

## Sales Tacks

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**Q** Can one sell chametz over the phone or online?



**A** Contemporary *poskim* permit a person to appoint a *rav* to sell his chametz over the phone. (See *Mechiras Chametz Kehilchaso* 17:11.) This verbal communication is sufficient to make the *rav* his *shaliach* (proxy) to sell the chametz. Since the seller is not selling the chametz directly to the *rav*, no formal *kinyan* is absolutely required. The *rav* can write down the details of the chametz—value, location, etc.—as they were reported to him.

One concern with phone authorization is that since no *shtar harsha'ah* (authorization) is signed, there is no proof of the *rav's* appointment, which could possibly invalidate the sale. A remedy would be to additionally sign a *shtar harsha'ah* and send it to the *rav* by email or otherwise..

The Chasam Sofer (Shu"t, Even Ha'ezer 1:43) allows authorization of the *rav* by mail. Doing so online or by email, text message, or the like would seem no different. An electronic communication that leaves a record is superior to a phone call.

Another concern with phone or online appointment of the

*rav* as a *shaliach* is the absence of the *kinyan sudar*. Some have suggested that a *kinyan sudar* be made between the seller and a third party. R' Dovid Grossman was told by R' Zalman Nechamia Goldberg that although it is preferable, per the Rambam, to make a *kinyan sudar* when appointing a *shaliach*, if it is difficult it is not required.