

Bedikas Chometz When Leaving Home for Pesach

Rav Moshe Kaufman

Rav. Adas Bnei Yisroel, Menahel, Midwest Bais Horaah

MUST ONE PERFORM BEDIKAS CHOMETZ IF THE ENTIRE HOUSE IS BEING SOLD TO A NON-JEW FOR PESACH?

Chazal instituted that the *mitzvah* of *bedikas chometz* is to be done on the night of *Erev Pesach* (the 14th of Nissan). Even if one will be away from home for the entire Pesach, if he leaves home within 30 days of the Yom Tov, a *bedikah* must be done the night before leaving¹.

Poskim deliberate if one who sells his entire home for Pesach will be exempt from having to do a *bedikah*². However, this dispute is when the sale only goes into effect on the 14th itself. Since at the onset of the 14th, when the mitzvas *bedikah* begins, he is still the owner of his home, some *Poskim* maintain that the obligation of checking falls on him. However, if one sells his home before the 14th, before the obligation of *bedikah* begins, he will avoid any obligation to perform the *bedikah*, even if he leaves within 30 days³.

Even so, there are indications in Chazal that there is a personal obligation to perform a *bedikah*⁴. Therefore, *Poskim* discourage one from avoiding the *mitzvah of bedikas chometz* entirely. The *Poskim* advise, based on a *teshuvah* of the *Chasam Sofer*⁵, that even if one will sell the entire home before the 14th, he should retain ownership over at least one part of the house so that he will be able to perform the *mitzvah of bedikas chometz*⁶.

CAN ONE RECITE A BERACHA WHEN PERFORMING THE BEDIKAH BEFORE THE NIGHT OF THE 14TH?

The Rema⁷ states that a *beracha* may be said only on a *bedikah* performed on the 14th, not on one performed earlier. Even so, the Mishnah Berurah⁸ writes that according to the majority of *Acharonim*, one who searches on the night of the 13th of Nissan properly, and ensures that no chometz enter the room afterward, does not need to search again on the night of the 14th of Nissan. In *Shaar HaTziyon*⁹, he cites *Acharonim* that one should preferably not do so, as they will lose out on the *beracha*.

Rav Moshe Feinstein zt"l¹⁰ derives from the fact that one cannot recite the *beracha* on an earlier *bedikah* that doing so is somewhat lacking in the *mitzvah*, and it should be avoided if possible. For example, one who will not be spending Pesach at home, yet will be nearby over Pesach, should do *bedikas chometz* in his house on the night of *Erev Pesach*, so that he can perform the *mitzvah* properly, as well as recite a *beracha*. Only someone who is traveling to a distant place should do *bedikas chometz* earlier.

MAY ONE MAKE THE BEDIKAH EASIER BY CHECKING BEFORE THE 14TH?

Someone who finds it exceedingly difficult to do *bedikas chometz* for the entire house in one night, may sell the part of the house that will not be used over Pesach to the non-Jew on the 13th, and just check the remaining areas on the 14th with a *beracha*¹¹.

CAN ONE SAY A BERACHA WHEN DOING BEDIKAS CHOMETZ IN A CAR?

We mentioned that one who leaves home before Yom Tov must be sure to perform *bedikas chometz*. If he is moving to a new home,

he can fulfill this *mitzvah* in the new location. The *Chayeh Adam*¹² explains that although every person will surely perform a *bedikah* for everyone will check his pockets for chometz, it is not considered a fulfillment of the *mitzvah of bedikas chometz*. The reason is that the language the Torah commands us to destroy all chometz from your homes¹³. Therefore, a formal *bedikah* was only instituted for the home, not for utensils or clothing. This idea is mentioned by other *Acharonim* as well¹⁴.

This concept is relevant when discussing *bedikas chometz* in a car. If a person eats in his car, a *bedikah* is certainly required to ensure that there is no chometz left inside. However, being that a car is not a home, it is not a fulfillment of the *takanas chazal* to perform a *bedikah* on the night of the 14th. Therefore, one should check the car for chometz, but without a *beracha*.¹⁵

One should keep in mind that since a car is not included in the *takanas bedikah* and is performed without a *beracha*, it does not need to be done specifically on the 14th. It can be done on an earlier date, as long as one is careful not to bring in chometz afterward.

Similarly, checking the insides of one's clothing for *chometz* is something that everyone is required to do. As mentioned above, a formal *bedikah* was only instituted for the home, not for utensils or clothing. Therefore, Dayan Fuerst *shlita* maintains that one may ease the burden of the *bedikah* on the 14th, as the clothing and car may be checked anytime beforehand.¹⁶

SHOULD A GUEST RENT A ROOM FROM HIS HOST IN ORDER TO FULFILL THE MITZVAH OF BEDIKAS CHOMETZ?

One who sells his home on the 13th and will be a guest in someone else's home for Pesach, will not have any obligation to perform the *mitzvah* of *bedikah*. Even so, we find that one should always seek opportunities to fulfill *mitzvos*, even without an obligation.¹⁷ In that light, Rav Shterbuch *shlita*¹⁸ suggests renting the room he is staying in from the owner before the 14th, and as a "renter", he can fulfill the *mitzvah* of *bedikas chometz* with a *beracha*. Rav Eliyashiv *zt"l* was also supportive of the idea.¹⁹ (For the opinion of Rav Shlomo Zalman Auerbach *zt"l*, see footnote²⁰.)

Rav Shmuel Vosner zt"l was concerned that such a "rental" was not genuine, as the owner certainly did not relinquish any of their halachic rights to the room.²¹ Rav Moshe zt"l, while he did not challenge the validity of such a rental, did comment that the nature of mitzvas *bedikas chometz* only requires one to get rid of chometz in their homes, not to go purchase or rent a house just in order to clean it!²²

1. פסחים דף ו' ע"א, ש"ע סי' תלו ס"א
2. חיי אדם כלל קיט סעי' יח, מקו"ח סי' תלו ס"ק ד מחמירים כסברא דלהלן) כנגד עולם סי' כ הובא במשנ"ב
3. סי' תלו ס"ק לב. הרשב"א זצ"ל הורה שהמנהג להקל בשאלה זו (הליכות שלמה פסח ס"ד ב"ה אות ו') וכן משמע בשו"ת חת"ס סי' קלא
4. משנ"ב שם
5. ש"ע סי' תלו סעי' ג איתא וז"ל ישראל היוצא מבית אינו יהודי תוך ל' יום ונכנס בבית אחר בעיר זו... אין צריך לבער דבר אינו יהודי, שהרי קיים מצות הבעור באותו בית אחר ע"כ. וע' משנ"ב שם ס"ק כז
6. שו"ת חת"ס א"ח סי' קלא
7. כ"ש מדיון פירסט שליט"א, הלכות דף בחג פרק ו' סעי' יז ועוד
8. סי' תלו ס"ק א, ביה"ד ד"ה ולא מביא מאחרונים שיש לברך כיון שחז"ל מחייב הבדיקה, אלא ששתימתנו"כ בשו"ע סתום כמ"מ.
9. סי' תלו ס"ק א
10. מסורת משה ח"א א"ח אות רפד
11. ע' משנ"ב סי' תלו ס"ק כב, חזו"א ריש סי' קכד
12. כלל קיט סי' יח
13. שמוע (יבטו) "אך ביום הראשון תשיבתו שאר מבתיכם"
14. ע' חק יעקב סי' תלו ס"ק יז, ובאר הטיב סי' תלו ס"ק י בשמו. ע"ע מעודים וזמנים
15. וכ"כ מסורת משה שם אות רסו
16. כ"ש, וכע"ז כתב במסורת משה שם בהערה רנב
17. מנחות דף מא לגבי מצות ציצית, ע' מור וקציעה סי' כד
18. תשובות והנהגות ח"כ ריש צירא
19. אשורי האוש פרק ד סעי' יז
20. ע' הליכות שלמה (פסח ה"ח) שהגרשו"ז סובר שכל זמן שיש חדר מיוחד בשבילו, ואין שאר בני הבית נכנסים לשם, יש לבדוק בברכה, אפילו בלי שום קנין.
21. שבט הלוי ח"ד סי' מד
22. מסורת משה ח"א א"ח רפח



**HAVE A
SHAILA?**

Contact the
Midwest Bais
Horaah

CALL 773.539.4141

EMAIL shailos@midwestbaishoragah.org

The Midwest Bais Horaah is under the auspices of Harav Shmuel Fuerst שליט"א
Another project of Agudath Israel of Illinois



THE MIDWEST BAIS HORA'AH PRESENTS
שיעור בהלכות פסח
LAWS OF PESACH SHIUR
FOR MEN AND WOMEN

Sunday, April 3, 2022

ב' ניסן תשפ"ב

9:30 AM - 11:00 AM

Bais HaMedrash Mikor HaChaim

2849 West Chase Avenue

PRE YOM TOV DIVREI HISORERUS

RABBI YAAKOV ROBINSON שליט"א

Rav, Bais HaMedrash Mikor HaChaim

PREPARING FOR PESACH AND THE SEDORIM

RABBI MOSHE KAUFMAN שליט"א

Moreh Horaah, Midwest Bais Horaah | Rav, Adas Bnei Yisroel

CLEANING. KASHERING. BEUR CHOMETZ. SEDER NIGHT. MATZAH.

DALED KOSOS. KITNIUS. MEDICATION. ERUV TAVSHILIN

THE MIDWEST BAIS HORA'AH IS UNDER THE
AUSPICES OF HARAV SHMUEL FUERST שליט"א
ANOTHER PROJECT OF AGUDATH ISRAEL OF ILLINOIS



Your Pesach Shailos
Answered!

**SHAILA
HOTLINE**

773.539.4141



Extended hours 8:30 am - 10:30 pm



Voicemail option available

EMAIL shailos@midwestbaishoraah.org

