### IDJI 6.40.4 – Agency - apparent

INSTRUCTION NO. \_\_\_

 The law recognizes agency relationships created by apparent authority. Agency by apparent authority exists when the principal voluntarily places a person in such a position that a third person, [conversant with the business usages and the nature of a particular business,] is justified in believing that the agent is authorized to act for the principal.

Comments:

 Podolan v. Idaho Legal Aid, 123 Idaho 937; Clark v. Gneiting, 95 Idaho 10