

Someone Left an Umbrella In My Office. What is My Obligation?

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Question: I noticed that someone left an umbrella in my office's coat room and it has been sitting there for some time. I assume that whoever left it there will eventually return to claim it. In the meantime, is there a mitzvah of Hashavas Aveidah for me to return it to him?

Answer: Many people assume that any time they can be of assistance to someone else, it is a mitzvah of Hashavas Aveidah for them to do so. That's not quite true.

An *aveidah* is defined as something that will definitely result in a monetary loss to the owner if it is not returned ("*bari hezeikah*"). This is seen from the Gemara that says that if returning an *aveidah* causes the finder to have a monetary loss, he can ask the owner of the object to reimburse him. Tosafos asks why this is so. There is a rule in the Gemara that if someone is "*mavriach ari*", which means that he steps in and saves his friend from potential future harm, his friend does not have to pay him because he can claim that it is not definite that any loss would have occurred even without his help. If so, why does the owner have to reimburse the finder in the case of an *aveidah*?

Tosafos answers that the rule of *mavriach ari* only applies in a case of potential loss, whereas Hashavas Aveidah is a case where a definite loss will occur if the finder doesn't return the object.

If an umbrella is left in an office and the owner may return on his own to get it, there is no definite loss to him if the umbrella is not returned to him. While it might be a nice gesture to bring him his umbrella before the next rainstorm, it is not a mitzvah of Hashavas Aveidah unless one knows that unless it is returned to him, he will never come on his own to claim it.