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Real Estate Maryland Real Estate Salesperson Examination Sample Questions (Q79-Q84):

NEW QUESTION # 79

Which act gives companies the right to sue a competitor for making deceptive ad claims?

- A. The Privacy Act
- B. The Truth in Advertising Act
- C. The Gramm-Leach-Bliley Act
- **D. The Lanham Act**

Answer: D

Explanation:

Within Brokerage Operations and Advertising Compliance, the course explains that while state license laws prohibit false, misleading, or deceptive advertising, at the federal level the Lanham Act allows businesses to bring civil actions against competitors for false or misleading advertising that misrepresents the nature, characteristics, or qualities of goods or services. This is distinct from consumer protection frameworks (e.g., FTC Act) and privacy/financial statutes (e.g., Gramm-Leach-Bliley Act and the Privacy Act), which do not create the same competitor-to-competitor false advertising claim.

References: Maryland 60-Hour Principles and Practices of Real Estate - Brokerage Operations: Advertising rules and liability; Overview of federal advertising enforcement and the Lanham Act (false advertising and unfair competition).

NEW QUESTION # 80

Joe and Emma Parsons begin informally working with their neighbor Kyle, who's a real estate licensee, to find a bigger house. The parties have not signed any agreements or discussed the arrangements. This is an example of _____ agency.

- A. Unspoken
- **B. Implied**
- C. Executory
- D. Express

Answer: B

Explanation:

The agency module explains that agency may be created by express agreement (written or verbal) or by implication through conduct. When parties act as if an agency relationship exists—for example, a licensee regularly advising and assisting buyers without a signed agreement—this can form implied agency. Because no express (written or oral) agreement exists in this scenario, the relationship described is implied agency, created by the parties' behavior and course of dealings.

References: Maryland 60-Hour Principles and Practices of Real Estate - Agency Law: creation of agency (express vs. implied), duties arising from implied agency, and risk management.

NEW QUESTION # 81

What is one drawback of sub-agency from a listing broker's standpoint?

- **A. The listing broker and listing agent can be liable for the sub-agent's actions.**
- B. The listing broker will have to pay two agents' commissions.
- C. Both parties must agree to dual agency.
- D. There aren't any drawbacks.

Answer: A

Explanation:

Comprehensive and Detailed Explanation From Exact Extract of Maryland 60-Hour Principles and Practices of Real Estate Pre-Licensing Course:

Under sub-agency, a cooperating broker or licensee assists the listing broker in selling the property and represents the seller as a sub-agent of the listing broker.

A key drawback is that the listing broker is legally responsible for the sub-agent's actions because the sub-agent owes fiduciary duties to the same principal (the seller).

Any misrepresentation, negligence, or violation by the sub-agent can expose the listing broker to disciplinary action or civil liability.

This is why many Maryland brokers now prefer buyer agency over sub-agency.

Reference (Maryland Source):

- Maryland 60-Hour Principles and Practices Course, Agency Relationships and Sub-Agency section.

- Business Occupations and Professions Article §17-534.

NEW QUESTION # 82

What items go into the seller's credit column and the buyer's debit column when calculating prorations?

- **A. Prepaid property taxes**
- B. The buyer's loan amount
- C. Unpaid property taxes

- D. Home inspection fees

Answer: A

Explanation:

In settlement prorations, prepaid items (e.g., prepaid property taxes or HOA dues) are credited to the seller and debited to the buyer, because the seller has paid for a period that extends beyond the closing date, and the buyer reimburses the seller for the buyer's post-closing share. Conversely, accrued but unpaid items (e.g., the current year's unpaid property taxes) are debited to the seller and credited to the buyer.

The Maryland course teaches these conventions in the Closing and Math sections.

References:

Maryland 60-Hour Principles & Practices Course - Closing the Real Estate Transaction (settlement statements, prorations) and Math for Real Estate modules.

NEW QUESTION # 83

Why does HUD test for housing discrimination?

- **A. To uncover hidden discrimination**
- B. To educate the public
- C. To punish blatant discrimination
- D. To create revenue through fines

Answer: A

Explanation:

HUD and fair housing organizations use paired testing to identify covert or subtle discriminatory practices that may not be openly admitted-i.e., hidden discrimination-such as disparate treatment in availability, terms, steering, or information provided. Testing is an investigative tool to enforce the Fair Housing Act, not a revenue or punitive scheme in itself.

References: Maryland pre-licensing curriculum-Fair Housing and Ethics (HUD enforcement tools; paired testing; identifying and preventing discriminatory practices).

NEW QUESTION # 84

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