *Pesach Seder*.

²¹ Such that one's *halachic* obligation is not necessarily to destroy the *chametz*, but merely to ensure that it not remain in the room so that one not come to eat it.

²² Such that one has a *halachic* requirement to destroy the *chametz*. But see note 20.

²³ See *M.B.* 446:7 with *Sha'ar Hatziyun* #15.

²⁴ *Im Yirtzeh Hashem* (G-d Willing).

DISCLAIMER: Not all details and aspects of the halachic issues discussed can be expressed fully in this limited format, and a small change in circumstances can change the halachic outcome. Accordingly, for one's personal situation, one is advised to ask a Rabbinic authority, and to not rely on the information presented herein.

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	Regular Hours		Emergency Hours (for time-sensitive questions)	
	From	Until	From	Until
Sunday-Thursday	1:30 PM	2:30 PM	8:30 AM	11:00 PM
	6:30 PM	10:00 PM		
Erev Shabbos/Yom Tov	4 hours before candle lighting	1 hour before candle lighting	8:30 AM	10 minutes before candle lighting
Motzaei Shabbos/Yom Tov	1 hour after Ma'ariv	3 hours after Ma'ariv	1 hour after Ma'ariv	11:30 PM