

Q&A From the Bais HaVaad Halacha Hotline

Honor Scroll

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Q I bought a *sefer* Torah and plan to keep it at home. Are there any restrictions on where I may place it?

A In a two-story house, in some cases a *sefer* Torah should not be kept below a bedroom. The Shulchan Aruch (O.C. 151:12) writes: “One must refrain from using the area above a *bais haknessess* for permanent undignified uses, for example, for sleeping.” The Rama, however, limits this prohibition to a building that was originally built as a shul, not a converted home. The Mishnah Brurah (42) says that the area above an *aron kodesh* demands a higher level of sanctity, so one may not sleep there in any instance. R’ Moshe Sternbuch (Teshuvos Vehanhagos 2:531) writes that this stringency only applies to an *aron kodesh* in a shul, but in a home, there is no prohibition to sleep in a room above a *sefer* Torah. If a minyan is held in the house on a constant basis, e.g., on Shabbos mornings, although that room doesn’t have *kedushas bais haknessess*, the box containing the *sefer* Torah is treated as an *aron kodesh* and the area above it must be treated with sanctity (Piskei Teshuvos O.C. 151:26).

Rav Sternbuch says that even in a private house, one must never place the *sefer* Torah below a bathroom.

The Shulchan Aruch (Y.D. 282:1) instructs: “It is a mitzvah to designate a place for [a *sefer* Torah], and to honor that place and beautify it.” This is the source of the universal minhag to construct a beautiful *aron kodesh*. This mitzvah is not limited to a shul; even in a private home, a *sefer* Torah should not be kept in an ordinary closet or safe. It should be kept in a dedicated place, which should be somewhat decorated or enhanced (see Mishneh Halachos 18:98).

