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## Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions

## (Q137-Q142):

### NEW QUESTION # 137

Which of the following assurances is provided to home buyers who purchase a \$75,000 property with an FHA- insured mortgage?

- A. The neighborhood values will increase.
- B. A down payment is not required.
- **C. The property has been appraised for value.**
- D. The property is not subject to eminent domain.

**Answer: C**

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

An FHA-insured mortgage ensures the lender against loss from borrower default but does not guarantee property values or eliminate government powers like eminent domain. FHA requires an FHA appraisal to confirm the property meets minimum standards of safety, soundness, and security, and to establish a value for loan purposes.

The FHA makes clear that the appraisal is for lender protection, not a guarantee to the buyer of condition or future value. A down payment (C) is still required (typically 3.5% minimum). Eminent domain (A) always remains a government power, and no program guarantees increasing neighborhood values (B).

Thus, the correct assurance FHA provides is that the property has been appraised for value.

Reference: HUD/FHA Handbook 4000.1; Massachusetts Real Estate Salesperson Candidate Handbook - Financing/FHA Loans.

### NEW QUESTION # 138

The Massachusetts Sanitary Code requires landlords to

- A. Notify a tenant 24 hours prior to entering a property.
- B. Inspect the property every six months.
- C. Provide a statement of condition within 30 days of the lease.
- **D. Maintain their properties in a safe and habitable condition.**

**Answer: D**

Explanation:

The Massachusetts State Sanitary Code (105 CMR 410) establishes minimum standards for human habitation.

Landlords are required to ensure that rental units are kept in a safe, sanitary, and habitable condition at all times. This includes maintaining heating systems, hot water, structural integrity, pest control, and ensuring compliance with health and safety standards.

While landlords may provide a statement of condition when collecting a security deposit (per M.G.L. c. 186, § 15B), this is not part of the Sanitary Code itself. Similarly, no law requires inspections every six months or a 24-hour notice of entry (although reasonable notice is considered best practice and is recommended in case law).

The essential legal requirement is habitability. Tenants have the right to withhold rent or seek remedies if the landlord fails to maintain the property in compliance with the Sanitary Code. Local boards of health enforce these regulations.

Reference: Massachusetts Sanitary Code, 105 CMR 410; M.G.L. c. 186, § 14; Massachusetts Real Estate Salesperson Study Guide - Landlord/Tenant Law.

### NEW QUESTION # 139

When performing its duties, the Board of Registration protects and safeguards the interests of the

- A. Governor's office.
- **B. General public.**
- C. Licensees.
- D. State legislature.

**Answer: B**

Explanation:

The Massachusetts Board of Registration of Real Estate Brokers and Salespersons is a regulatory agency under the Division of Professional Licensure. Its mission is to protect the general public, not licensees.

The Board enforces the real estate licensing laws (M.G.L. c. 112, §§ 87PP-87DDD), establishes regulations (254 CMR),

administers licensing exams, investigates complaints, and disciplines licensees for violations.

Although the Board interacts with licensees, its role is to ensure consumers are protected from fraud, incompetence, or misconduct in real estate transactions.

Thus, the Board's primary duty is safeguarding the general public, not serving the interests of licensees or government branches.

Reference: M.G.L. c. 13, § 54; M.G.L. c. 112, 87PP-87DDD.

#### NEW QUESTION # 140

Two top licensees in a small town have agreed not to show listings of a new real estate firm charging a low commission rate to sellers. This behavior is a violation of the

- A. Equal Credit Opportunity Act.
- B. Blue-Sky laws.
- C. Sherman Antitrust Act.
- D. federal fair housing laws.

**Answer: C**

Explanation:

The Sherman Antitrust Act is a federal law that prohibits any contract, combination, or conspiracy that restrains trade or creates monopolies. In the context of real estate, antitrust violations include price fixing, market allocation, group boycotts, and tie-in arrangements.

The situation described - where two licensees agree not to show listings from a competing brokerage charging lower commissions - is a classic example of a group boycott. By conspiring to cut out competition, they are restraining trade and harming both consumers and the new brokerage.

The Equal Credit Opportunity Act (A) deals with lending discrimination, Blue-Sky laws (B) regulate securities, and federal fair housing laws (D) prohibit housing discrimination. Only the Sherman Antitrust Act applies here.

Massachusetts licensees are specifically tested on recognizing antitrust violations. The penalties for Sherman Act violations are severe, including fines, loss of license, and even imprisonment.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Real Estate Practice & Antitrust Laws; Sherman Antitrust Act, 15 U.S.C.1-7.

#### NEW QUESTION # 141

The two clauses in a mortgage which allow the lender to proceed with a foreclosure sale are which of the following?

- A. foreclosure clause and alienation clause
- B. acceleration clause and power of sale clause
- C. escalation clause and power of sale clause
- D. escalation clause and alienation clause

**Answer: B**

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

Two key clauses permit a lender to enforce foreclosure:

Acceleration clause - allows the lender to declare the entire debt immediately due and payable if the borrower defaults. Without this clause, the lender could only sue for past-due installments.

Power of sale clause - common in Massachusetts "title theory" mortgages, it authorizes the lender to sell the property at public auction without going through full judicial foreclosure.

The alienation clause (also called a "due-on-sale" clause) allows the lender to demand payoff when the property is transferred, not for foreclosure. The escalation clause allows interest rate or payment adjustments, not foreclosure.

Therefore, the correct pair that authorizes foreclosure is D: acceleration clause and power of sale clause.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Financing Instruments; M.G.L. c. 183 21 (Power of Sale Foreclosure).

#### NEW QUESTION # 142

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