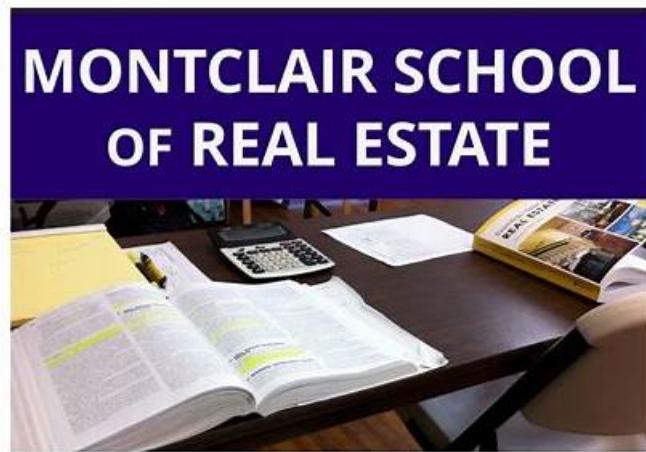


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## Real Estate New Jersey Real Estate Salesperson Exam Sample Questions (Q55-Q60):

### NEW QUESTION # 55

A salesperson working with buyers secures an offer on a property. The offer calls for an initial deposit of \$1,000 to be held in escrow. The salesperson instructs the buyer to issue a personal check in that amount payable to the salesperson. This action is

- A. permissible, because the salesperson is acting as agent for the broker.
- B. permissible if the salesperson immediately writes a check for the deposit amount payable to their broker's escrow account.
- C. prohibited, because checks for deposits to be held in escrow may only be payable to the broker's escrow account.
- D. prohibited, because the salesperson accepted a personal check.

#### Answer: C

Explanation:

According to the New Jersey Real Estate Commission (NJREC) Rules and Regulations, a salesperson is not permitted to accept funds in their own name under any circumstances. All earnest money deposits, whether in cash or check form, must be made payable directly to the broker or the broker's trust (escrow) account, never to the salesperson.

The law is very clear that a salesperson works on behalf of and under the supervision of their broker. This means that the salesperson cannot hold or control escrow funds personally. The proper handling of escrow deposits is a strict trust account requirement under N.J.A.C. 11:5-5.1.

Key points from the New Jersey Salesperson study guide:

- \* Salespersons cannot maintain escrow accounts.
  - \* All deposit checks must be made payable to the broker's escrow or trust account.
  - \* Accepting a check payable to the salesperson, even with the intent to transfer it, is a violation of NJREC trust account rules.
- Therefore, the correct answer is C, because any deposit intended for escrow may only be payable to the broker's escrow account.
- Reference: New Jersey Real Estate Commission, Rules and Regulations, N.J.A.C. 11:5-5.1 (Escrow and Trust Accounts); New Jersey Real Estate Salesperson Pre-Licensure Course Study Guide, Chapter on Trust Accounts and Escrow Handling.

### NEW QUESTION # 56

A couple who sell their principal residence may take up to \$500,000 in federal capital gains tax-free only if:

- A. they have owned and occupied the house for at least 2 of the previous 5 years.
- B. at least one of them has reached the age of 65.
- C. neither has ever used the Homesellers Exclusion in the past.
- D. they buy a replacement home of equal or greater value than the one being sold within a year.

#### Answer: A

Explanation:

Under IRS Section 121 Exclusion (Home Sale Exclusion Rule):

Married couples filing jointly can exclude up to \$500,000 of capital gains.

They must have owned and occupied the property as their primary residence for 2 of the past 5 years.

Age 65 requirement is obsolete (repealed).

They don't need to reinvest in another home.

The exclusion can be used once every 2 years.

Correct answer = D.

Reference: Internal Revenue Code §121; NJ Real Estate Salesperson Study Guide, Chapter on Taxation.

### NEW QUESTION # 57

A public utility company is installing power lines across several counties. Will the utility company be more likely to be granted an easement appurtenant or an easement in gross?

- A. easement appurtenant because it cannot be extinguished by merger of the dominant and servient tenements
- B. easement appurtenant because it cannot run with the land
- C. easement in gross because it does not require ownership of real property adjacent to the property that is subject to the easement
- D. easement in gross because it allows the holder of the easement to eventually gain title to the encumbered property

#### Answer: C

Explanation:

An easement in gross benefits a person or entity, rather than another parcel of land. Unlike an easement appurtenant, which requires a dominant and servient estate (two adjoining parcels), an easement in gross does not require ownership of adjacent property. Utility companies (electric, gas, water, sewer, cable) typically hold easements in gross, allowing them to install and maintain lines across multiple properties. The easement is granted to the utility company, not to a neighboring landowner.

Therefore, the correct answer is C.

Reference: NJ Real Estate Salesperson Pre-Licensure Course Guide, Chapter on Interests in Real Estate (Easements); NJ Property Law principles on easements.

**NEW QUESTION # 58**

If an owner wants to list a property for sale "as is," the listing agent should:

- A. conclude that if the buyer later discovers defects that were not disclosed the listing agent is relieved of any responsibility.
- **B. question the seller as to any known defects.**
- C. assume that the owner will accept a relatively low price for the property.
- D. assume that the house is a "fixer-upper."

**Answer: B**

Explanation:

"As is" does not relieve a seller or listing agent from disclosure obligations.

The licensee must still make reasonable inquiries about known defects.

All material facts must be disclosed, regardless of the "as is" designation.

"As is" simply means the seller will not make repairs or improvements.

Thus, the agent must ask the seller about known defects = C.

Reference: NJREC Rules and Regulations on Disclosure; NJ Real Estate Salesperson Study Guide, Chapter on Seller Disclosures and "As Is" Sales.

**NEW QUESTION # 59**

A married couple is planning to purchase a house that costs \$86,000. If they obtain a 60% loan and the lender charges a 2.5% loan origination fee and 0.5 discount points, what is the cost of these expenses?

- A. \$2,150
- B. \$1,290
- C. \$2,580
- **D. \$1,548**

**Answer: D**

Explanation:

Reference: New Jersey Real Estate Salesperson Pre-Licensure Course Guide, Chapter on Financing and Loan Calculations.

**NEW QUESTION # 60**

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