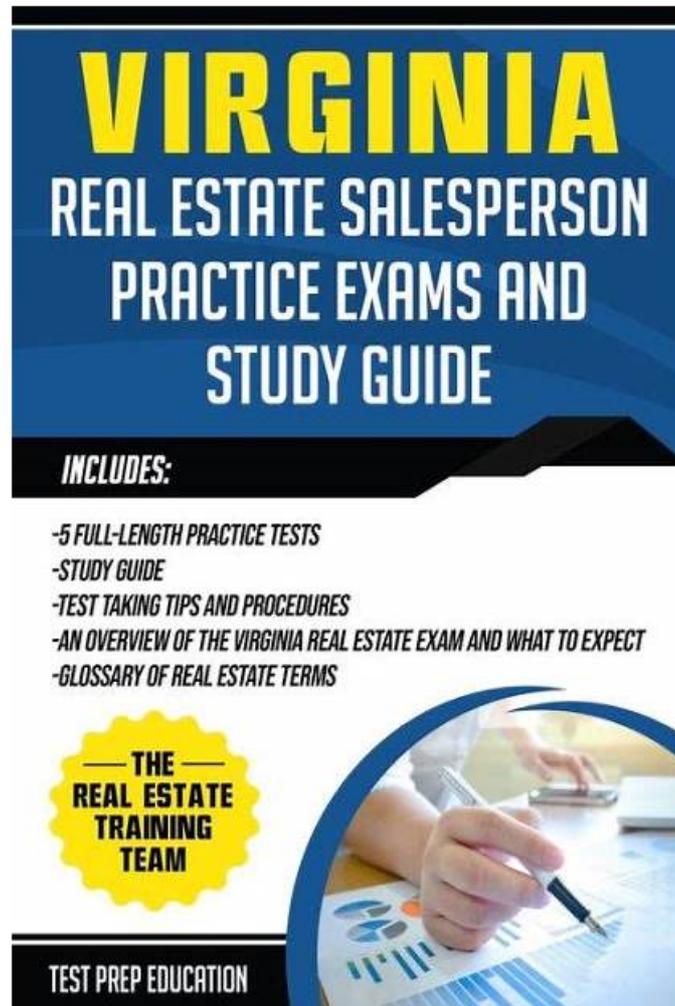


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### Real Estate Licensing Virginia Real Estate Salesperson Exam Sample Questions (Q68-Q73):

#### NEW QUESTION # 68

Alex is supposed to decide by 6 p.m. Tuesday if she wants to exercise her option to terminate the purchase agreement of the home she is buying. Alex can't make up her mind, but on Wednesday, 10 a.m., she finally makes a decision: She wants to terminate. Can she?

- A. Yes, because the phrase "subject to" is included in the contract.
- B. Yes, because the phrase "caveat emptor" is included in the contract.
- C. No, because the phrase "as is" is included in the contract.
- D. No, because the phrase "time is of the essence" is included in the contract.

**Answer: D**

Explanation:

In Virginia real estate contracts, when the phrase "time is of the essence" is included, all deadlines must be met exactly as stated.

Alex's right to terminate expired at 6 p.m. Tuesday.

By waiting until Wednesday 10 a.m., she missed the deadline.

Therefore, she cannot terminate the contract.

Other options:

(A) "Subject to" refers to contingencies, not deadlines.

(B) "As is" refers to property condition, not timing.

(D) "Caveat emptor" means buyer beware, not about contract timing.

Reference (Virginia Real Estate):

Code of Virginia Title 11 - Contracts

Virginia Real Estate Principles - Contract law, contingencies & time requirements A490-02REGS.pdf - Contracts section

#### NEW QUESTION # 69

How is a promissory note secured?

- A. by referencing a security instrument
- B. by the statute of frauds
- C. by the disbursement of funds
- D. by the attachment of a mortgage-backed security

**Answer: A**

Explanation:

A promissory note is a borrower's written promise to repay a loan. It is made enforceable by linking it to a security instrument:

Mortgage (in mortgage states), or

Deed of Trust (in Virginia).

The security instrument gives the lender a claim against the property as collateral in case of borrower default.

Other options:

(A) Disbursement of funds is part of the loan process, not security.

(C) Statute of Frauds requires certain contracts to be in writing but does not secure a note.

(D) Mortgage-backed securities are investment vehicles, not direct collateral for a note.

Reference (Virginia Real Estate):

Virginia Code § 55.1-3200 et seq. (Deeds of Trust and Mortgages)

Virginia Real Estate Principles - Financing section

A490-02REGS.pdf - Loan instruments curriculum

### NEW QUESTION # 70

Randy and Joe were married, then divorced. Joe got the house in the divorce settlement. When he later goes to sell it, a title company tells him there's a cloud on the title due to the divorce. What is most likely to resolve this cloud?

- A. requiring Joe to put some earnest money in escrow
- **B. having Randy sign a quitclaim deed**
- C. filing the deed with the county
- D. putting a mechanic's lien on the property

**Answer: B**

Explanation:

When spouses divorce, property division may leave a cloud on title if both names were originally on the deed but only one gets awarded the property.

The cleanest way to clear this is for the spouse no longer claiming interest (Randy) to sign a quitclaim deed transferring any possible interest to Joe.

Filing the original deed with the county (B) doesn't resolve the cloud.

Earnest money escrow (C) and mechanic's liens (D) are irrelevant.

Reference (Virginia Real Estate):

Code of Virginia § 55.1-300 et seq. (Deeds)

Virginia Real Estate Principles - Title issues & clearing clouds

A490-02REGS.pdf - Title & conveyance curriculum

### NEW QUESTION # 71

Which listing agreement allows multiple real estate brokers (and the owners themselves) the right to sell the property, with a commission being paid to whoever is the procuring cause of the sale?

- A. exclusive agency listing
- B. exclusive right-to-sell listing
- **C. open listing**
- D. net listing

**Answer: C**

Explanation:

An open listing is a nonexclusive agreement allowing:

Multiple brokers to market the property.

The seller to sell the property themselves.

A commission only being paid to the broker (or seller) who is the procuring cause of the sale.

Other agreements:

(B) Exclusive right-to-sell = listing broker gets commission no matter who sells.

(C) Exclusive agency = one broker represents seller, but seller can sell on their own without paying commission.

(D) Net listing = illegal in many states (broker keeps anything above seller's required price).

Reference (Virginia Real Estate):

Code of Virginia § 54.1-2137 (Agency agreements)

Virginia Real Estate Principles - Listing agreements

A490-02REGS.pdf - Brokerage & Listing curriculum

### NEW QUESTION # 72

What do ostensible agency and agency by estoppel have in common?

- A. They both arise when a third party is led to mistakenly believe that agency exists between a principal and an agent.
- B. They both concern a third party's decision to go unrepresented in a transaction.
- C. They are both forms of third-party agency no longer recognized in the U.S.
- D. They both arise when a third party correctly believes that agency exists between a principal and an agent.

**Answer: A**

Explanation:

Ostensible agency and agency by estoppel both occur when the principal's actions (or lack of correction) cause a third party to reasonably believe an agency relationship exists, even if no formal agreement does.

If the third party relies on this belief, the principal may be estopped from denying the agency relationship.

Other options:

(A) Wrong - both are still recognized concepts.

(B) Wrong - belief is mistaken, not correct.

(D) Wrong - not about choosing no representation.

Reference:

Code of Virginia §54.1-2130 et seq. (Agency Law)

Virginia Real Estate Exam Outline - Law of Agency

### NEW QUESTION # 73

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