



Don't You Remember Me?

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Chizuk - Inspiration

A wealthy individual once visited the Chofetz Chaim, stating that they had previously met and expressing confidence that the Chofetz Chaim remembered him. The Chofetz Chaim replied that he received many visitors and could not confirm that he remembered everyone. A student accompanying the Chofetz Chaim suggested to the visitor that the Chofetz Chaim did remember him but chose not to acknowledge it due to humility. The Chofetz Chaim reiterated that he did not recall the individual.

After the visitor departed, the student apologized to the Chofetz Chaim for intervening, explaining that he was concerned about the potential impact on Yeshiva donations if the benefactor believed he was not remembered. The Chofetz Chaim responded by stating that the Torah's prohibition against falsehood is comprehensive and does not make exceptions for situations involving the welfare of a Yeshiva.

Halacha – Jewish Law

QUESTION: I have a question involving the sale of real estate that is in a flood zone (i.e., in a zone where there is a higher risk than usual of flooding.) The Federal Emergency Management Agency ("FEMA") allows something called "Fill and Build" where a developer can fill a flood risk area with something called, "fill dirt" and after doing so, the area is not technically considered a flood area. Is a real estate agent obligated to inform potential buyers that this was one of the places that used this FEMA loophole? What is the extent of the obligation to disclose this to the would-be buyer?

ANSWER: It seems that there is a clear obligation to disclose all flood risk information to potential buyers, even if it is no longer reflected in FEMA flood zone maps.

The fundamental principle here is the prohibition against Geneivas Da'as (deception), which according to the Gemorah in Chullin 94a applies universally (to a Jew and Gentile) and forbids misleading others through the omission of material facts (such as failure to disclose that real estate being sold was in a former flood zone). The Sefer Yereim and Ritvah consider this a biblical prohibition, while the SMaK views it as rabbinical, but all authorities agree it constitutes a serious violation.

The Chofetz Chaim in his Ahavas Chesed rules that there is an outright prohibition against lying or misleading others, interpreting "Midvar Sheker Tirchak" (distance yourself from falsehood) as a comprehensive mandate for truthfulness.

The Mishna in Bava Metzia (59b) explicitly forbids mixing older produce with newer produce without disclosure, establishing that sellers cannot misrepresent the true nature of what they're selling.

The Shaarei Teshuva (3:181) goes further, stating that even the normally permitted practice of lying to keep the peace (Mutar Leshanos Mipnei HaShalom) does not apply to cases of Geneivas Da'as, underscoring how seriously this prohibition is viewed.

In real estate transactions, buyers reasonably expect sellers to disclose known material risks that could affect the property's value or habitability. Withholding flood risk information - constitutes a clear violation of Geneivas Da'as, as it deceives buyers about the true nature and risks of the property they are purchasing.

The obligation to disclose is particularly strong here because flood risk directly impacts both the property's value and the buyer's future financial obligations (insurance, potential

damages, resale value). This falls within the category of material information that affects the buyer's decision-making process and must be disclosed.

On The Parsha

In this week's Parsha, we read about the process of how the Bikkurim, the first fruits, were brought. The Mishna (Bikkurim 3) explains that there was a grand and festive procession for those who were bringing their first fruits to Yerushalayim and then onto the Beis HaMikdash.

On the way, they were led by flutists and were greeted by dignitaries. There were stations (Ma'amados) with deputations representing the people of all the cities in the district assembled in the open squares to greet them.

When they arrived at the outskirts of Yerushalayim, messengers were sent ahead to announce their arrival. The officers of the Beis HaMikdash came out to meet them, and all the artisans along the streets of Yerushalayim rose before them, greeting them and hailing them as brothers from this area or that area. When they reached the outer court and hall of the Bais HaMikdash, they were welcomed by the Leviim who were singing Tehillim.

The Bikkurim were brought in gold, silver, or willow baskets to which live doves were tied. The doves that were tied to the baskets were given as a Korban and a declaration would be made in front of the Kohain in the Bais HaMikdash.

As we can see, this was a very elaborate and celebrated process that culminated in the declaration in front of the Kohain. What was said in this declaration?

The Passuk says as follows, "You shall go to the Kohain in charge at that time and say to him, 'I acknowledge this day before Hashem that I have entered the land that Hashem swore to our fathers to give to us.'" (Devarim 26:3).

The Ramban explains that the point of the declaration is to state that **Hashem keeps His word – He gave us the land that He promised to our fathers.**

We must note that the entire celebration and elaborate procedure of the bringing of the Bikkurim culminates in a declaration that begins with the recognition of Hashem's Middah of Emes - He keeps His word. This underscores the

importance and centrality of keeping our word and our commitment to Emes.

So important is the Middah of Emes that it is reflected in our very name. The people of Bnei Yisrael are called "Yehudim." This is after Yehuda, the son of Yaakov Avinu. Why are we named after Yehuda? Chazal state that Yehuda admitted his mistake and acknowledged Tamar's righteousness, which is why it is appropriate for us to be named after him.

Mussar – Introspection

This week, we are proceeding with the translation of the Chofetz Chaim's work titled "Sefas Tamim." Sefas Tamim, the namesake of our foundation, emphasizes the significance of integrity in both speech and action.

"Within the writing of our holy books is contained an extraordinary thought which can awaken a thoughtful person to awareness of the sin of cheating \ extortion and theft. It is commonly known that the day of Yom Kippur is the final day that is relevant to the immediately preceding year; it is the best day in the entire year, since all of his sins are erased on that day. The final prayer of that day of awesome Tephilot is the prayer of "Ne'ila". What is contained in that prayer? '... for the sake of our having stopped the cheating \ extortion of our hands.' A thoughtful person should think deeply about all of this and guard himself with all of his strength against this sin throughout his entire life."

*"May I back out of a school carpool that
I have already committed to?"
"Should I report a co-worker who is acting dishonestly?"*

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