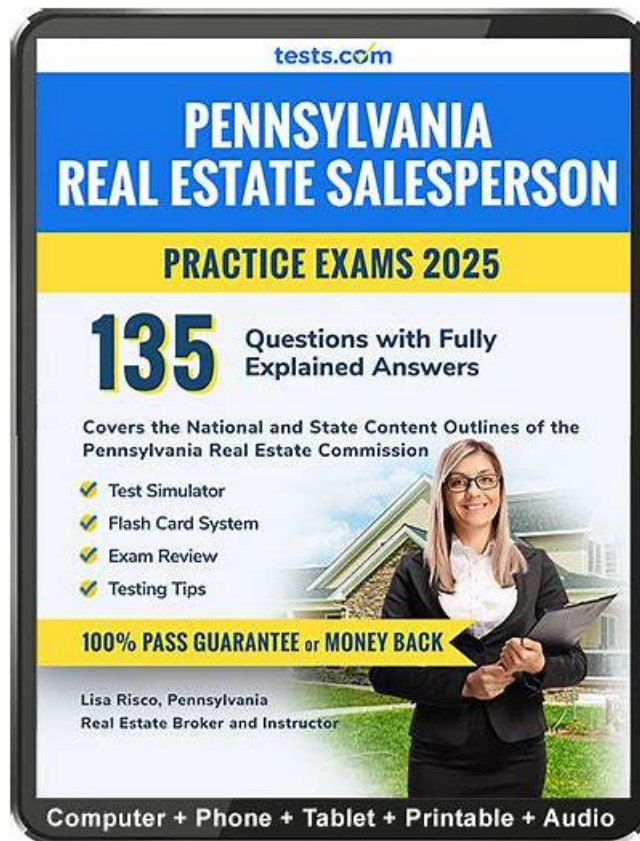


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## Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q10-Q15):

### NEW QUESTION # 10

The Real Estate Commission is empowered to take action against a licensee who is found to have engaged in any of the following activities EXCEPT:

- A. Failing to provide information requested by the Pennsylvania Real Estate Commission in response to a complaint about the licensee engaging in prohibited acts.
- B. Making any substantial misrepresentation.
- C. Failing to include the salesperson's name in all advertising.
- D. Failing to furnish a copy of a listing contract to an owner after taking a listing.

**Answer: C**

Explanation:

Under 49 Pa. Code § 35.305 (Business Name on Advertisements), advertisements must include the broker's name but are not required to include the salesperson's name.

\* While a salesperson's name may appear in an ad, it is not a required element under Pennsylvania law.

\* However, failing to disclose key information in an ad, such as the broker's name, could result in disciplinary action.

Why the other answers are incorrect:

\* Option A (Misrepresentation): Misrepresentation is a serious offense and can lead to suspension or revocation.

\* Option B (Failing to Provide Listing Contract): A copy of the listing contract must be furnished to the seller at the time of signing.

\* Option D (Failing to Provide Information to the Commission): Failure to respond to an investigation can result in fines, suspension, or revocation.

Reference:

49 Pa. Code § 35.305- Business Name on Advertisements

63 P.S. § 455.303- Prohibited Acts by Licensees

### NEW QUESTION # 11

The provisions of the Real Estate Licensing and Registration Act apply to:

- A. A trustee who participates in real estate transactions under the authority of a court order.
- B. An attorney-at-law who participates in real estate transactions on behalf of a client.
- C. A real estate licensee selling real estate they own.
- D. A licensed auctioneer who is auctioning property.

**Answer: C**

Explanation:

Under 63 P.S. § 455.304 (Exemptions from Licensing Requirements), most individuals selling their own property are exempt from real estate licensing requirements. However, a real estate licensee selling their own real estate must comply with disclosure laws and ethical obligations.

\* If a real estate licensee sells their own property, they must disclose in all advertising that they are a licensed real estate professional to avoid misleading the public.

\* While a non-licensee selling their own property is not covered under real estate licensing laws, a licensed salesperson must adhere to licensing and disclosure laws.

Why the other answers are incorrect:

\* Option A (Trustee under Court Order): Court-appointed trustees are exempt from real estate licensing requirements.

\* Option B (Attorney Representing Clients): Attorneys are permitted to handle real estate transactions as part of their legal practice without a real estate license.

\* Option D (Licensed Auctioneer): Auctioneers selling real estate are regulated under separate auctioneer licensing laws, not real estate licensing laws.

### NEW QUESTION # 12

An owner sells a house through a salesperson who works as an independent contractor for a broker. Before the closing, the owner fires the broker. However, the owner agrees to pay the salesperson a \$1,000 fee for services. Which of the following is TRUE?

- A. The salesperson may only accept the \$1,000 with the broker's consent.
- B. The salesperson may legally accept the \$1,000.
- C. The owner can cancel any part of the sales contract at any time.
- **D. The salesperson cannot legally accept the \$1,000.**

**Answer: D**

Explanation:

According to 49 Pa. Code § 35.283 (Compensation and Commission), a salesperson may not accept compensation from anyone other than their employing broker.

\* A salesperson cannot accept direct payments from an owner or buyer (Option A - Correct).

\* The owner cannot cancel the sales contract unilaterally (Option B - Incorrect).

\* The salesperson may only be compensated through the broker, even if the owner agrees to direct payment (Option C & D - Incorrect).

Reference:

49 Pa. Code § 35.283- Compensation and Commission

### NEW QUESTION # 13

An owner sells a house through a salesperson who works as an independent contractor for a broker. Before the closing, the owner fires the broker. However, the owner agrees to pay the salesperson a \$1,000 fee for services. Which of the following is TRUE?

- A. The salesperson may only accept the \$1,000 with the broker's consent.
- B. The salesperson may legally accept the \$1,000.
- C. The owner can cancel any part of the sales contract at any time.
- **D. The salesperson cannot legally accept the \$1,000.**

**Answer: D**

Explanation:

According to 49 Pa. Code § 35.283 (Compensation and Commission), a salesperson may not accept compensation from anyone other than their employing broker.

\* A salesperson cannot accept direct payments from an owner or buyer (Option A - Correct).

\* The owner cannot cancel the sales contract unilaterally (Option B - Incorrect).

\* The salesperson may only be compensated through the broker, even if the owner agrees to direct payment (Option C & D - Incorrect).

### NEW QUESTION # 14

A real estate ad in a newspaper placed by a salesperson MUST include the:

- A. Legal description of the property.
- B. Municipality in which the property is located.
- **C. Employing broker's name and phone number.**
- D. Name of the principal.

**Answer: C**

Explanation:

Under 49 Pa. Code § 35.305 (Business Name on Advertisements), any advertisement placed by a real estate salesperson must include the name and phone number of their employing broker.

\* This ensures that the public knows which brokerage is responsible for the property listing and avoids misleading or unverified advertisements.

\* A salesperson cannot advertise properties without clearly identifying their broker to ensure compliance with advertising regulations.

Why the other answers are incorrect:

\* Option A (Municipality): While useful, this is not required in every ad.

\* Option B (Legal Description): A legal property description is not required for advertisements.

\* Option D (Name of the Principal):The seller's name does not need to be included in advertisements.

## NEW QUESTION # 15

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