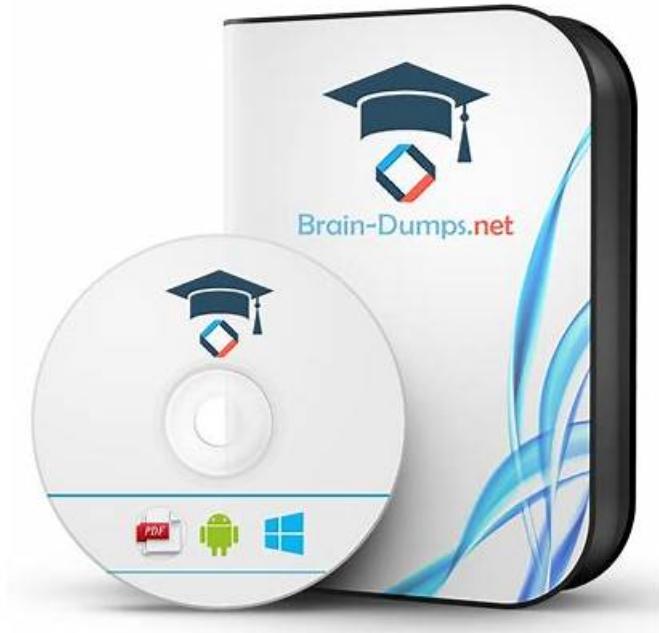


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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q36-Q41):

NEW QUESTION # 36

Why is the following advertisement placed by a salesperson employed by ABC Realty, in violation of Pennsylvania Rules? "Harrisburg \$200,000 SUPER BUY Cozy 3br, 2 1/2 bath Cottage, near bus. For info call 555-9234 (home) or 675-6330 (office). Ask for JOHN DOE."

- A. The salesperson's name appears in the ad.

- B. The broker's name does not appear in the ad.
- C. The MLS number is not included in the ad.
- D. No address is given.

Answer: B

Explanation:

According to 49 Pa. Code § 35.305 (Business Name on Advertisements), all advertisements placed by a salesperson must include the broker's name.

- * The broker's name is missing, which violates Pennsylvania advertising requirements (Option C - Correct).
- * The property address does not need to be in the ad (Option A - Incorrect).
- * Salesperson names are allowed but must be accompanied by the broker's name (Option B - Incorrect).
- * MLS numbers are not a requirement in all advertisements (Option D - Incorrect).

Reference:

49 Pa. Code § 35.305- Business Name on Advertisements

NEW QUESTION # 37

A broker has been hired by a buyer to find an investment property. Upon locating a suitable property listed by another firm, the broker MUST:

- A. Disclose their dual representation, in writing, to both buyer and seller.
- B. Disclose to the listing broker or the seller that they represent the buyer.
- C. Recommend a professional inspection of the property.
- D. Initiate a title search of the property.

Answer: B

Explanation:

Under 49 Pa. Code § 35.311 (Duties of Buyer's Agent), a buyer's agent must disclose their relationship to the listing broker or seller before providing substantive services.

- * This ensures that all parties understand who represents whom in the transaction.
- * Failure to disclose agency relationships could result in ethical violations and penalties from the Pennsylvania Real Estate Commission.

Why the other answers are incorrect:

- * Option A (Initiate a Title Search): This is typically done by the buyer's attorney or title company, not the real estate broker.
- * Option B (Recommend an Inspection): While good practice, it is not legally required under agency law.
- * Option C (Disclose Dual Representation): This is incorrect because the broker is not acting as a dual agent in this case.

Reference:

49 Pa. Code § 35.311- Duties of Buyer's Agent

NEW QUESTION # 38

A real estate licensee may be disciplined by the Pennsylvania Real Estate Commission for which of the following reasons?

- A. Any felony conviction
- B. Nonpayment of Federal income taxes
- C. Inability to obtain automobile liability insurance
- D. Habitual intoxication or drug addiction

Answer: D

Explanation:

Under 49 Pa. Code § 35.291 (Reporting of Crimes and Disciplinary Actions), a real estate licensee may face disciplinary action for engaging in unethical conduct, fraud, or incompetence. One of the reasons listed is habitual intoxication or drug addiction, as this impairs the licensee's ability to properly conduct real estate activities.

- * A felony conviction (Option D - Incorrect) does not automatically result in discipline but is reviewed by the Commission.
- * Failure to pay taxes (Option C - Incorrect) is a federal issue, not a licensing violation.
- * Car insurance (Option A - Incorrect) is unrelated to a real estate license.

NEW QUESTION # 39

A person is employed by a real estate owner to manage a multifamily residential property. Which of the following activities is the person permitted to perform without a real estate license?

- A. Enter into leases on behalf of the owner.
- **B. Provide information on rental amounts and building rules and regulations.**
- C. Hold money belonging to tenants other than on behalf of the owner.
- D. Negotiate terms and conditions of occupancy.

Answer: B

Explanation:

Under 49 Pa. Code § 35.201 (Definitions), an unlicensed individual who is directly employed by a property owner can perform certain tasks, such as providing rental information and enforcing building rules, but they cannot engage in leasing or negotiation activities.

- * Providing information on rental amounts and building rules is considered administrative and does not require a real estate license.
- * However, negotiating leases, collecting rents on behalf of third parties, or holding security deposits in a non-owner-controlled account would require a real estate license.

Why the other answers are incorrect:

- * Option B (Entering into Leases): Only a licensed real estate broker or a supervised salesperson can legally execute lease agreements on behalf of a landlord.
- * Option C (Negotiating Terms): Negotiating lease terms is an activity that requires a real estate license.
- * Option D (Holding Tenant Funds Independently): Handling tenant funds outside of the owner's direct control is a brokerage activity and requires a real estate license.

Reference:

49 Pa. Code § 35.201- Definitions

NEW QUESTION # 40

The Commission, after obtaining the facts of a verified complaint against a licensee, holding a hearing, and finding that licensee guilty, may:

- A. Imprison a licensee for no more than 90 days.
- B. Make the licensee take up to 20 hours of ethics training.
- **C. Suspend or revoke a license and/or levy a fine of \$1,000 or less.**
- D. Levy a fine of \$2,000 - \$5,000 if this is the licensee's first offense.

Answer: C

Explanation:

Under 63 P.S. § 455.305 (Civil Penalty Provisions), the Pennsylvania Real Estate Commission has the authority to suspend or revoke a license and impose fines of up to \$1,000 per violation.

- * The Commission can impose fines but does not have authority over criminal penalties such as imprisonment.
- * Suspension or revocation is a common penalty for severe violations, including fraud, misrepresentation, or mismanagement of client funds.

Why the other answers are incorrect:

- * Option A (\$2,000 - \$5,000 Fine): The fine limit for first offenses is typically \$1,000 per violation.
- * Option C (20 Hours of Ethics Training): Training may be recommended but is not an official penalty imposed by the Commission.
- * Option D (90-Day Imprisonment): The Commission does not have authority to impose jail sentences.

NEW QUESTION # 41

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