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### Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q98-Q103):

#### NEW QUESTION # 98

Before it was recognized as a health hazard, asbestos was commonly used as insulation in residential and commercial construction because it is

- A. fire resistant.
- B. repellent to common pests.
- C. an air purifier.
- D. water resistant.

**Answer: A**

Explanation:

Asbestos is a mineral fiber once widely used in building insulation, roofing, and floor tiles due to its fire-resistant properties. It was valued in both residential and commercial construction as a flame retardant and insulator.

However, when disturbed, asbestos fibers can become airborne and inhaled, leading to serious health issues including asbestosis, lung cancer, and mesothelioma. Because of these risks, asbestos use in building materials is now heavily regulated under federal and state law (EPA and Massachusetts DEP regulations).

The other options are incorrect:

Water resistance (B) was not its primary benefit.

Air purification (C) and pest resistance (D) are not related to asbestos.

Correct answer: A: fire resistant.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Environmental Issues; EPA Asbestos Hazard Emergency Response Act (AHERA).

#### NEW QUESTION # 99

A broker lists a property abutting a pond. A potential buyer is interested in the property but plans to build an addition onto a boathouse. The buyer will need

- A. A certificate of compliance.
- B. Approval from the State Sanitary Commission.
- C. A letter of interim control.
- D. Approval from the local conservation commission.

**Answer: D**

Explanation:

If a property abuts a pond, the potential construction of any addition, especially near water, may require approval from the local conservation commission. This is because Massachusetts law, under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), regulates activities near water bodies, wetlands, and other protected areas to preserve the environment and control construction near these sensitive areas.

The local conservation commission is responsible for approving construction projects that could affect the pond or surrounding wetlands. If the buyer intends to build near the pond, especially on land that may fall under these regulations, they must seek the approval of the local conservation commission before proceeding with construction.

Reference: M.G.L. c. 131, § 40 - Wetlands Protection Act; Massachusetts Real Estate Candidate Information Bulletin - Environmental Issues.

### NEW QUESTION # 100

Which of the following activities may result in a fine from the Massachusetts Commission Against Discrimination (MCAD) against a licensee?

- A. Blockbusting
- B. Knowingly making any substantial misrepresentation
- C. Acting in the dual capacity of broker and undisclosed principal in the same transaction
- D. Failing to give both the buyer and the seller a copy of the purchase and sales agreement

**Answer: A**

Explanation:

The Massachusetts Commission Against Discrimination (MCAD) is the state agency responsible for enforcing the Massachusetts Fair Housing Law (M.G.L. c. 151B). Blockbusting is the illegal practice of inducing homeowners to sell by suggesting that protected classes of people (such as minorities, families with children, or people receiving public assistance) are moving into the neighborhood, often suggesting declining property values.

This practice is explicitly prohibited under both federal law (Fair Housing Act) and Massachusetts General Law. MCAD has the authority to investigate complaints of housing discrimination and levy fines against licensees found guilty of such violations.

While misrepresentation or undisclosed dual capacity may lead to disciplinary action by the Massachusetts Board of Registration of Real Estate Brokers and Salespersons, only violations of fair housing law, such as blockbusting, steering, or refusing to deal with members of protected classes, fall under the jurisdiction of MCAD.

Reference: Massachusetts General Laws c. 151B; MCAD Fair Housing Guidelines; 254 CMR 3.00.

### NEW QUESTION # 101

An example of modular construction is

- A. a home used as a model.
- B. an apartment building.
- C. a log cabin.
- D. prefabricated housing.

**Answer: D**

Explanation:

In real estate and construction terminology, modular construction refers to a building method where sections of the home are manufactured in a factory setting, transported to the building site, and then assembled on a permanent foundation. This is a form of prefabricated housing, but different from mobile homes because modular homes are considered real property once placed on their permanent foundation.

Massachusetts licensing materials classify modular homes under prefabricated housing because they are built off-site to precise specifications and then joined together at the location. This method provides greater efficiency, lower cost, and adherence to state and local building codes. By contrast, apartment buildings (B) are traditionally built on-site, a model home (C) is only a sales demonstration, and a log cabin (D) may be site-built but not considered modular unless pre-manufactured in sections.

Therefore, the correct answer is A: prefabricated housing.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Property Ownership and Land Use Controls section; Modern Real Estate Practice, 20th Edition, Construction Methods.

### NEW QUESTION # 102

A broker has listed a property for \$225,000. An offer of \$210,000 contingent upon inspection comes in the first week and the seller accepts it. Another offer of \$205,000 comes in the second week. The seller accepts it as a secondary offer contingent upon the termination of the first offer. The first offeror demands the seller spend \$5,000 in repairs before going through with the purchase. The seller may do any of the following EXCEPT

- A. refuse to do the repairs and still proceed with the sale in as-is condition.
- B. ignore the demand and sell the property to the second offeror.
- C. agree to do the needed repairs and consummate the transaction with the first offeror.
- D. terminate the first agreement in writing and sell to the second offeror.

**Answer: B**

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

Once the seller accepted the first buyer's offer, they entered into a legally binding contract. Any additional requests for repairs must be negotiated. The seller may:

Agree to the repairs (A)

Refuse and insist on as-is (B)

Terminate by mutual agreement in writing and move to the secondary offer (C) However, the seller cannot simply ignore the buyer's demands and sell to another buyer. Doing so would be a breach of contract. The second offer is valid only as a backup if the first contract is properly terminated.

Thus, the seller may do anything except D.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Contracts; Secondary Offers.

### **NEW QUESTION # 103**

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