מצות עשה מן התורה. [חזו"ע עמ' קסח בהערה] וכן מותר בימים שאחר ראש חדש אב לקנות קורות עצים לרהיטים. ויש נוהגים להחמיר שלא לקנות עצים להסקה בימים אלו. [הליכות עולם ח"ב עמ' קמט]

נז. קבלני בנין שבונים דירות ושיכונים למטרות ריוח כספי, בכל זאת מותר להם לבנות גם אחר ראש חודש אב, מכיון שבזמנינו יש מצוקה בדירות ומחסור גדול, אין בנינם בכלל בנין הרווחה שנאסר בימים אלו, ומכל שכן אם התחילו לבנות הבנינים ההם קודם ראש חדש אב, שרשאים לגמור. ועוד שבארץ ישראל יש מצוה גדולה של יישוב ארץ ישראל. [חזו"ע עמ' קסט]

Purchasing wood for furniture

One may also purchase wood with which to fashion furniture during the Nine Days. Some people have the custom to refrain from purchasing firewood during this period.[87]

Building contractors in Israel

57) Building contractors as well may continue building homes and apartment buildings in the Land of Yisrael during the Nine Days even if their intention is for their own profits since there is a serious shortage of housing units these days and the act of making homes for Jews in the Land of Yisrael is a mitzvah of great merit.[88] The halakha restricted the erecting of structures to be used for pleasure activities or of decorative structures, but not homes needed for basic living purposes. It is certainly permitted for a contractor to continue buildings projects that he had begun before *Rosh Hodesh* Av.

87. The *Ben Ish Hai* (*parashat Devarim* halakha 17) cited the *Yosef Ometz* Yuzpa (#869) who wrote that he remembers from his youth that the custom was to refrain from purchasing wood after *Rosh Hodesh* Av. He explained that this was in identification with the fact that we can no longer collect wood to be burned on the holy Altar in the *Bet Hamikdash*. The *Ben Ish Hai* commented that this is a commendable custom and he recommended that everyone refrain from purchasing wood for fuel or for building, although if people insist on doing so it is not necessary to enforce this custom.

Maran the Rishon Letziyon (*Halikhot Olam* Vol. II, page 149) commented that this custom applies to purchasing wood for fuel only, but there is no custom to restrict the purchase of wood for building. In truth, the responsa *Zivhe Tzedek* (Vol. II, #31) suggested, in the name of some of the scholars in his yeshiva, another reason for this custom – we refrain from purchasing wood since we are mourning the destruction of the first *Bet Hamikdash*, which was a wooden building. According to this reason, the custom is to refrain from purchasing wood for building as well. Nevertheless, he commented that it is more likely that the other reason offered for this custom is the correct one.

Maran concluded that since the *Ben Ish Hai* cited the reason applying to firewood only, it is sufficient to refrain from purchasing wood for fuel. There is no necessity to refrain from purchasing wood for buildings or for furnishings, since this entire custom has no basis in the Talmud or the great *Poskim*. This is particularly true in those places where there was never an established custom to refrain from purchasing wood at all.

88. Maran the Rishon Letziyon (*Kol Sinai* page 144) wrote that it is permissible to continue to build after *Rosh Hodesh* Av "until the fast." It appears from this that they may not continue building on Tish'a Be'Av itself.

In *sefer Kol Sinai*, Maran explained that there is a housing shortage "because of the great influx of immigrants to the Land of Yisrael." These words do not appear in *Hazon Ovadya* since there are far fewer immigrants today than there were thirty-five years ago when the *Kol Sinai* was written. Nevertheless, it is still true that there is a housing shortage because of the many new couples setting up their own homes, which is constantly on the increase, with God's blessing. **(Rabbi Y.B.)**

נח. להכנס לדירה חדשה בימים אלו, לצורך מגורים הכרחיים, ולא לנוי ולהרווחה, מותר. ואפשר לעשות חנוכת הבית על ידי לימוד תורה בלבד, עם חלוקת מגדנות. ואת שמחת חנוכת הבית יעשה אחר תשעה באב, ואז ילבש בגד חדש ויברך שהחיינו. [חזו"ע עמ' קסח בהערה]

נט. כאמור, אין לקנות טבעות זהב ושאר תכשיטים לסבלונות של המשודכת שלו, מפני השמחה שיש בדבר. ומכל מקום צורפי כסף וזהב רשאים למכור ולהסתחר בסחורתם, לצורך פרנסתם. [וכמ"ש הב"ח והט"ז להתיר משא ומתן של שמחה, מפני שיש עלינו משא מלך ושרים. ושכ"כ בספר שלחן מלכים כת"י]. **ובפרט לפי מ"ש הרמ"א** [או"ח סו"ס שג] **שבזמן הזה שכיחי תכשיטין טפי, וא"כ י"ל שאין שמחה כל כך בדבר.** [חזו"ע עמ' קסח בהערה]

ס. לקנות מכונית חדשה, אם לצורך פרנסתו מותר, ואם לטיול בעלמא יש להמנע מזה, אלא אם כן נזדמנה לו במחיר זול, ולאחר ט' באב תתייקר. [ועי' בשו"ת אגרות משה חאו"ח ח"ג סו"ס פ]. [חזו"ע עמ' קסז בהערה]

Moving into a new home

58) It is permissible to move into a brand-new home during the Nine Days since it is for one's basic living needs and it is not a building erected for pleasure activities. Furthermore, one may celebrate one's move with a *hanukkat habbayit* ceremony, but it must be limited to studying Torah and serving snack foods. A second, more festive ceremony may be celebrated only after Tish'a Be'Av, and at that time the new homeowner should wear a new garment and recite the blessing of *shehe<u>h</u>eyanu*.[89]

Jewelry stores

59) Although one must refrain from purchasing jewelry for wedding or engagement gifts during the Nine Days since making such purchases gladdens the heart, proprietors of jewelry stores may open for business and sell their merchandise during the Nine Days since this is their livelihood. This leniency is based on the ruling of the *Bayit <u>H</u>adash* and the *Ture Zahav* that one may engage in business transactions pertaining to happy occasions during these days since we are burdened with heavy taxes and we are forced to continue to bring in profits at all times. Furthermore, Rama commented in *Siman* 303:18 that jewelry is far more common nowadays than it was in the era of the Talmud, and if so there is some logic in saying that there is no longer the same degree of joy in purchasing jewelry as there once was.

Purchasing a car

60) It is permissible to purchase a new automobile during the Nine Days if it is necessary for the sake of one's business. If it is meant to be used for pleasure activities one should refrain from purchasing it. If one has the opportunity to purchase it now at a bargain price and it will cost more if one waits until after Tish'a Be'Av, one may purchase it now regardless of its intended purpose.

---

89. In *<u>H</u>azon Ovadya Berakhot* (page 392), Maran the Rishon Letziyon ruled that the new homeowner may recite the blessing of *shehe<u>h</u>eyanu* even during the Nine Days. Apparently, he changed his opinion when compiling the *<u>H</u>azon Ovadya* on *Ta'aniyot* (footnote on page 168) and ruled as explained here. **We presented this decision to Maran the Rishon Letziyon and he agreed that the latter ruling found in *<u>H</u>azon Ovadya Ta'aniyot* is the correct one. (Rabbi Y.B.)**

סא. מותר לקנות ספרים חדשים, אע"פ שהוא שמח בהם, שכיון שהוא דבר של מצוה מותר. [חזו"ע עמ' קסח בהערה]

סב. וכן מותר לקנות ארון ספרים, להשתמש בו לצורך הספרים, וכן מותר לקנות רהיטים חדשים הנחוצים לו להשתמש בהם, בימים אלו. [חזו"ע עמ' קסח בהערה]

סג. מותר לקנות בד לתפור בגד אחר תשעה באב. [הליכות עולם ח"ב עמ' קמט]

Purchasing Torah books

61) One may purchase Torah books during the Nine Days even if this gives one much pleasure, since it is for the sake of a mitzvah.

Purchasing needed furniture

62) Likewise, one may purchase a bookcase during the Nine Days in which to house one's new Torah books. Furthermore, one may purchase furniture that is needed in one's home during the Nine Days.

Purchasing material for garments

63) It is permissible to purchase material during the Nine Days in order to sew a garment with it after Tish'a Be'Av.