

CHILDREN IN A MOTEL ROOM

by Rabbi Yisroel Belsky ztl

QUESTION 68:

Many, but perhaps not all, motels allow a maximum of four children with their parents in a room. Once when I was making a reservation for a motel, they asked me if there were any children staying with us, and I said there would be four children in our room. At the last minute, a fifth child wanted to come. When I arrived at the motel, am I obligated to say we have five children with us, even though this motel never explicitly told me that four children in a room is their limit? If I tell them about the fifth child, I run the risk that I might be talking to an employee who knows that I can't find another motel at this late time, and could use this as an excuse to make me take a second room.

RABBI BELSKY

You are not obligated to ask them about their rules regarding how many children are allowed in a room. But you are obligated to tell them that you have five children with you, because you previously told them that you have four with you. so when you arrive, just say, "A fifth child decided to join us."

QUESTIONER

If I didn't mention this, would it be a question of lying, or gezel (stealing), or both?

RABBI BELSKY

You told them previously, in response to their question, that you had four children, and now you're bringing in five children. You purchased the right to use their property - their motel room - to be used with four children. You never received reshus (permission) for the right to use their property with five children. You paid for four, and now you want something from the motel that you didn't purchase - the right to use it with it with five. I think this would fall under the category of mishtamesh mi'she'eino shelo (using something that doesn't belong to you).

NEXT WEEK'S QUESTION 69: WARRANTY ON PHONE THAT FELL INTO BATHTUB

The warranty for a telephone I once bought says that the phone is guaranteed for normal use. If my child threw the phone into the bathtub and the phone stopped working, can I return it anyway, without telling them how it broke?

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