

Can One Take Advantage of Broad Online Return Policies?

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Case: Many websites have a very broad return policy, sometimes even allowing one to keep an item they returned (and received a refund for).

Question: What are the halachic parameters considering purchasing where one “knows” that he will return the item, in order to receive a refund, and may be allowed to keep the product?

Answer: The halacha depends on the intention of the customer at the time of the purchase. If he has sincere interest in buying the product, then it would certainly be permitted to purchase it with this knowledge. Since the company is aware that such a return policy may serve as an incentive for purchasing the product, one may certainly factor that in when deciding to purchase.

However, if one buys with the sole intent to obtain the item for free through utilizing this broad return policy is clearly not what the company had in mind. In this case, purchasing the product would clearly constitute deception on the part of the customer. In this case, one may violate the prohibition of *gezel* if the seller is Jewish. If the seller is non-jewish it would be subject to the rules of *mat'eh akum/geneivas da'as*, which are discussed in other segments. One should consult a halachic authority if he has any doubts or uncertainties about how to proceed in such cases.