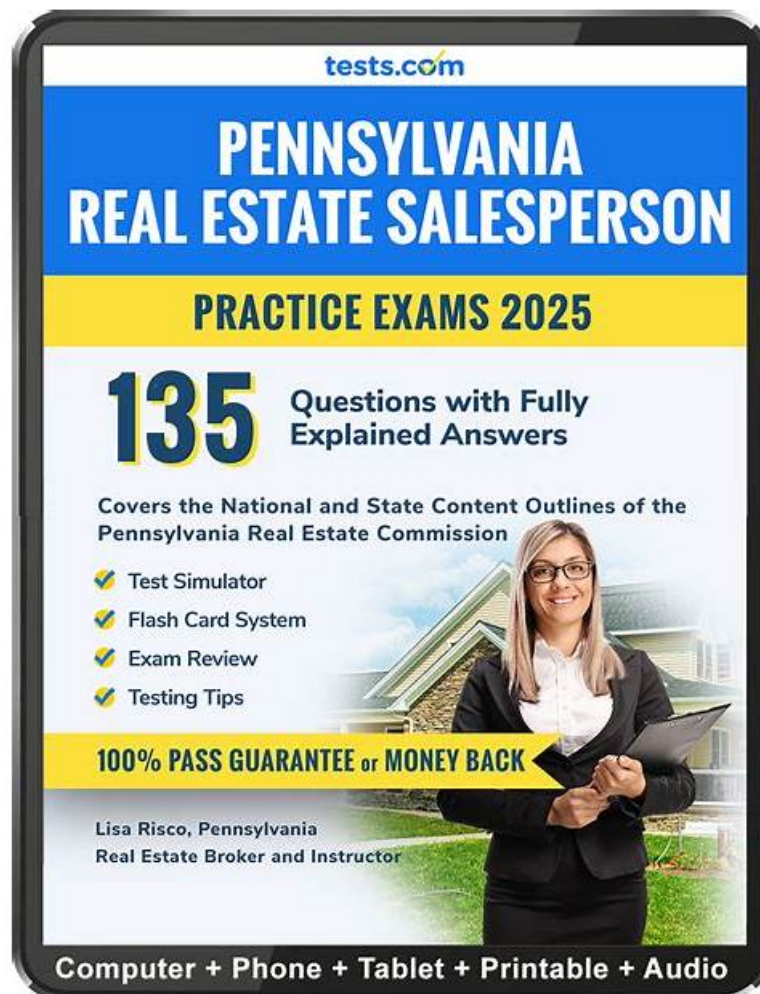


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## **Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q28-Q33):**

### **NEW QUESTION # 28**

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

**Answer: B**

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.

\* 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 # 29**

Which of the following activities performed by the manager of a multifamily dwelling REQUIRES a real estate license?

- A. Distributing building rules and regulations
- **B. Entering into leases**
- C. Providing information on rental amounts to prospective renters
- D. Showing apartments to prospective renters

**Answer: B**

Explanation:

A real estate license is required to enter into leases on behalf of a landlord because this involves negotiating real estate transactions.

\* According to 49 Pa. Code § 35.201 (Definitions), property management activities that include leasing, collecting rent, and negotiating lease terms require a real estate license.

\* A property manager who is actively negotiating leases must hold a real estate license unless they are directly employed by the property owner.

Why the other answers are incorrect:

\* Option A (Distributing Rules): This does not require a license since it is administrative.

\* Option C (Showing Apartments): Showing apartments does not require a license as long as no negotiations occur.

\* Option D (Providing Rental Info): Providing information is not negotiating a lease, so a license is not needed.

### **NEW QUESTION # 30**

In order to work as a property manager for compensation, an individual must:

- A. Complete at least one course in property management every two years.

- B. Pass a separate examination in principles of property management.
- C. Complete a certification for property management.
- D. Hold a real estate license and, if not a broker, be supervised by a broker.

**Answer: D**

Explanation:

Under 49 Pa. Code § 35.201 (Definitions), property management activities that include leasing, collecting rent, and negotiating lease terms require a real estate license unless the individual is directly employed by the property owner.

\* If a property manager is conducting leasing or rental activities for multiple property owners, they must be licensed and supervised by a broker.

\* The law ensures that individuals managing properties for others operate under proper ethical and legal guidelines.

Why the other answers are incorrect:

\* Option A (Certification for Property Management): No separate property management certification is required under Pennsylvania law.

\* Option B (Separate Exam for Property Management): A separate exam for property management is not required.

\* Option C (Ongoing Property Management Courses): Continuing education is required for license renewal, but specific property management courses are not mandatory.

Reference:

49 Pa. Code § 35.201- Definitions

### NEW QUESTION # 31

The Pennsylvania Real Estate Commission has received a written complaint that a licensee is engaging in an activity prohibited by the Real Estate Licensing and Registration Act. What action is the Commission empowered to take?

- A. Ascertain the facts and, if warranted, hold a hearing.
- B. Suspend the licensee's license for a period not to exceed 6 months.
- C. Transfer the matter to civil authorities in the county in which the alleged activity occurred.
- D. Serve the licensee with a cease and desist order.

**Answer: A**

Explanation:

The Pennsylvania Real Estate Commission (PREC) has the power to investigate complaints, hold hearings, and impose disciplinary actions under 63 P.S. § 455.404 (Powers of the Commission).

\* The Commission will first investigate the complaint to determine if the allegations are valid.

\* If warranted, the Commission will hold a formal hearing to decide on appropriate disciplinary action.

\* Possible penalties include fines, suspension, or revocation of the license.

Why the other answers are incorrect:

\* Option A (Automatic 6-Month Suspension): The Commission does not impose automatic suspensions; each case is reviewed individually.

\* Option C (Cease and Desist Order): This is typically used for unlicensed real estate activities, not licensed misconduct.

\* Option D (Transfer to Civil Authorities): While some cases (e.g., fraud) may be referred to law enforcement, the Commission itself first investigates.

Reference:

63 P.S. § 455.404- Powers of the Commission

### NEW QUESTION # 32

In the normal course of practicing real estate, a licensed real estate salesperson may:

- A. Directly receive a commission from the buyer as well as the seller.
- B. Pay a referral fee directly to another licensed salesperson.
- C. Receive commission and bonuses through their broker.
- D. Agree to split commissions with another licensee and pay the split directly to the other licensee.

**Answer: C**

Explanation:

Under 49 Pa. Code § 35.283 (Compensation and Commission), a salesperson may only receive compensation through their

employing broker. All commissions, bonuses, or referral fees must be paid by the broker and not directly to or from another licensee.

\* A real estate salesperson cannot accept direct payment from clients, buyers, or sellers.

\* Any bonus or commission earned must first go to the broker, who then distributes the appropriate amount to the salesperson.

Why the other answers are incorrect:

\* Option A (Direct Commission from Buyer & Seller): Salespersons cannot accept direct payments from clients; all payments must go through their broker.

\* Option B (Pay Referral Fee to Another Salesperson): Only brokers can pay referral fees. A salesperson cannot pay another licensee.

\* Option D (Split Commission Directly with Another Licensee): Commissions must be handled by the broker, not between individual agents.

Reference:

49 Pa. Code § 35.283- Compensation and Commission

## NEW QUESTION # 33

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