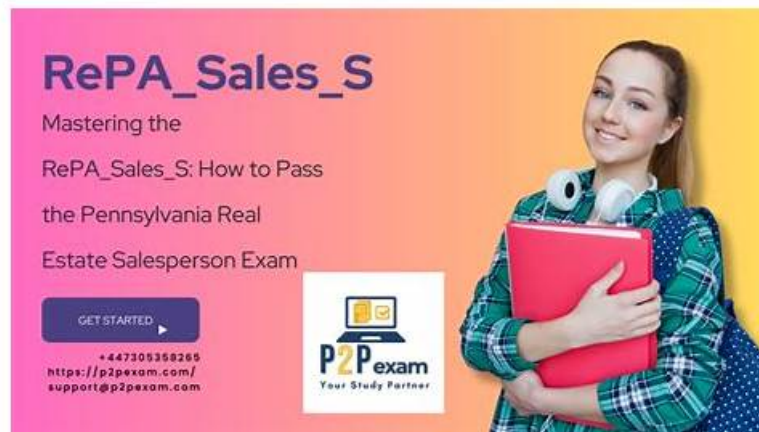


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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q38-Q43):

NEW QUESTION # 38

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

Answer: B

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 # 39

What **MUST** a licensee do before she can advertise, show, or offer a property?

- A. Prepare a preliminary appraisal of the property.
- B. Prepare a comparative market analysis for the property.
- C. Provide a list of clients for whom she has successfully completed real estate transactions in the area.
- **D. Obtain authorization from the owner of the property.**

Answer: D

Explanation:

Before advertising, showing, or offering any property, a real estate licensee must obtain written authorization from the property owner. This is a legal requirement to ensure that the licensee has the right to represent the property.

* 49 Pa. Code § 35.331 (Written Agreements Generally) states that a real estate licensee must have a written agreement with the property owner before performing any real estate services, including advertising and showing the property.

* 49 Pa. Code § 35.332 (Exclusive Listing Agreements) further clarifies that exclusive agreements must be in writing and signed by both the owner and broker.

* Without the owner's written consent, a licensee could be subject to penalties or disciplinary action from the Pennsylvania Real Estate Commission.

Why the other answers are incorrect:

* Option A (Preliminary Appraisal): Licensees are not required to conduct appraisals unless they are certified appraisers.

* Option C (List of Clients): There is no requirement to provide a history of past transactions before listing or advertising a property.

* Option D (Comparative Market Analysis - CMA): A CMA is useful for pricing but is not required before advertising or showing a property.

Reference:

49 Pa. Code § 35.331- Written Agreements Generally

49 Pa. Code § 35.332- Exclusive Listing Agreements

NEW QUESTION # 40

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

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

Answer: D

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 # 41

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

Answer: C

Explanation:

UnderThe Fair Housing Act (42 U.S.C. § 3604)andThe 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 lawsbecause service animals are not "pets".

* Option C (No Pets Rule):A no-pets policydoes not applyto service animals.

* Option D (Federally Registered Service Animal):There is no federal registryfor service animals, so this is not a valid requirement.

NEW QUESTION # 42

According to the Real Estate Commission, which of the following is REQUIRED to hold a real estate license in Pennsylvania?

- A. A home builder selling his brand new houses
- **B. An attorney who holds himself out as a provider of brokerage services**
- C. A bank selling its foreclosed properties
- D. An individual selling five unimproved lots that she owns

Answer: B

Explanation:

In Pennsylvania,any person engaging in brokerage activities (such as negotiating sales or leases for compensation) must hold a real estate licenseunless specifically exempted.

* 49 Pa. Code § 35.201 (Definitions) & 63 P.S. § 455.304 (Exemptions)allow attorneys to practice real estate without a license ONLY IF the services are incidental to their legal practice.

* If an attorney advertises as a real estate broker or regularly engages in real estate transactions beyond legal services, they must obtain a real estate license.

Why the other answers are incorrect:

* Option B (Home Builder Selling New Houses):Buildersare exemptwhen selling their ownnewly constructed homes.

* Option C (Banks Selling Foreclosures):Banks areexemptunder63 P.S. § 455.304 (a)(5)since they are not in the business of selling real estate for profit.

* Option D (Selling Five Unimproved Lots):Individuals selling their own propertydo not need a license , even for multiple lots.

NEW QUESTION # 43

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