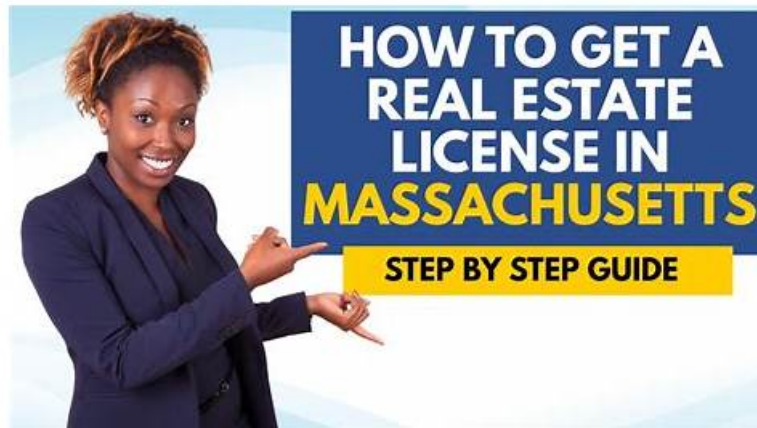


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Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q103-Q108):

NEW QUESTION # 103

Which of the following statements concerning a security deposit is correct?

- A. It may not exceed the first month's rent.
- B. It must be transferred to the tenant when the building is sold.
- C. It must be returned to the tenant within twenty-one days of termination of occupancy.
- D. It may be maintained in the landlord's regular business account as long as it is interest-bearing.

Answer: C

Explanation:

Under M.G.L. c. 186, 15B, Massachusetts law regulates security deposits strictly:

The maximum allowable deposit is one month's rent.

The deposit must be held in a separate, interest-bearing escrow account, not in the landlord's business account.

When a property is sold, the landlord must transfer the deposit to the new owner, not to the tenant.

Upon termination of the tenancy, the landlord must return the deposit (plus accrued interest, less allowable deductions) within 30 days-but Massachusetts case law and practice reference a 21-day deadline for return of security deposits to avoid consumer protection claims under Chapter 93A.

Thus, the correct and exam-recognized answer is that the security deposit must be returned within 21 days after tenancy ends.

Reference: M.G.L. c. 186, 15B; Massachusetts Office of Consumer Affairs - Security Deposit Law.

NEW QUESTION # 104

A 2-year lease on a property has expired. The owner permits the tenant to remain in the house while a new lease is being negotiated. Which of the following types of interest does the tenant now have?

- A. tenancy from year to year
- B. tenancy at sufferance
- **C. tenancy at will**
- D. tenancy in common

Answer: C

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

When a lease expires and the tenant remains in possession with the landlord's consent, the tenancy becomes a tenancy at will. This means the tenant occupies the property with the owner's permission but without a fixed lease term. Either party may terminate the tenancy with proper notice, as required by law.

A: Tenancy from year to year (periodic tenancy) arises when rent is paid at regular intervals without a defined end.

C: Tenancy in common refers to ownership, not leasing.

D: Tenancy at sufferance occurs when the tenant remains without the landlord's consent.

Since the landlord has permitted occupancy during negotiation, the correct answer is B: tenancy at will.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Leases; M.G.L. c.186 (Landlord- Tenant Law).

NEW QUESTION # 105

A buyer is purchasing a 3-acre property and is paying \$12,000 per acre. The cooperating fee is 3½% of the sale price. The buyer's agent will receive 55% of the cooperating fee from a broker. How much commission did the buyer's agent receive?

- A. \$231
- B. \$1,260
- C. \$1,386
- **D. \$693**

Answer: D

Explanation:

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Math & Commissions.

NEW QUESTION # 106

The Massachusetts Consumer Protection Act requires that

- **A. The broker disclose known material defects.**
- B. The seller's information be kept confidential.
- C. The buyer be informed of all offers.
- D. The seller disclose all offers received.

Answer: A

Explanation:

The Massachusetts Consumer Protection Act (M.G.L. c. 93A) prohibits unfair or deceptive practices in trade or commerce. In real estate, this means that a broker must disclose known material defects to prospective buyers. Failing to do so constitutes a deceptive act and can subject the broker to liability, including double or treble damages, attorney's fees, and court costs.

While sellers and buyers have their own disclosure obligations, the statute specifically imposes consumer protection responsibilities on businesses, including real estate brokers. Confidentiality of client information is a fiduciary duty under agency law, not a requirement of Chapter 93A. Offers themselves must always be presented to clients, but Chapter 93A focuses primarily on material misrepresentation and nondisclosure.

Reference: M.G.L. c. 93A; 254 CMR 3.00; Massachusetts Real Estate Candidate Information Bulletin - Consumer Protection Law.

NEW QUESTION # 107

The purpose of Regulation Z is to

- A. set maximum interest charges.
- B. control the use of credit.
- **C. inform the borrower of credit costs.**
- D. regulate interest charges.

Answer: C

Explanation:

Regulation Z, part of the Truth in Lending Act (TILA), was enacted to ensure that consumers are fully informed of the true cost of borrowing. It requires lenders to disclose credit terms, including the annual percentage rate (APR), finance charges, payment schedule, and total repayment amount.

The purpose is not to control or limit credit (A), regulate or set interest rates (B or C), but to provide transparency. This allows borrowers to compare loan offers on equal terms.

In Massachusetts, lenders must comply with both federal TILA (Regulation Z) and state consumer protection laws (M.G.L. Chapter 140D - Massachusetts Truth in Lending). Borrowers receive a Loan Estimate and Closing Disclosure summarizing credit costs, ensuring informed financial decisions.

Reference: Federal Truth in Lending Act (TILA) - Regulation Z; Massachusetts General Laws Chapter 140D; Massachusetts Real Estate Salesperson Candidate Handbook - Financing.

NEW QUESTION # 108

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