

## THE SALE OF CHAMETZ

Sale of *Chametz* to a non-Jew is a legally effective way to rid oneself of *Chametz*. Such a transfer of *Chametz*, through a legal and binding sale with a properly executed contract gives the non-Jew full title to all foods listed. For this sale to be binding, there are several necessary criteria:

1. The seller must truly believe that he/she is in fact selling something and that they view these goods as no longer theirs. The lack of this mental state invalidates any bill of sale, including this one.
2. There must be access for the buyer to the *chametz* during *Pesach*. That is to say, if you will be out of town you must leave a way to get into your home with proper instruction (i.e., keys with a neighbor), or you may deposit a set of keys with the agent performing the sale.
3. This transfer may be carried out through appointing an agent, with power of attorney, to sell the *chametz* through *kinyan*, formal transfer act and contract. **NOTE:** The significant act of *kinyan*, should take place between each individual and the agent. Those who wish to sell their *chametz* through CBI should enact a *kinyan* with Rabbi Cohen.

I will be available:

Sunday, March 29 & April 5	8:45 - 9:30 a.m.
Monday, March 30 & April 6	7:30 – 8:15 a.m.
Tuesday, March 31 & April 7	7:00 - 8:00 pm
Thursday, March 26 and April 2	11:00 a.m. – 12:00 pm

as well as at other times by appointment.

4. *Chametz* that has been sold must be put in a completely sealed-off place, not readily accessible to the seller during *Pesach*. This year this must be done before *Shabbat*, as the onset of the sale of *Chametz* will be before *Shabbat*. Note: This should not include food that you plan to eat over *Shabbat*.

**NOTE:** Any *Chametz* held over *Pesach* under Jewish ownership may not ever be used, eaten, or sold after *Pesach*. (Selling one's *chametz* before *Pesach* to a non-Jew avoids Jewish ownership during *Pesach* and therefore it is not subject to this injunction.)

If you have not been contacted by the buyer by 9:00 p.m. Thursday night, April 16, the buyer has reneged on the full payment and the *chametz* reverts to your ownership. However, all sellers should be aware that in past years, there has always been at least one lucky winner who has had their *chametz* bought and taken away by the buyer. If you plan to sell your *chametz* through CBI, please fill out the back of this form. It is ideal to meet with Rabbi Cohen to enact the *kinyan* at one of the listed times. This form is also available at our shul's website, <http://www.cbiberkeley.org/rabbi/> under the Halakha box. In case of true hardship, one can enact the sale by simply mailing this form back to the CBI office without the *kinyan*.