



**Pressuring Someone To Sell An Item**

**and/or**

**Desiring Someone's Property [#77]**

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Today's topic is that of desiring somebody's property/item and pressuring the owner to sell it to you. As always, the halacha we are bringing is specific to the cases brought below. It's a very wide-ranging subject, which covers a lot of topics, and comes up a lot in many forms, so it's impossible for us to say a *halacha* which can cover every case. In any case, you should ask a competent halachic authority in what cases this would apply and not. . We're just giving the general rules and overview in these few minutes that we have

For this halacha, we are using a *sefer* called *Halachos of Other People's Money*, by Rabbi Yisroel Pinchos Bodner. And another *sefer*, called *Business Halachah*, by Rabbi Ari Marburger.

The first thing they bring is that it's in the 10 Commandments, in the *Aseres HaDibros*, *Parshas Yisro* and *Parshas Va'Eschanan*. You have the *isur* in the Torah of *lo sachmod* and *lo sisaveh*, both are for desiring other people's objects. There are two separate *isurim* that a person would be committing, two prohibitions in the Torah. Let's explain how they would apply.

The first *isur/prohibition*, *lo tachmod*, is desiring someone else's objects and going and getting him to sell it to you. The *Shulchan Aruch* says that a person does not transgress the *isur* of *lo sachmod* just by desiring another person's object. Desiring other people's property may be a very bad character trait and, like the *ba'alei musar* say, it could bring a person to do many more *aveiros*. However, in regard to the *isur* of *lo sachmod*, a person is not transgressed the *isur* until they actually receive the object from the owner,

What's the case? If a person is pressured or embarrassed or cajoled into selling an item that they did not previously want to sell, if you pressure them or you get somebody else to pressure them to sell the item, and they eventually sell the item to you, when you would acquire the object you would have been *over* the *isur* of *lo sachmod*. That's the first *isur*.

The second *isur* that a person would be *over* is of *lo sisaveh*, desiring another person's object. That's just the scheming and planning of how to get the item from the other person. Just from your planning and working on how to get the item, even if it doesn't work out, a person would be *over* the *isur* of *lo sisaveh*.

So, going ahead and actually getting the item, a person would be *over* *lo sachmod* and *lo sisaveh*, because he planned to get it (*lo sisaveh*), and then got the item (*lo sachmod*). However, if a person planned and didn't get the item, he would only be *over* the *isur* of *lo sisaveh*.

The example case over here, is a person wants to buy a piece of land and he knows that the owner is not interested in selling. So he goes over to the person and he says, "I'll give you 20 percent above the market price for the piece of land, so that you should sell the land to me (or whatever item it is that he wants to buy from the person)". The owner says back, "No, I'm not interested. I don't want to sell it". So the purchaser goes back and offers 50 percent above the market price for the land, to which the owner again refuses.

Seeing that the price raise isn't making a difference, he then he goes and starts pestering the person. Every time he sees him, he begs him, "Please sell it to me...". He gets his wife to bother the other guy's wife. He starts getting family members to call him as well. Eventually, the guy breaks and then sells the land or the house or whatever it is to the other person.

In such a case, even though you might think, the owner made a lot of money off of the deal, it doesn't matter. The purchaser was *over* (transgressed) the *issur* of *lo sachmod* and the *issur* of *lo sisaveh*, two very serious Torah commandments.

Now, you're going to ask, What, I'm never allowed to buy something from anybody? I can't push them a little bit to sell something? That's negotiations. I'm never allowed to negotiate?

So he brings over here that there are general guidelines of how a person should approach a sale and try and get something that he wants to buy from someone else. He says, a person is allowed to ask the owner if he's considering selling an item. There's nothing wrong with that, because just asking a person once if they would like to to sell an item. That's not considered putting pressure on them. You're just asking, and if he says no then you must go away. However, if the person says no, you can't harass him and say, come on, you're such a nice guy, you're a *tzadik*, it's a big mitzvah, I really need it, etc.. All these kinds of things are pressuring a person to sell it. Pushing a person to sell the item, should the owner indeed sell the item to you, you would be *over* the *issur*.

Also, what if the person shows no interest in selling the item? So again, like we said, you're not allowed to offer even more to pressure them to sell the item. However, if the owner of the item seemed that he was actually just looking for a higher amount, then you're allowed to offer a higher amount because that's what he's looking for. Or, if something general changes in the person's personal situation, that it would now perhaps seem that the person would want to sell, then you'd be able to approach him again.

Another allowance where you're allowed to approach the owner is if you indeed really thinks that it's in the benefit of the owner of the object to sell the item. Again, if you really hold that it's good for him, then you'd be allowed to try and explain to him why he should sell the item.

Also, you're not allowed to ask a distinguished person, such as a Rosh Yeshivah or a very dignified person in the community, to go over to the person and ask him, because just the mere asking of him to sell it would put unwarranted pressure on the person to sell, and is also not allowed.

Just one more important point, is that these halachos only apply when dealing with a Yid that that person would transgress these issurim. However, it is very important to note that a person must always be careful in all of his dealings with anyone to always make a *kiddush Hashem*, and not *chas veshalom* a *chillul Hashem*.\*\*\*

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\*\*\*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 as any small change will greatly affect the final halacha. 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](mailto:Ask@MoneyHalacha.com), or via our contact page at [MoneyHalacha.com/contact-us](http://MoneyHalacha.com/contact-us)

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