

Is it Permitted to Prepay for a Custom-Made Suit?

By Rav Yosef Kushner

Question: If someone is ordering custom-made goods, for example a custom-made suit, would he be allowed to prepay, or would this be a problem of *pesika*?

Answer: There is an exception to the rule of *pesika* when it comes to items that have no clear price. If an item is so customized that it has no set price on the market, it cannot ever be said that a buyer is paying too much or too little; therefore, the prohibition of *pesika* does not apply.

This exception may also apply to a person who is buying a customized house. Since such a home is unique unto itself and has no clearly defined market price, the builder would be permitted to ask for payment in advance.

Even in such cases, however, it would be forbidden for the seller to tell the buyer that he has two options – to either pay a lower price now or a higher price later. If he does that, he has created a set price and offered a discount for prepayment, which is definitely forbidden. All he is allowed to do is request payment in advance for the one price he is asking.