

that the courier was a *shomer chinam* seems erroneous. According to the way you phrased your question, you told the *shomer* that he could use the money. This permission categorizes him as a *shomer sachar* (paid custodian) and he is liable for loss and theft. If he did use the money, he is categorized as a borrower (*loveh*), and would be obligated to pay even for circumstances beyond his control (*oness*) (*Choshen Mishpat* 292:7).

The only way he would not be a *shomer sachar* is if he told you when you gave him the money that he had no intention of using it, in which case he would have been a *shomer chinam* (*Pischei Choshen, Pikadon* ch. 5, fn. 56).

The obvious conclusion from this case is that each *Choshen Mishpat she'eilah* must be asked in great detail, because what might seem like a minor detail (i.e., whether you allowed the *shomer* to use the money) will dramatically affect the outcome. It is also obvious why *rabbanim* cannot answer *Choshen Mishpat she'eilos* without listening to both parties (*Choshen Mishpat* 17:5; see *Business Weekly* #155 where we addressed this topic).

Money Matters: Federal Safety Regulations

Based on the writings of Rav Chaim Kohn, *shlita*

Q. I deal with hazardous materials. The government has very strict safety regulations, which entail great

expenses. Must I observe these regulations?

A. Rav Y.Y. Shmelkis (*Beis Yitzchak, C.M. #77*) addresses the case of a person who sold kerosene privately in his basement. A neighbor, concerned about the possibility of fire, reported it to the authorities, who required the seller to install metal doors at great expense. He sued the neighbor in *beis din* for reporting him to the authorities and causing him such expenses.

Beis Yitzchak ruled that Torah law also requires such precautions, because of the great danger of fire. He also cites from the *Bach* (*C.M. 155:56*) that *dina d'malchusa* applies regarding precautionary measures from damage to neighbors. He writes that even the *Shach* (*C.M. 73:39*), who rules that *dina d'malchusa* does not apply when against Torah law, would agree for issues of public safety, since these regulations are common practice (*Pischei Choshen, Nezikin* 13:[5]). Thus, you must observe the federal safety regulations. ■

This article is intended for learning purposes and not to be relied upon halacha l'maaseh. There are also issues of dina d'malchusa to consider in actual cases.

Rabbi Meir Orlian is a faculty member of the Business Halacha Institute, which is headed by HaRav Chaim Kohn, shlita, a noted dayan. For questions regarding business halacha issues, or to bring a BHI lecturer to your business or shul, please call the confidential hotline at 877-845-8455 or e-mail ask@businesshalacha.com. To receive BHI's free newsletter, Business Weekly, send an e-mail to subscribe@businesshalacha.com. Read more of Rabbi Orlian's articles at 5TJT.com.

TEAM SHABBOS, DECEMBER 22

47 | 5 TOWNS JEWISH TIMES • December 14, 2018

In just one week, shuls and communities across the county will join together for the annual National Association of Chevra Kadisha TEAM Shabbos. Following last year's tremendous success, the fourth annual Traditional End-of-Life Awareness Movement (TEAM) Shabbos returns Shabbos *Parashas Vayechi*, December 22.

A project of the National Association of Chevra Kadisha (NASCK), TEAM Shabbos addresses end-of-life concerns that affect the Jewish community. The mission of TEAM Shabbos—to generate awareness, education, and direction regarding the value of life and critical end-of-life decisions—is resonating strongly in communities throughout the U.S. and Canada. The momentum is growing as shuls and communities nationwide enthusiastically embrace the opportunity to bring the topic of end-of-life, a subject which is too often avoided, out into the open in an informative, inspiring, and positive way.

There are several ways shuls can participate in TEAM Shabbos. Utilize the week leading up to *Parashas Vayechi* to open the conversation about relevant issues through the Shabbos *derashah*, *shiurim*, newsletters, and *divrei Torah*.

But TEAM Shabbos is not just about a shul *derashah*. TEAM Shabbos is encouraging community members to get involved and take action! Commu-

nities can also use this opportunity to collaborate with NASCK in planning programs that delve into a vast array of end-of-life related topics. Individuals can be encouraged to purchase life insurance, fill out a *halachic* living will, begin the process of writing a will in accordance with *halachah*, reach out to family members who may be considering choices other than a traditional burial for a loved one, or open an end-of-life conversation with their parents.

From New York to Toronto to Tennessee, the TEAM Shabbos initiative is creating a dramatic shift in the perspective about end-of-life care and preparation. Subjects that were once taboo and questions that have gone unanswered can now be addressed in a constructive way. By taking advantage of the teachable moment that TEAM Shabbos offers and with the commitment of rabbis, shuls, and active community members around the country, we can continue spreading our message about the importance of properly preparing ourselves and others for illness and end-of-life decisions.

Has your shul joined the TEAM? Encourage your *rav* and shul to sign up today, and join hundreds of shuls across the nation to generate awareness about the Torah perspective on the value of life, here and hereafter.

To sign up or learn more, call 718-847-6280, e-mail info@nasck.org, or visit TeamShabbos.org/register. ■

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**Open letter to our community from
Rabbi Hocky Blumstein**
of Yismach Moshe @ The Premier
1850 Central Ave

Dear Friends,

**I hope everyone is well and is having
a beautiful Chanukah.**

**This is an appeal, but not for money.
We have wonderful residents who overcome great
difficulties to come to shul every morning.
Sadly, we have not been able to give them a minyan.**

**We daven every weekday morning at 8:45 a.m.
and Maariv at 8:30 p.m.**

**We are offering a small stipend of \$50 a week
to those who can help.**

**This is a great chesed and mitzvah
to make this minyan for our friends in need.**

**Please feel free to call me anytime at
516 668 6554 or e-mail me at
RabbiBlumstein@gmail.com.**

May everyone be blessed