



Using Trickery or Deception to Steal - Part 1

(Amusement Parks, Expenses, & Repairs/Warranty)

[#71]

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Today we're going to be discussing the question of using deception to steal. That means that you trick somebody into giving something to you which you really weren't supposed to get.

We're using the *sefer* called *Halachos of Other People's Money*, by Rabbi Yisroel Pinchos Bodner. He brings that whether a person acquires money, merchandise, or a service from another person through deception or tricking them, he's going to be "oiver" (*transgress*) the *isur* of stealing according to the Torah.

He also brings over here that a person might think that it's only going to be by a Yid and not by anybody else. He says, even if it's not a Yid, it's completely and strictly forbidden as well, from them too. So a person has to be very careful when it comes to these cases. He cannot rationalize and think that in some cases it's okay. It's always going to be forbidden.

He brings over here that there is a commentary in the *Shulchan Aruch*, called the *Be'er HaGolah* who says that he saw many people who actually did this, they took money from others who were not yidden, and at the end of the day, they ended up losing their whole fortune. He puts that into his commentary in *Shulchan Aruch*, to stress the point very much.

The *sefer* over here brings three examples of where a person could fall and use this deception and trickery where he's not allowed. The first case, it happens a lot, is that people go to a zoo or they go to an amusement park and the parent rationalizes and he says, okay, my kid really has to pay full price, but my kid isn't so big, he's smaller, he doesn't take up so much space, so he tells the ticket-counter person his child is less than the age that he is and only pays half the price for the ticket.

He says over here, doing that and deceiving the ticket seller, tricking them into getting into the park or the amusement park or whatever it is, would be actually *asur*.

He says at the bottom over here, it's not only that. If a person would say, okay, he's not even going to go on any rides, he's just coming in with the rest of the family to walk around, it's still *asur* because we have a different concept of entering and using somebody else's property without their permission. Just standing on their land and being there on their property without their permission is also stealing. So that's also not going to be allowed either.

The second example he brings is an expense account. Many people have expenses, that they spend money out of their own money for their work and their job. At the end of the month, their employer will pay them back for those expenses. He says over here that in a case where a person would rationalize and say, okay, I'll add on a few dollars, or another 100 dollars, at the end of the month, and claim it back from my business, because anyway I work harder than anybody else in my work and I outperform everybody else. And all these other reasons a person could think of and say that his boss would be happy with him and he adds on at the end of the month.

In such a case, he would be guilty of stealing through submitting those extra expenses to his employer. He brings over here in the bottom that it is sometimes very difficult how to calculate whether something is a work expense or not. Therefore, it's very important that business owners and employees have a set system of how to calculate the expenses, what is an expense as a business and what is not. To avoid any of these questions, there should be formal guidelines between the employers and the employees. Anyone who hasn't yet set that up in their business should try and set it up as soon as possible.

The third example he brings, is when there's a repair service, someone's phone breaks and he's outside of his warranty. We actually had a different video about that earlier on which you can find on the website [video #20]. A person whose phone breaks and he's outside of his phone warranty, so he goes to his friend at the electronic store and the guy from the electronic store prints up a brand-new receipt with a date for that item within one year. Now, of course, it's a fake receipt, but the person goes and uses that to claim his one-year warranty from the phone manufacturer.

In such a case, it would be a form of stealing. Not only that, the person that printed the receipt for him, according to most *poskim*, would have transgressed the *isur of lifnei eiver*, of helping the person steal.

Another example he gives is a person lends out his AA, Automobile Association card, to his friend. Subsequently, his friend gets into a car accident or needs his car to be towed and he pulls out the card and he gets a free towing service. So the driver, in such a case, when he uses the towing service of the AA without having been a real member, would also be *over* the *isur* of stealing.

Again, in that case, according to most *poskim*, his friend who gave him that card would also be *over* the *isur of lifnei eiver*, for giving him that card when he didn't have the right to do that.

We spoke about borrowing other people's member cards, like Costco and other things like that, in a different video [video #33] as well which you can find on the website.

*Please note that these halachos are intended to inform and educate the reader/listener in general. For any specific questions which arise, it is recommended to speak over the exact case with a competent halachic authority in order to assess the halacha accordingly. You can send your questions in to us as well by replying via WhatsApp to our halacha Q & A number on the group, sending an email to Ask@MoneyHalacha.com, or via our contact page at MoneyHalacha.com/contact-us

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