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### Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q42-Q47):

#### NEW QUESTION # 42

A salesperson owns a residence and wishes to sell it without listing it. Under Pennsylvania license law, the salesperson MUST:

- A. disclose in all advertising that the owner of the property is a real estate licensee
- B. list the property with their firm
- C. offer a sales commission or fee to cooperating brokers
- D. have an active license

**Answer: A**

Explanation:

Under 49 Pa. Code § 35.285 (Disclosure of Real Estate Affiliations), a licensee selling their own property MUST disclose that they are a real estate licensee in all advertisements and communications.

\* The disclosure must be made in a clear and conspicuous manner to inform potential buyers that the seller has professional real estate expertise.

\* This rule prevents deception and ensures fair dealings in real estate transactions.

Why the other answers are incorrect:

\* Option A (List Property with Firm): Licensees are NOT required to list their own property with their firm.

\* Option C (Offer Commission to Brokers): There is no requirement to offer compensation to other brokers.

\* Option D (Have an Active License): A licensee can still sell their own property even if their license is inactive, but they must disclose their license status.

#### NEW QUESTION # 43

Which of the following conditions MUST be met before a licensee participates in the sale of real property in which the licensee has an ownership interest?

- A. The licensee must provide written disclosure of the ownership interest to all parties.
- B. The percentage of the licensee's ownership interest must be stated on the sales contract.
- C. The Pennsylvania Real Estate Commission must be notified of the transaction.
- D. The listing agreement must identify the licensee's name and status as a licensee.

**Answer: A**

Explanation:

Under 49 Pa. Code § 35.283 (Disclosure of Interest), a real estate licensee must disclose in writing if they have a direct or indirect ownership interest in a property they are selling or purchasing.

\* This disclosure ensures transparency and prevents conflicts of interest.

\* Failure to disclose ownership interest could be considered fraudulent and result in disciplinary action by the Pennsylvania Real Estate Commission.

Why the other answers are incorrect:

\* Option A (Commission Notification Required): The Commission does not need to be notified unless a violation occurs.

\* Option B (Listing Agreement Disclosure): Disclosure is not required in the listing agreement but must be made to all parties.

\* Option D (Percentage of Ownership on Contract): The specific percentage of ownership is not required to be on the contract; general disclosure is sufficient.

#### NEW QUESTION # 44

Which of the following is a REQUIRED general duty of a licensee?

- A. Conduct an independent inspection of the property.
- B. Accept liability and responsibility for acts of the consumer.
- **C. Independently verify the accuracy of any representation on a property condition disclosure statement.**
- D. Provide assistance with document preparation.

**Answer: C**

Explanation:

Under 68 Pa. C.S. §§ 7301-7314 (Real Estate Seller Disclosure Law), a licensee has a duty to ensure that the property condition disclosure statement is complete and accurate as provided by the seller.

\* While the licensee does not conduct a formal property inspection, they must not ignore material defects that are apparent or known to them.

\* If a licensee knows of an issue that contradicts the seller's disclosure, they must disclose this to the buyer to prevent misrepresentation.

\* This protects consumers from fraudulent or misleading property conditions.

Why the other answers are incorrect:

\* Option A (Independent Inspection): A licensee is not a home inspector and is not required to perform a physical inspection.

\* Option C (Accept Consumer Liability): A licensee is not responsible for actions taken by a buyer or seller.

\* Option D (Document Preparation Assistance): A licensee can help explain documents but cannot prepare legal contracts without an attorney.

#### **NEW QUESTION # 45**

What MAXIMUM length of time may a salesperson's real estate license be inactive before reactivation ceases to be possible without retaking and passing the licensing examination?

- **A. 5 years**
- B. 3 years
- C. 4 years
- D. 2 years

**Answer: A**

Explanation:

If a real estate license is inactive for more than 5 years, the licensee must retake and pass the licensing exam to reinstate their license.

\* 49 Pa. Code § 35.251 (Relicensure Following Revocation or Inactive Status) states that a licensee who has been inactive for over 5 years must complete all initial licensing requirements again, including the exam.

\* A licensee can keep their license in inactive status indefinitely, but after 5 years, it requires reexamination.

Why the other answers are incorrect:

\* Option A (2 Years) & Option B (3 Years): Licensees may reactivate their license within this period without retaking the exam.

\* Option C (4 Years): The limit is 5 years, not 4.

#### **NEW QUESTION # 46**

A real estate licensee may be disciplined by the Pennsylvania Real Estate Commission for which of the following reasons?

- A. Inability to obtain automobile liability insurance
- **B. Habitual intoxication or drug addiction**
- C. Nonpayment of Federal income taxes
- D. Any felony conviction

**Answer: B**

Explanation:

Under 49 Pa. Code § 35.291 (Reporting of Crimes and Disciplinary Actions), a real estate licensee may face disciplinary action for engaging in unethical conduct, fraud, or incompetence. One of the reasons listed is habitual intoxication or drug addiction, as this impairs the licensee's ability to properly conduct real estate activities.

\* A felony conviction (Option D - Incorrect) does not automatically result in discipline but is reviewed by the Commission.

\* Failure to pay taxes (Option C - Incorrect) is a federal issue, not a licensing violation.

\* Car insurance (Option A - Incorrect) is unrelated to a real estate license.

Reference:

49 Pa. Code § 35.291- Reporting of Crimes and Disciplinary Actions

## NEW QUESTION # 47

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