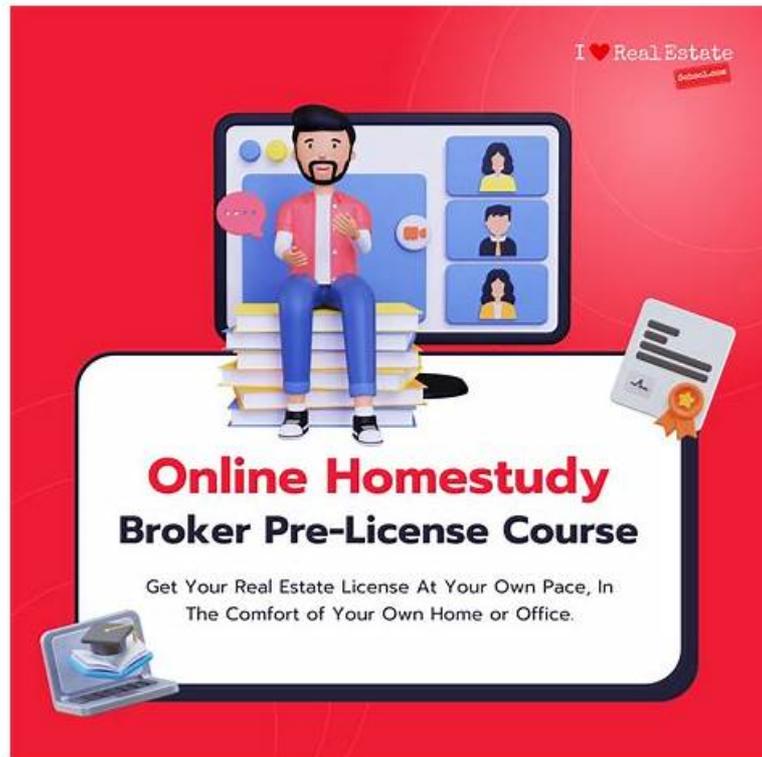


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Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q51-Q56):

NEW QUESTION # 51

Disclosure of licensee relationships to prospective buyers and sellers is required

- A. When listing commercial properties.
- B. When responding to a telephone or internet inquiry.
- C. At the first personal meeting to discuss a specific single-family property.
- D. When discussing any real estate issue.

Answer: C

Explanation:

In Massachusetts, licensee relationship disclosure is governed by M.G.L. c. 112, § 87AAA and 254 CMR

3.00. State law requires that real estate agents disclose their agency relationship to prospective buyers and sellers at the first personal meeting to discuss a specific property. This requirement is primarily intended for residential transactions involving one- to four-family properties.

This disclosure clarifies whether the agent represents the seller, the buyer, or is functioning in another capacity (such as a facilitator).

It ensures that consumers are fully informed about where the licensee's loyalty lies before substantive discussions occur.

The law does not require agency disclosure for mere inquiries (phone or internet), for general real estate discussions, or for commercial property listings. The specific trigger is the first personal meeting to discuss a specific single-family property.

Reference: 254 CMR 3.00; Massachusetts Real Estate License Law Summary; Consumer Guide to Real Estate Agency Relationships.

NEW QUESTION # 52

A broker has been engaged to locate a property for a buyer. The broker has determined that a suitable property for the buyer is for sale and is owned by the broker's cousin. The broker has not informed the buyer of the broker's relationship with the owner. If the buyer purchases the property under these circumstances, the broker is

- A. Not violating the license law because a relative's interest is an exception to the fiduciary duty rule.
- B. Violating the license law because a relative's interest shall be made known to all parties.
- C. Violating the license law because it is illegal to purchase family property for a principal.
- D. Not violating the license law because the broker in this situation has no duty of disclosure.

Answer: B

Explanation:

Under Massachusetts real estate license law, a broker must disclose any personal interest, or the interest of an immediate family member, in a transaction to all parties. This is a matter of fiduciary duty and is explicitly required under 254 CMR 3.00.

Failing to disclose that the seller is the broker's cousin constitutes a conflict of interest and violates the duty of loyalty, disclosure, and honesty to the client (the buyer). While it is not illegal to buy or sell property involving relatives, the relationship must always be made known to avoid misrepresentation or concealment of material facts.

Therefore, the broker is in violation because the familial relationship was not disclosed.

Reference: 254 CMR 3.00 - Duties of Licensees; M.G.L. c. 112, § 87AAA; Massachusetts Real Estate Candidate Information Bulletin - Agency & Disclosure.

NEW QUESTION # 53

The commission rate included in a listing contract is determined by

- A. national trade organizations.
- B. negotiation.
- C. local custom.
- D. state statute.

Answer: B

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

Real estate commissions are always negotiable between the broker and the client. Neither the state, local customs, nor trade associations (like NAR) may fix commission rates, as that would violate the Sherman Antitrust Act (prohibiting price-fixing and restraint of trade).

A: Massachusetts does not set commission rates by statute.

B: Local custom does not determine commissions.

C: Trade organizations may publish surveys but cannot set rates.

Thus, commission terms are agreed to by negotiation between the broker and client in the listing contract.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Brokerage Agreements; Sherman Antitrust Act (15 U.S.C. 1).

NEW QUESTION # 54

A veteran has applied for a VA loan to purchase a house with a sale price of \$90,000. The Department of Veterans Affairs (VA) appraised the house at \$85,000. In this situation, the veteran

- A. may buy the property with the VA loan only if the price is reduced to \$85,000.
- **B. may use the VA loan to buy the house after making a down payment of \$5,000.**
- C. may buy the property with the VA loan only if the seller agrees to take back a second mortgage for \$5,000.
- D. cannot secure a VA loan because such loans are limited to a maximum of \$75,000.

Answer: B

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

The VA loan program guarantees part of the loan, but it is always based on the VA's Notice of Value (NOV), which is capped at the appraised value (\$85,000 in this case). The veteran may still purchase at the higher price (\$90,000), but must make up the difference in cash:

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90,000#85,000=5,000

Thus, the veteran can proceed with a \$5,000 down payment plus the VA-guaranteed loan of \$85,000.

B: Incorrect; VA loans are not capped at \$75,000.

C: The seller does not have to lower the price, though they may.

D: VA loans do not allow secondary financing to cover the appraisal gap.

Correct answer: A.

Reference: VA Lender's Handbook (Chapter 3 - The Appraisal Process); Massachusetts Real Estate Salesperson Candidate Handbook - Financing/VA Loans.

NEW QUESTION # 55

A client makes an offer on a residential property and provides a check for \$2,000 as earnest money. The client instructs his buyer agent to hold the check for five days so it will clear the bank. What should the agent do with the check?

- A. Hold it for five days before submitting the check to his broker for deposit in the escrow account.
- B. Inform the client that the offer will be presented without any earnest money since the agent is required to submit all offers.
- **C. Provide the check to his broker immediately with the client's instruction to hold it for five days before depositing it in the escrow account.**
- D. Refuse to present the offer to the seller's agent until the earnest money can be deposited.

Answer: C

Explanation:

Under 254 CMR 3.10 and Massachusetts escrow rules, all deposits must be turned over immediately to the broker for deposit into the escrow account. However, if the buyer gives written instructions that the check is to be held (for example, for a certain number of days), the broker must honor those instructions.

The correct procedure is to deliver the check to the broker right away, along with the buyer's instruction to hold it for five days before depositing. The agent may not personally hold the check, nor may the agent refuse to present the offer due to escrow timing. All offers must be submitted promptly regardless of deposit status.

Reference: 254 CMR 3.10 - Handling of Client Funds; Massachusetts Real Estate Candidate Information Bulletin - Escrow Rules.

NEW QUESTION # 56

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