

Quasi Legal Terms

**Definitions**

**Increase vocabulary** Increase awareness and knowledge.

**A.**

**Adjust.** To settle or arrange, to free from differences. To bring to satisfactory state so that parties are agreed, as to adjust amount of loss by fire or controversy regarding property or estate.

**Adjuster.** One appointed to adjust a matter; to ascertain or arrange or settle.

**Adjustment.** An arrangement; a settlement. In the law of insurance. The adjustment of a loss is the ascertainment of its amount and the ratable distribution of it among those liable to pay it.

**Appoint.** To designate, ordain, prescribe, constitute

**Apportion.** To divide and distribute proportionally

**Apportionment clause.** Insurance policy clause which distributes insurance in proportion to the total coverage.

**Appraisalment.** A true and just valuation of property. A valuation set upon property under judicial or legislative authority. A valuation or estimation of the value of the property.

**Appraisal.** A valuation or an estimation of value of property by disinterested persons of suitable qualifications. The process of ascertaining a value of an asset or liability that involves expert opinion rather than explicit market transactions.

**Appraisal clause.** Clause in an insurance policy providing that the insurer or the insured has the right to demand an appraisal of the loss or damage.

**Appraise.** To fix or set a price or value upon; to fix and state the true value of a thing, and, usually in writing. To value property at what it is worth. To "appraise" money means to count.

**Appraiser.** A person selected or appointed by competent authority or interested party to make an appraisal; to ascertain and state the true value of goods or real estate. Frequently appointed in probate and condemnation proceedings; also used by condemnation authorities, banks and real estate companies to ascertain market value of real property.

**Approximate.** Used in the sense of an estimate merely, meaning more or less, but about and near the amount, quantity, or distance specified.

**Appurtenant.** Belonging to; accessory or incident to;

**Award.** The decision or determination rendered by arbitrators or commissioners, or other private or extrajudicial deciders, upon a controversy submitted to them; also the writing or document embodying such decision.

**B**

**Bad faith.** The opposite of "good faith", generally implying or involving actual or constructive fraud, or a design to mislead or deceive another, or a neglect or refusal to fulfill some duty or some contractual obligation, not prompted by an honest mistake as to one's rights and duties, but by some interested or sinister motive. Term "bad faith" is not simply bad judgment or negligence, but rather it implies the conscious doing of wrong because of dishonest purpose or moral obliquity; it is different from the negative idea of negligence in that it contemplates a state of mind affirmatively operating with furtive design or ill will.

**Benefit.** Advantage; profit; fruit; privilege; gain; interest.

**Betterment.** An improvement put upon a property which enhances its value more than mere replacement, maintenance, or repairs.

**C**

**Coinsurance.** A relative division of risk between the insurer and the insured, dependent upon the relative amount of the policy and the actual value of the property insured, and taking effect only when the actual loss is partial and less than the amount of the policy.

**Concurrent.** Pursuit of same course; contributing to the same event;

**Concurrent Causes.** Causes acting contemporaneously. Two distinct causes operating at the same time to produce a given result, which might be produced by either, are "concurrent causes".

**Condominium.** System of separate ownership of individual units in multiple-unit building.

**Construct.** To build; erect; put together; make ready for use. To adjust and join materials, or parts of, so as to form a permanent whole. To put together constituent parts of something in their proper place and order. "Construct" is distinguishable from

"maintain", which means to keep up, to keep from change, to preserve.

**Constructive Loss.** One resulting from such injuries to the property, without its destruction, as render it valueless to the assured or prevent its restoration to the original condition except at a cost exceeding its value.

**D.**

**Damage.** Loss, injury, or deterioration, caused by the negligence, design, or accident of one person to another, in respect of the latter's person or property. The word is to be

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distinguished from its plural, "damages", which means a compensation in money for a loss or damage.

### **M.**

**Mitigation.** Alleviation, reduction, abatement or diminution of a penalty or punishment imposed by law.

### **R.**

**Reconstruct.** To construct again, to rebuild, either in fact or idea, or to remodel. To form again or anew as in the imagination or to restore again as an entity the thing which was lost or destroyed.

**Reconstruction.** Act of constructing again. It presupposes the nonexistence of the thing to be reconstructed, as an entity; that the thing before existing has lost its entity.

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