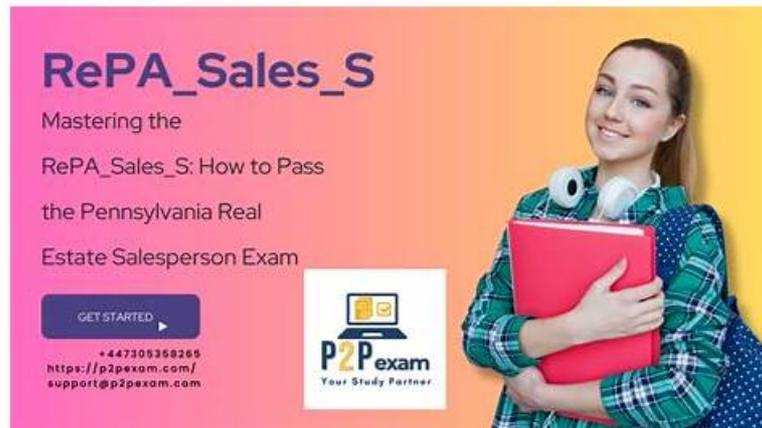


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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q29-Q34):

NEW QUESTION # 29

A salesperson has just obtained the seller's signature on an offer to purchase. When MUST the buyer receive a copy?

- A. Within 24 hours of the offer's acceptance
- B. In a reasonably practicable period of time
- C. At the closing
- **D. Within 1 business day of the offer's acceptance**

Answer: D

Explanation:

Under 49 Pa. Code § 35.331 (Written Agreements Generally), all parties must receive a copy of a signed offer within 1 business day

of acceptance.

* This ensures that buyers and sellers have full documentation of the transaction.

* Delaying delivery of signed contracts can lead to disputes and potential violations of real estate regulations.

Why the other answers are incorrect:

* Option A (24 Hours): While fast delivery is preferred, the law specifically states "1 business day."

* Option C (At Closing): Buyers must receive a copy well before closing.

* Option D (Reasonably Practicable Time): This is too vague and does not meet the specific 1-business-day requirement.

Reference:

49 Pa. Code § 35.331- Written Agreements Generally

NEW QUESTION # 30

According to the Pennsylvania Real Estate Commission, which one of the following actions by a licensee is prohibited conduct?

- **A. Failure to disclose the licensee's use of a third party to acquire property listed by the licensee's office**
- B. Taking a listing that has a duration of only 2 months
- C. Negotiating a commission that seriously undercuts those of other brokerage firms
- D. Failure to engage legal counsel to respond to a Commission request for information stemming from a complaint about the licensee

Answer: A

Explanation:

A real estate licensee in Pennsylvania is prohibited from failing to disclose any personal interest in a transaction. This includes using a third party to purchase property listed by the licensee's own office.

* 49 Pa. Code § 35.283 (Disclosure of Interest) requires that a licensee must disclose any financial interest they have in a transaction.

* If a licensee arranges for a third party (such as a relative or business associate) to purchase a property without disclosure, this is considered a serious ethical violation.

Why the other answers are incorrect:

* Option A (Short Listing Duration): Listings do not have a minimum required time period, so a 2-month duration is permissible.

* Option B (Undercutting Commission): Commission fees are negotiable, and the Real Estate Commission does not set a minimum fee.

* Option D (Legal Counsel Not Required): Licensees are not required to hire legal counsel to respond to Commission complaints, but they must respond honestly and fully.

NEW QUESTION # 31

What MUST a licensee do before she can advertise, show, or offer a property?

- **A. Obtain authorization from the owner of the property.**
- B. Prepare a comparative market analysis for the property.
- C. Prepare a preliminary appraisal of the property.
- D. Provide a list of clients for whom she has successfully completed real estate transactions in the area.

Answer: A

Explanation:

Before advertising, showing, or offering any property, a real estate licensee must obtain written authorization from the property owner. This is a legal requirement to ensure that the licensee has the right to represent the property.

* 49 Pa. Code § 35.331 (Written Agreements Generally) states that a real estate licensee must have a written agreement with the property owner before performing any real estate services, including advertising and showing the property.

* 49 Pa. Code § 35.332 (Exclusive Listing Agreements) further clarifies that exclusive agreements must be in writing and signed by both the owner and broker.

* Without the owner's written consent, a licensee could be subject to penalties or disciplinary action from the Pennsylvania Real Estate Commission.

Why the other answers are incorrect:

* Option A (Preliminary Appraisal): Licensees are not required to conduct appraisals unless they are certified appraisers.

* Option C (List of Clients): There is no requirement to provide a history of past transactions before listing or advertising a property.

* Option D (Comparative Market Analysis - CMA): A CMA is useful for pricing but is not required before advertising or showing a property.

NEW QUESTION # 32

The Commission, after obtaining the facts of a verified complaint against a licensee, holding a hearing, and finding that licensee guilty, may:

- A. Make the licensee take up to 20 hours of ethics training.
- B. Imprison a licensee for no more than 90 days.
- C. Levy a fine of \$2,000 - \$5,000 if this is the licensee's first offense.
- **D. Suspend or revoke a license and/or levy a fine of \$1,000 or less.**

Answer: D

Explanation:

Under 63 P.S. § 455.305 (Civil Penalty Provisions), the Pennsylvania Real Estate Commission has the authority to suspend or revoke a license and impose fines of up to \$1,000 per violation.

* The Commission can impose fines but does not have authority over criminal penalties such as imprisonment.

* Suspension or revocation is a common penalty for severe violations, including fraud, misrepresentation, or mismanagement of client funds.

Why the other answers are incorrect:

* Option A (\$2,000 - \$5,000 Fine): The fine limit for first offenses is typically \$1,000 per violation.

* Option C (20 Hours of Ethics Training): Training may be recommended but is not an official penalty imposed by the Commission.

* Option D (90-Day Imprisonment): The Commission does not have authority to impose jail sentences.

NEW QUESTION # 33

Which of the following is a REQUIRED general duty of a licensee?

- **A. Independently verify the accuracy of any representation on a property condition disclosure statement.**
- B. Provide assistance with document preparation.
- C. Conduct an independent inspection of the property.
- D. Accept liability and responsibility for acts of the consumer.

Answer: A

Explanation:

Under 68 Pa. C.S. §§ 7301-7314 (Real Estate Seller Disclosure Law), a licensee has a duty to ensure that the property condition disclosure statement is complete and accurate as provided by the seller.

* While the licensee does not conduct a formal property inspection, they must not ignore material defects that are apparent or known to them.

* If a licensee knows of an issue that contradicts the seller's disclosure, they must disclose this to the buyer to prevent misrepresentation.

* This protects consumers from fraudulent or misleading property conditions.

Why the other answers are incorrect:

* Option A (Independent Inspection): A licensee is not a home inspector and is not required to perform a physical inspection.

* Option C (Accept Consumer Liability): A licensee is not responsible for actions taken by a buyer or seller.

* Option D (Document Preparation Assistance): A licensee can help explain documents but cannot prepare legal contracts without an attorney.

NEW QUESTION # 34

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