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## **Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q92-Q97):**

### **NEW QUESTION # 92**

A licensee must provide disclosure of licensed status when acting as a principal if

- A. the licensee does not have errors and omission insurance.
- **B. the licensee has any economic interest in the property.**
- C. any relative of the licensee has ever lived in the residence.
- D. the agent of the other party asks about this specifically.

### **Answer: B**

Explanation:

Under Massachusetts license law (254 CMR 3.00), a real estate licensee who acts as a principal in a transaction (buyer, seller, lessor, or lessee) must disclose in writing that they are a licensed broker or salesperson if they hold any direct or indirect ownership or economic interest in the property.

This rule is intended to protect the public from potential conflicts of interest and ensure transparency. The disclosure must be made in writing before entering into any binding contract.

Simply being asked (A) is not enough; disclosure is mandatory regardless.

Insurance coverage (B) is irrelevant.

Family members (D) may trigger disclosure if the licensee has an ownership/economic interest, but not merely because they lived there.

Correct answer: C.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - License Law & Disclosure; 254 CMR 3.00.

### **NEW QUESTION # 93**

The Massachusetts State Sanitary Code requires

- **A. A stove in good repair in any rental unit.**
- B. Tenants to pay for their own water and/or sewer costs.
- C. Separate meters for all heating and electric systems.
- D. The property owner to provide a refrigerator in working order.

### **Answer: A**

Explanation:

The Massachusetts State Sanitary Code (105 CMR 410) sets minimum standards for safe and habitable housing. One explicit requirement is that every rental unit must be equipped with a stove in good repair provided by the landlord.

Other items:

Refrigerators: Landlords are not required to provide them, but if they do, they must be in working order.

Separate meters: Not required for all systems.

Water/sewer: Landlords generally pay unless specific written agreements allow tenant billing (with proper metering).

Thus, the universal requirement is a stove in good repair.

Reference: Massachusetts Sanitary Code, 105 CMR 410.100.

#### **NEW QUESTION # 94**

Licensee A and Licensee B work for a principal broker for ABC Realty. For Licensee A, the principal broker supervises the work as a listing/buyer's agent, collects commissions, and pays out based on their commission split agreement. Licensee A works from home and attends training meetings at the office. Licensee B works 8 a.m. to 4 p.m. in the ABC Realty office for relocations, showing local properties to relocating clients.

Licensee B is licensed to show homes and submits offers for purchase from individuals who are relocating but is paid by salary based on hours worked, with a bonus for production. What are Licensee A and B's relationships with ABC Realty?

- A. Licensee A and Licensee B are both employees.
- B. Licensee A and Licensee B are both contractors.
- **C. Licensee A is a contractor and Licensee B is an employee.**
- D. Licensee A is an employee and Licensee B is a contractor.

**Answer: C**

Explanation:

Massachusetts real estate law (M.G.L. c.112 87RR) and IRS guidelines distinguish between independent contractors and employees based on supervision, pay structure, and benefits.

Licensee A: Works on commission, covers own business expenses, sets flexible work hours, and is paid according to production. This is the hallmark of an independent contractor relationship.

Licensee B: Works fixed hours (8-4), is paid by salary with possible bonuses, and has employer-like supervision. This structure makes Licensee B an employee of ABC Realty.

Thus, the correct classification is: A is a contractor; B is an employee.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - License Law; IRS Independent Contractor Guidelines.

#### **NEW QUESTION # 95**

A licensee lists a property and discovers that the property is too far away to market effectively. The licensee's firm retains the listing, but does not advertise or show it. Which of the following has been violated?

- A. seller disclosure laws
- B. Consumer Protection Act
- C. statute of frauds
- **D. fiduciary responsibility**

**Answer: D**

Explanation:

When a broker accepts a listing agreement, they enter into a fiduciary relationship with the seller. This relationship requires loyalty, obedience, disclosure, confidentiality, accounting, and reasonable care/diligence.

If the licensee fails to market, advertise, or show the property, they are breaching their duty of diligence and care as well as loyalty to the seller's best interests. This is a direct violation of fiduciary responsibility.

The Consumer Protection Act (B) addresses deceptive business practices, seller disclosure laws (C) apply to condition disclosures, and the Statute of Frauds (D) requires certain contracts (like real estate sales) to be in writing. None apply as directly as fiduciary duties in this scenario.

Thus, the correct answer is A: fiduciary responsibility.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Agency & Fiduciary Duties; 254 CMR 3.00 (Board of Registration).

## NEW QUESTION # 96

Which of the following statements about the leasing of apartments in Massachusetts is correct?

- A. Death of the landlord terminates residential leases.
- B. Interest on security deposits begins after the first year of tenancy.
- C. Leases terminate when the property is sold.
- D. **Tenancies at will are enforceable under the law.**

### Answer: D

Explanation:

In Massachusetts, tenancies at will are legally enforceable and governed by M.G.L. c. 186, 12. This type of tenancy exists without a fixed lease term and continues until terminated by proper notice (30 days or one full rental period, whichever is longer).

Other options are incorrect:

Security deposits (M.G.L. c. 186, 15B) accrue interest from the date received, not after one year.

Leases do not terminate when property is sold; the new owner assumes the landlord's obligations under the lease.

Death of the landlord does not terminate a lease; the landlord's estate or heirs become the landlord under Massachusetts law.

Therefore, the correct statement is that tenancies at will are enforceable under the law.

Reference: M.G.L. c. 186, 12 & 15B; Massachusetts Sanitary Code 105 CMR 410.

## NEW QUESTION # 97

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