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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q22-Q27):

NEW QUESTION # 22

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. **Both state and federal laws require the landlord to allow any service or support animal.**
- C. The landlord may disallow the animal if there are no other animals permitted in the building.
- D. The landlord must allow the service or support animal but may charge an additional deposit.

Answer: B

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 # 23

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 State Legislature and the Pennsylvania Real Estate Commission
- C. The Pennsylvania Real Estate Commission and the Better Business Bureau
- 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 # 24

The Real Estate Commission does NOT have the power to:

- A. Suspend or revoke real estate licenses.
- B. Review escrow accounts.
- C. Impose fines.
- D. **Certify residential appraisers.**

Answer: D

Explanation:

The Pennsylvania Real Estate Commission (PREC) has the authority to regulate real estate licenses but does not certify real estate appraisers.

- * Real estate appraisers in Pennsylvania are regulated by the State Board of Certified Real Estate Appraisers, not the Real Estate Commission.
- * The Commission's powers include:
 - * Suspending or revoking licenses for violations.
 - * Imposing fines for disciplinary actions.
 - * Auditing escrow accounts to ensure compliance with regulations.

Why the other answers are incorrect:

- * Option A (Suspend or Revoke Licenses): The Commission has the authority to discipline licensees.
- * Option B (Impose Fines): The Commission can fine violators for misconduct.
- * Option C (Review Escrow Accounts): The Commission can audit escrow accounts to protect client funds.

Reference:

63 P.S. § 455.404- Powers of the Pennsylvania Real Estate Commission
Pennsylvania Real Estate Appraisers Certification Act (63 P.S. § 457.1-457.19)

NEW QUESTION # 25

When representing a seller, which of the following is a TRUE statement regarding the duties a licensee owes to the principal?

- **A. A licensee is required to keep confidential the price the seller would accept if lower than the list price.**
- B. A licensee is obligated to disclose to a consumer the minimum commission split between the licensee and the broker.
- C. A licensee's obligation of confidentiality ends at the conclusion of the listing contract.
- D. A licensee is not obligated to disclose the existence of another offer during negotiations on a purchase contract.

Answer: A

Explanation:

A licensee has a fiduciary duty to keep the seller's pricing strategy confidential.

* 49 Pa. Code § 35.292 (Duties of Licensees Generally) states that a licensee must maintain confidentiality of information that could harm their client's negotiating position, including the minimum price the seller would accept.

* Confidentiality extends beyond the duration of the listing agreement unless the seller gives explicit permission to disclose information.

Why the other answers are incorrect:

- * Option A (Confidentiality Ends After Listing): Confidentiality continues even after the contract ends
- * Option B (Not Disclosing Another Offer): In multiple-offer situations, disclosure may be required based on seller instructions.
- * Option D (Commission Disclosure): The broker's commission arrangement is not required to be disclosed to the public.

Reference:

49 Pa. Code § 35.292- Duties of Licensees Generally

NEW QUESTION # 26

If known, the listing broker MUST disclose which of the following to a prospective buyer?

- A. That the seller has accepted a position in another state
- B. That the seller's mortgage is assumable
- **C. That the seller's water system is contaminated**
- D. That the seller has filed for divorce

Answer: C

Explanation:

A licensee must disclose all material defects related to the property, including known issues like a contaminated water system.

* Under 68 P.S. §§ 7303-7304 (Real Estate Seller Disclosure Law), the seller and broker must disclose all material defects affecting the property's value or safety.

* A contaminated water system is considered a health and safety issue and must be disclosed to the buyer.

Why the other answers are incorrect:

- * Option A (Assumable Mortgage): This is a financial issue, not a material defect.
- * Option B (Seller's New Job): The seller's personal situation does not affect the property's condition.
- * Option C (Divorce): Divorce is private information and does not need to be disclosed.

NEW QUESTION # 27

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