

**Rabbi Chaim Weg**

**Case:** Someone hired a painter to paint his house but was shocked when he received the total bill for several thousand dollars. Apparently, he had not realized how expensive it was to paint a house, and he did not have the funds easily available to pay the total amount. Someone suggested to him to ignore the first few invoices, and when the painter would be pressed for cash, he would agree to settle for less. This acquiescence would constitute official *mechila* (willingness to forego the debt) on some of the debt.

**Question:** Is such a practice permitted halachically?

**Answer:** The Torah prohibits withholding money (such as wages) in one's possession that one owes to someone else, which is known as *Lo Sa'ashok*. This differs from the prohibition of *Lo Sigzol* (theft), where one actively takes money or property belonging to the other individual.

According to the Kesef Kodoshim, withholding money owed to someone and forcing him to issue a *mechila* constitutes a violation of the Torah prohibition of *Lo Sa'ashok*. Even if one argues with the Kesef Kodoshim and maintains that once a *mechila* issued, no *Lo Sa'ashok deoraisa* exists, such a practice is still *assur* for two other reasons.

First, it is forbidden on a rabbinic level to say "*lech v'shov*," "return later to collect a debt that I owe you," if one has the theoretical ability to pay it now and is simply pushing it off. Thus, in our case, the owner would violate this *issur derabanan* of "*lech v'shov*" in not paying the portion of the bill that he can pay.

Second, pressuring someone to sell an item that they own but do not wish to sell violates the *issur deoraisa* of *Lo Sachmod* (though it does not constitute *Lo Sigzol* since one did pay the proper price for the item).

Consequently, in our case the homeowner violates *Lo Sachmod* for pressuring the painter to waive the second part of the debt that he does not wish or have the ability to pay, while according to the Kesef Kodoshim, it would also violate *Lo Sa'ashok* on a *deoraisa* level for forcing a *mechila*.

**Question:** Does this mean that the prohibition of *Lo Sachmod* in fact applies to a service, such as in the current case, as well as to the case of a transaction of goods?

**Answer:** It is indeed somewhat questionable whether *Lo Sachmod* applies to a service. The Aruch HaShulchan derives from the wording of the Rambam that it would not apply to pressuring someone to teach them a type of wisdom or craft. Nevertheless, in the current case, pressuring the painter should still be *assur*. The reason is that if pressuring someone to agree to a fair exchange (i.e., a sale at a fair price) is *assur*, then certainly pressuring a worker to accept an unfair price should be forbidden.