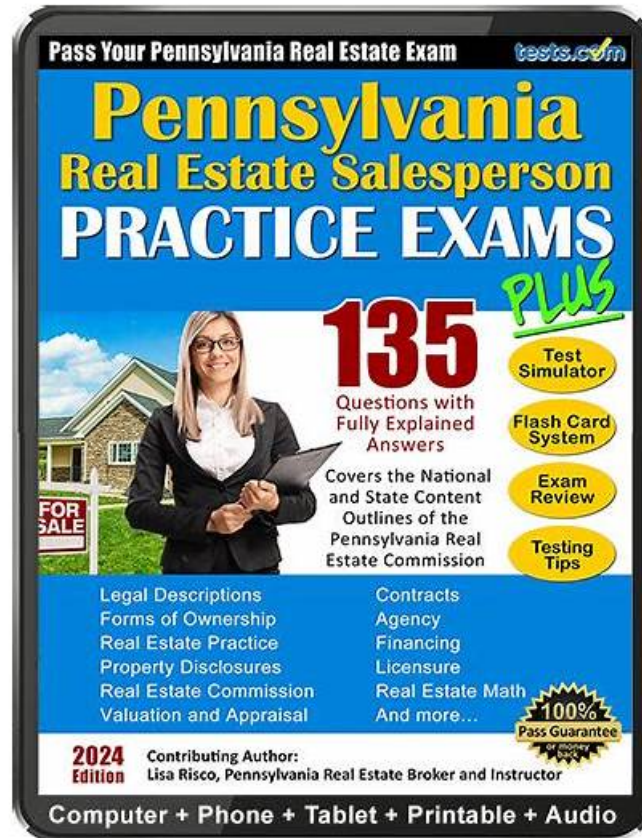


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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q44-Q49):

NEW QUESTION # 44

According to the Pennsylvania Landlord-Tenant Act, a tenant must be notified of the final disposition of their security deposit within what time period following the end of the lease?

- A. Within 5 days
- B. Immediately upon completion of the landlord's final inspection of the premises
- C. Within 30 days
- D. Within 60 days

Answer: C

Explanation:

Under The Pennsylvania Landlord and Tenant Act of 1951 (68 P.S. § 250.512), a landlord must return the tenant's security deposit or provide a written explanation of any deductions within 30 days of lease termination.

* If the landlord withholds any portion of the deposit, they must provide an itemized list of damages and the amount deducted.

* If the landlord fails to return the deposit or provide an itemized list within 30 days, they forfeit their right to keep any portion of the deposit and may be subject to legal penalties.

* The tenant must provide a forwarding address to receive the deposit or notice.

Why the other answers are incorrect:

* Option A (5 Days): There is no 5-day requirement in Pennsylvania law.

* Option C (60 Days): The landlord is required to act within 30 days, not 60 days.

* Option D (Immediately upon inspection): While an inspection may occur, the law grants the landlord up to 30 days to finalize deductions and return funds.

Reference:

The Pennsylvania Landlord and Tenant Act of 1951 (68 P.S. § 250.512)

NEW QUESTION # 45

A real estate ad in a newspaper placed by a salesperson MUST include the:

- A. Name of the principal.
- B. Employing broker's name and phone number.
- C. Municipality in which the property is located.
- D. Legal description of the property.

Answer: B

Explanation:

Under 49 Pa. Code § 35.305 (Business Name on Advertisements), any advertisement placed by a real estate salesperson must include the name and phone number of their employing broker.

* This ensures that the public knows which brokerage is responsible for the property listing and avoids misleading or unverified advertisements.

* A salesperson cannot advertise properties without clearly identifying their broker to ensure compliance with advertising regulations.

Why the other answers are incorrect:

* Option A (Municipality): While useful, this is not required in every ad.

* Option B (Legal Description): A legal property description is not required for advertisements.

* Option D (Name of the Principal): The seller's name does not need to be included in advertisements.

NEW QUESTION # 46

An owner sells a house through a salesperson who works as an independent contractor for a broker. Before the closing, the owner fires the broker. However, the owner agrees to pay the salesperson a \$1,000 fee for services. Which of the following is TRUE?

- A. The salesperson may only accept the \$1,000 with the broker's consent.
- B. The salesperson may legally accept the \$1,000.
- C. The salesperson cannot legally accept the \$1,000.
- D. The owner can cancel any part of the sales contract at any time.

Answer: C

Explanation:

According to 49 Pa. Code § 35.283 (Compensation and Commission), a salesperson may not accept compensation from anyone other than their employing broker.

- * A salesperson cannot accept direct payments from an owner or buyer (Option A - Correct).
- * The owner cannot cancel the sales contract unilaterally (Option B - Incorrect).
- * The salesperson may only be compensated through the broker, even if the owner agrees to direct payment (Option C & D - Incorrect).

NEW QUESTION # 47

An exclusive listing MUST be in writing and it MUST:

- **A. specify the duration of the listing**
- B. contain provisions regarding acceptable financing arrangements
- C. be signed by the cooperating broker
- D. contain a provision allowing the owner to cancel all exclusive features within 24 hours' notice

Answer: A

Explanation:

All exclusive listing agreements in Pennsylvania MUST specify their duration in writing.

- * 49 Pa. Code § 35.332 (Exclusive Listing Agreements) states that all exclusive listings must have a definite start and end date.
- * Listings without an expiration date are considered illegal and unenforceable in Pennsylvania.

Why the other answers are incorrect:

- * Option A (Cancellation in 24 Hours): There is no legal requirement for a 24-hour cancellation clause.
- * Option B (Financing Arrangements): Financing provisions are not a required part of a listing agreement.
- * Option C (Signed by Cooperating Broker): A cooperating broker's signature is not required. Only the listing broker and seller need to sign the agreement.

NEW QUESTION # 48

When a tenant who has a service or support animal applies to lease an apartment in a building that does not allow pets, which of the following rules may the landlord follow?

- **A. Both state and federal laws require the landlord to allow any service or support animal.**
- B. The landlord may disallow the animal if it is not federally registered as a support or service animal.
- C. The landlord may disallow the animal if there are no other animals permitted in the building.
- D. The landlord must allow the service or support animal but may charge an additional deposit.

Answer: A

Explanation:

Under The Fair Housing Act (42 U.S.C. § 3604) and The Americans with Disabilities Act (ADA) (42 U.S.C. § 12101), both service and emotional support animals must be allowed in rental properties, even in "no pets" buildings.

"no pets" buildings.

- * Service animals (such as guide dogs) and emotional support animals (ESA) are not considered "pets" under federal and state law, so landlords cannot prohibit them.
- * A landlord cannot charge an additional deposit or pet fee for service/support animals.
- * The tenant must provide documentation from a licensed medical provider if the disability is not obvious, but there is no requirement for a formal "federal registration" of service animals.

Why the other answers are incorrect:

- * Option B (Charge Additional Deposit): This is illegal under Fair Housing laws because service animals are not "pets".
- * Option C (No Pets Rule): A no-pets policy does not apply to service animals.
- * Option D (Federally Registered Service Animal): There is no federal registry for service animals, so this is not a valid requirement.

References:

Fair Housing Act (42 U.S.C. § 3604)- Disability Protections

Americans with Disabilities Act (ADA) (42 U.S.C. § 12101)- Service Animals Protections

NEW QUESTION # 49

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