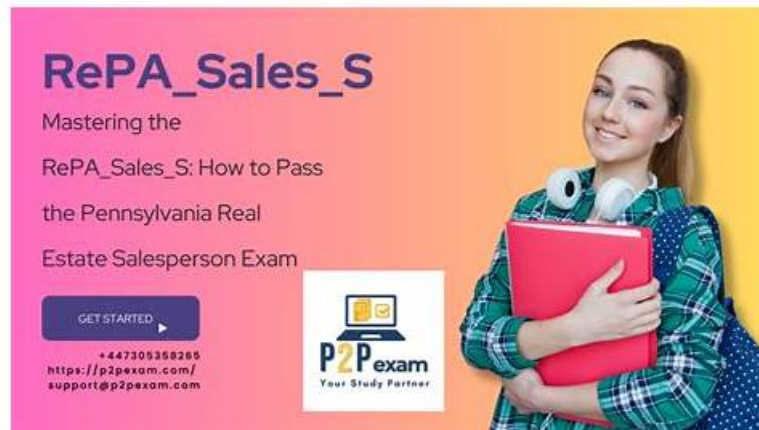


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## Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q33-Q38):

### NEW QUESTION # 33

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

**Answer: D**

Explanation:

Under The Fair Housing Act (42 U.S.C. § 3604) and The 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 laws because service animals are not "pets".
- \* Option C (No Pets Rule): A no-pets policy does not apply to service animals.
- \* Option D (Federally Registered Service Animal): There is no federal registry for service animals, so this is not a valid requirement.

References:

Fair Housing Act (42 U.S.C. § 3604)- Disability Protections

Americans with Disabilities Act (ADA) (42 U.S.C. § 12101)- Service Animals Protections

### NEW QUESTION # 34

What are the permitted relationships between licensees and consumers as defined by the "Consumer Notice" and Pennsylvania regulations?

- A. Buyer agent, buyer sub-agent, seller agent, seller sub-agent, and dual agent.
- B. Buyer agent, seller agent, designated dual agent, and transaction licensee.
- **C. Buyer agent, seller agent, designated agent, dual agent, and transaction licensee.**
- D. Buyer agent, seller agent, designated agent, dual agent, and rental agent.

**Answer: C**

Explanation:

Under 49 Pa. Code § 35.284 (Disclosures of Business Relationships), the Consumer Notice defines five types of permitted relationships between real estate licensees and consumers:

- \* Buyer's Agent- Represents the buyer and has a fiduciary duty to them.
- \* Seller's Agent (Listing Agent)- Represents the seller and has a fiduciary duty to them.
- \* Designated Agent- A brokerage firm designates different agents to represent buyers and sellers in the same firm without creating dual agency.
- \* Dual Agent- A licensee represents both the buyer and seller in the same transaction, with mutual consent.
- \* Transaction Licensee- A real estate licensee who provides services but does not represent either party as an agent.

Why the other answers are incorrect:

- \* Option A (Rental Agent): "Rental agent" is not a defined relationship in Pennsylvania law.
- \* Option B (Buyer & Seller Sub-Agent): Sub-agency is no longer common and is not a required disclosure.
- \* Option D (Designated Dual Agent): Dual agency and designated agency are separate concepts.

### NEW QUESTION # 35

What are the permitted relationships between licensees and consumers as defined by the "Consumer Notice" and Pennsylvania regulations?

- A. Buyer agent, buyer sub-agent, seller agent, seller sub-agent, and dual agent.
- B. Buyer agent, seller agent, designated dual agent, and transaction licensee.
- **C. Buyer agent, seller agent, designated agent, dual agent, and transaction licensee.**
- D. Buyer agent, seller agent, designated agent, dual agent, and rental agent.

**Answer: C**

Explanation:

Under 49 Pa. Code § 35.284 (Disclosures of Business Relationships), the Consumer Notice defines five types of permitted relationships between real estate licensees and consumers:

- \* Buyer's Agent- Represents the buyer and has a fiduciary duty to them.
- \* Seller's Agent (Listing Agent)- Represents the seller and has a fiduciary duty to them.
- \* Designated Agent- A brokerage firm designates different agents to represent buyers and sellers in the same firm without creating dual agency.

- \* Dual Agent- A licensee represents both the buyer and seller in the same transaction, with mutual consent.
  - \* Transaction Licensee- A real estate licensee who provides services but does not represent either party as an agent.
- Why the other answers are incorrect:
- \* Option A (Rental Agent): "Rental agent" is not a defined relationship in Pennsylvania law.
  - \* Option B (Buyer & Seller Sub-Agent): Sub-agency is no longer common and is not a required disclosure.
  - \* Option D (Designated Dual Agent): Dual agency and designated agency are separate concepts.

Reference:

49 Pa. Code § 35.284- Disclosures of Business Relationships

### NEW QUESTION # 36

An exclusive listing MUST be in writing and it MUST:

- A. specify the duration of the listing
- B. contain a provision allowing the owner to cancel all exclusive features within 24 hours' notice
- C. contain provisions regarding acceptable financing arrangements
- D. be signed by the cooperating broker

**Answer: A**

Explanation:

All exclusive listing agreements in Pennsylvania MUST specify their duration in writing.

\* 49 Pa. Code § 35.332 (Exclusive Listing Agreements) states that all exclusive listings must have a definite start and end date.

\* Listings without an expiration date are considered illegal and unenforceable in Pennsylvania.

Why the other answers are incorrect:

\* Option A (Cancellation in 24 Hours): There is no legal requirement for a 24-hour cancellation clause.

\* Option B (Financing Arrangements): Financing provisions are not a required part of a listing agreement.

\* Option C (Signed by Cooperating Broker): A cooperating broker's signature is not required. Only the listing broker and seller need to sign the agreement.

### NEW QUESTION # 37

Which entities are authorized to investigate charges against real estate licensees concerning illegal discrimination in the sale or rental of housing?

- A. The Pennsylvania Human Relations Commission and the Pennsylvania State Legislature
- B. The Pennsylvania Real Estate Commission and the Better Business Bureau
- C. The Pennsylvania State Legislature and the Pennsylvania Real Estate Commission
- D. The Pennsylvania Real Estate Commission and the Pennsylvania Human Relations Commission

**Answer: D**

Explanation:

Both the Pennsylvania Real Estate Commission (PREC) and the Pennsylvania Human Relations Commission (PHRC) have authority to investigate illegal discrimination in real estate transactions.

\* The Pennsylvania Human Relations Commission (PHRC) is responsible for enforcing the Pennsylvania Human Relations Act (PHRA), which prohibits discrimination in housing based on race, color, religion, ancestry, age, sex, national origin, disability, and familial status.

\* The Pennsylvania Real Estate Commission (PREC) investigates complaints against licensed real estate professionals who violate fair housing laws, including violations of the Real Estate Licensing and Registration Act (RELRA).

Why the other answers are incorrect:

\* Option A (Pennsylvania State Legislature and PREC): The Legislature makes laws but does not enforce them or conduct investigations.

\* Option B (PREC and Better Business Bureau): The Better Business Bureau (BBB) is a private organization and does not have legal enforcement authority.

\* Option C (PHRC and Legislature): The Legislature does not investigate complaints, but the PHRC does.

References:

Pennsylvania Human Relations Act (PHRA) - 43 P.S. § 951 (PHRC Enforcement) Real Estate Licensing and Registration Act (RELRA) - 63 P.S. § 455.101 (PREC Enforcement)

## NEW QUESTION # 38

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