

# Shoel U'Mashiv

## Renovations During The 9 Days

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**Q** - "I hired a contractor to do renovations on my house. It is taking longer than I expected, are they allowed to work during the 9 days, or do I have to tell them to wait until after *Tisha B'Av*?"

**A** - What is the potential problem?

The *Shulchan Aruch O.C.* 551:2 quotes the *Gemara Taanis* 29a that says when the month of *Av* arrives, one should lessen their joy. The *Shulchan Aruch* lists activities that one should diminish during this time and one of them is *Binyan Shel Simcha*—building for joy. Meaning, when something is a communal need, such as building a shul, then it is allowed, but building merely for personal benefit or pleasure is not allowed. Based on the *Shulchan Aruch*, it seems that one is not allowed to do renovations during the 9 days.

What if a contractor was hired to do the job?

The *Mishnah Berurah* 551:12 speaks about a case of hiring a non-Jew via *Kablanus*, which is a contractor who is paid to do a project. Meaning, they are not paid per day, rather they only get their full payment by completing the project. He says in such a case they're allowed to work during the 9 days and even on *Tisha B'Av* itself, since they are merely working for their own sake—the sooner they complete the project, the sooner they can go on to a new project and make more money. He adds if it is possible to appease the contractor with a small amount to wait until after *Tisha B'Av*, then one who does so will be blessed.

Can the renovations be done during the 9 days?

It certainly is not *Assur* since they hired a contractor. The real question is about paying the contractor not to work during the 9 days. However, most contractors, especially in the current climate when supplies are so expensive and the number of jobs is limited, will not be appeased by a small amount. Rather, they would demand significant compensation in order to stop working for nearly 2 weeks. Therefore, I told them it was okay to let them keep working.

(All of this is only in a case where they started before the 9 days but starting during the 9 days is not allowed at all.)