

RETURNING LOST OBJECTS PART 16

by Rabbi Yehonasan Gefen

Thus far we have discussed the laws of how an individual should deal with a lost item. How do these laws apply to institutions that cater to the public, such as synagogues and stores? Is the owner of the institution responsible to guard every item that is left in the vicinity?

The legal authorities write that such an institution has a right to make their own lost-and-found policy governing what will be done with objects left behind on their property. The owner may state that people enter his property on condition that anything they leave behind may be dealt with according to his judgment. It is common for institutions to have some kind of policy whereby anything left behind is placed in a lost-and-found room or cabinet for a certain amount of time. After that period, the owner may dispose of the item or do with it as he pleases.

In order for the policy to take effect, the institution must publicize it prominently so that everyone is aware of the rules. Further, it is preferable if the policy provides for someone to be responsible for asking a claimant for a simun. However, the institution is permitted to have a system whereby they allow claimants to reclaim the lost item without providing any proof.

There is another common question that arises in public places; On occasion it happens that a person comes to take his coat and sees that it was mistakenly taken by someone else. He sees the coat of the other person remaining on the hook. Is he allowed to take it in the interim before he informs the owner of the mistake? The authorities permit this because in such a case, it is customary for people not to mind if the other person uses theirs. Ideally any institution that has a coatroom where many coats are placed, should establish a switched coat policy. This should state that everyone gives permission to others to wear his coat in the eventuality that the wrong coat is taken. This policy should be posted in a public place.

*Much of the information for this essay is taken from "Halachos of Other People's Money" by Rabbi Yisroel Pinchos Bodner.

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