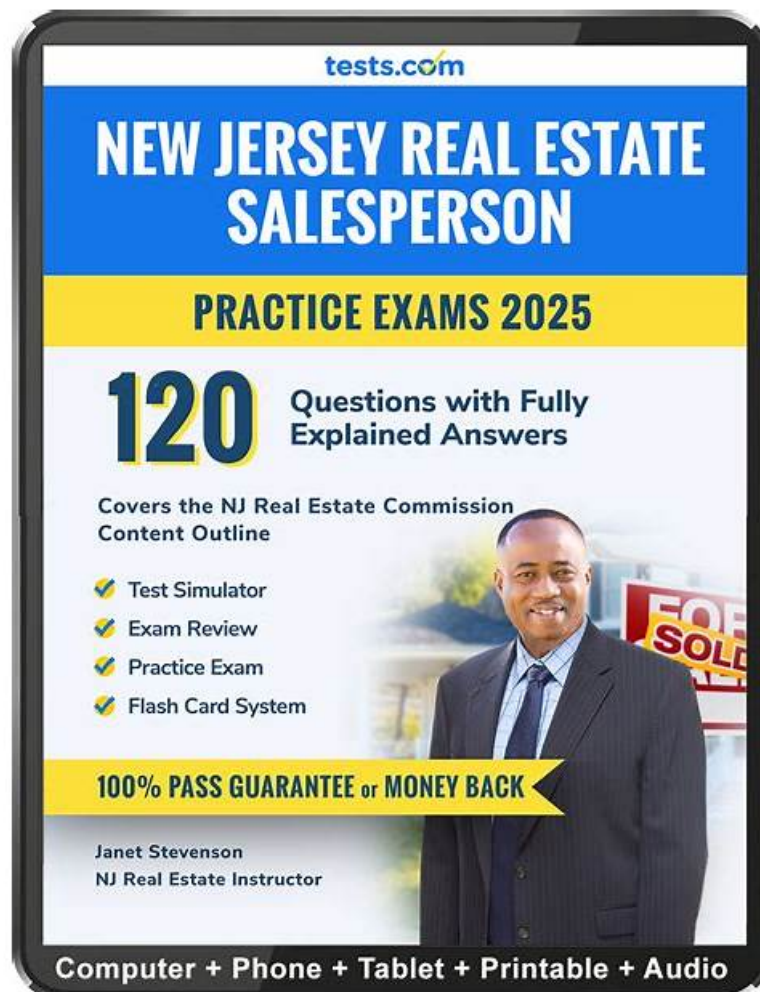


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Real Estate New Jersey Real Estate Salesperson Exam Sample Questions (Q74-Q79):

NEW QUESTION # 74

A married couple is purchasing a home. They ask the salesperson to advise them regarding the best way to take title. The salesperson should

- A. decline to advise them and suggest that they consult an attorney.
- B. ask a broker to make a recommendation.
- C. advise them to take title as tenants by the entirety.
- D. explain the possible types of joint ownership so they understand the options.

Answer: A

Explanation:

According to the NJ Real Estate Commission regulations on licensee conduct and the Salesperson Study Guide (Agency & Professional Practice section), licensees may explain types of ownership but must not give legal advice or recommend a specific method of taking title. Advising how to take title (e.g., tenants by the entirety, joint tenancy, tenancy in common) constitutes the practice of law. The proper action is to refer the buyers to an attorney.

Therefore, the correct answer is C.

(Reference: NJ Real Estate Salesperson Pre-Licensure Course Study Guide, Professional Responsibilities & Avoiding Unauthorized Practice of Law.)

NEW QUESTION # 75

If an owner wants to list a property for sale "as is," the listing agent should:

- A. assume that the house is a "fixer-upper."
- B. conclude that if the buyer later discovers defects that were not disclosed the listing agent is relieved of any responsibility.
- C. assume that the owner will accept a relatively low price for the property.
- D. question the seller as to any known defects.

Answer: D

Explanation:

"As is" does not relieve a seller or listing agent from disclosure obligations.

The licensee must still make reasonable inquiries about known defects.

All material facts must be disclosed, regardless of the "as is" designation.

"As is" simply means the seller will not make repairs or improvements.

Thus, the agent must ask the seller about known defects = C.

Reference: NJREC Rules and Regulations on Disclosure; NJ Real Estate Salesperson Study Guide, Chapter on Seller Disclosures and "As Is" Sales.

NEW QUESTION # 76

A broker is offering a \$100 gift certificate at a jewelry store to all sellers who list with the broker during a specified time period. According to the New Jersey Real Estate License Law, such a promotion is prohibited because it:

- A. makes the receipt of the free offering contingent upon sellers listing their properties with the broker
- B. discriminates against sellers whose religion prohibits the wearing of jewelry
- C. offers compensation for brokerage activity to unlicensed persons
- D. discriminates against sellers who do not list with the broker during the specified time period

Answer: A

Explanation:

According to NJ Real Estate Commission rules, brokers and salespersons may not:

Offer prizes, gifts, or inducements that are contingent on entering into a listing agreement.

This is considered an improper inducement under N.J.A.C. 11:5-6.4.

Therefore, the prohibition is because the gift certificate is conditioned on the seller listing with the broker.

Reference: NJREC Rules and Regulations, N.J.A.C. 11:5-6.4 (Advertising and Inducements).

NEW QUESTION # 77

A deposit check from a buyer paid upon the submission of an offer may be held without being deposited into the broker's escrow account:

- A. until negotiations are concluded and the seller has accepted the offer
- **B. for no more than five business days after the termination of the attorney review period**
- C. for no more than five business days after receipt of the money
- D. until all inspections required by the contract have been performed

Answer: B

Explanation:

According to NJREC Rules (N.J.A.C. 11:5-5.1):

Earnest money deposits must be placed in the broker's escrow (trust) account "promptly".

However, if the parties agree, a check may be held un-deposited until the end of the three-day attorney review period.

Once attorney review is concluded, the check must be deposited within five business days.

Correct answer = D.

Reference: NJREC Rules and Regulations, N.J.A.C. 11:5-5.1; NJ Real Estate Salesperson Study Guide, Chapter on Trust Accounts and Escrow Handling.

NEW QUESTION # 78

Rules for Truth in Lending and RESPA call for disclosure documents to borrowers. How can a managing broker best prepare associated licensees to manage these disclosures?

- A. The buyer's broker can provide samples so that when the licensee and the borrower prepare the forms they are following a good example.
- B. The managing broker should train licensees to advise borrowers to accept the Loan Estimate right away.
- C. Because the listing broker will be primarily responsible for completing the Loan Estimate to send to the lender, the broker should train associated licensees to collect all the necessary information in a timely fashion.
- **D. Because the lender has primary responsibility to provide these forms, the broker and licensees should be aware of the items required for the lender to comply.**

Answer: D

Explanation:

Under TILA-RESPA Integrated Disclosure (TRID) rules, the lender is primarily responsible for preparing and delivering the Loan Estimate and Closing Disclosure.

Brokers and licensees do not prepare these forms.

However, licensees must be knowledgeable about the disclosures so they can help clients understand the process and provide necessary information for lender compliance.

Thus, the best practice is B: brokers should ensure licensees are aware of what the lender requires.

Reference: Truth in Lending Act (Regulation Z); RESPA (Regulation X); NJ Real Estate Salesperson Study Guide, Chapter on Federal Lending Laws.

NEW QUESTION # 79

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