

Can Someone Charge a Neighbor for Using His WiFi Connection?

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Question: My neighbor has an open wireless internet connection. Can he charge me for using his WiFi without permission?

Answer: In a general sense, using someone's wireless connection slows down his computer, so this would be a case of *chaseir*; therefore, he can charge you for having used it.

The amount he can charge is subject to a *machlokes* Rishonim regarding whether we say that one who has *hana'ah* that caused the owner a loss can only be charged for the amount of loss that he caused, or if we say "*megalgelim alav es hakol*" and he can be charged the full value of the benefit he received. We *pasken* like the opinion that says "*megalgelim alav es hakol*"; therefore, you can be charged for the entire value of having used his wireless connection.

It could be argued that if you would only use the neighbor's WiFi in the middle of the night when he is presumably asleep, you are not causing him any loss and, therefore, cannot be held liable. However, it would seem that even this is causing him a loss, as the efficacy and security of the connection is compromised when someone else is tapping into it.

Going forward, he certainly can object to you using his wireless connection for free, even if you would not be causing him any loss.