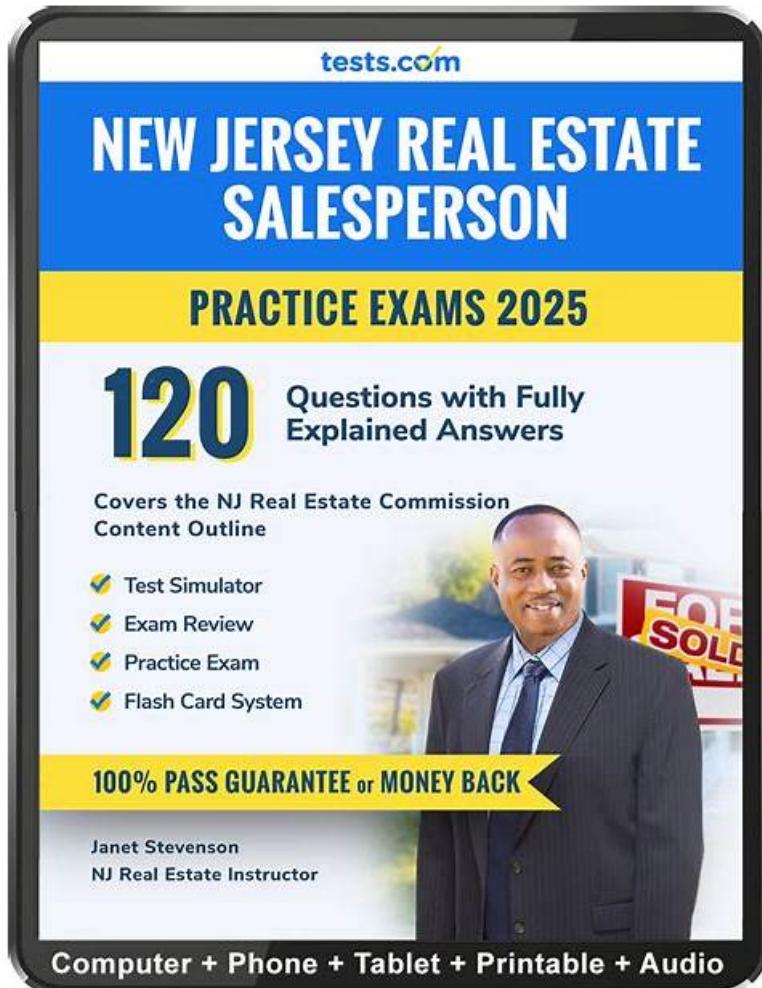


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Real Estate New Jersey Real Estate Salesperson Exam Sample Questions (Q100-Q105):

NEW QUESTION # 100

The common area of a condominium development is owned by:

- A. those owners who were original owners of the units.
- B. its duly elected Board of Directors.
- **C. all owners as tenants in common.**
- D. any individuals who pay a prorated share of the taxes and maintenance.

Answer: C

Explanation:

In a condominium, each unit owner owns their unit in fee simple.

All common areas (hallways, grounds, recreational areas) are owned by all unit owners collectively as tenants in common, with each owner's interest proportional to their ownership share.

The Board of Directors manages, but does not own, the common areas.

Correct answer = D.

Reference: NJ Condominium Act, N.J.S.A. 46:8B-1 et seq.; NJ Real Estate Salesperson Study Guide, Chapter on Common Interest Properties.

NEW QUESTION # 101

A public utility company is installing power lines across several counties. Will the utility company be more likely to be granted an easement appurtenant or an easement in gross?

- A. easement appurtenant because it cannot run with the land
- **B. easement in gross because it does not require ownership of real property adjacent to the property that is subject to the easement**
- C. easement appurtenant because it cannot be extinguished by merger of the dominant and servient tenements
- D. easement in gross because it allows the holder of the easement to eventually gain title to the encumbered property

Answer: B

Explanation:

An easement in gross benefits a person or entity, rather than another parcel of land. Unlike an easement appurtenant, which requires a dominant and servient estate (two adjoining parcels), an easement in gross does not require ownership of adjacent property.

Utility companies (electric, gas, water, sewer, cable) typically hold easements in gross, allowing them to install and maintain lines across multiple properties. The easement is granted to the utility company, not to a neighboring landowner.

Therefore, the correct answer is C.

Reference: NJ Real Estate Salesperson Pre-Licensure Course Guide, Chapter on Interests in Real Estate (Easements); NJ Property Law principles on easements.

NEW QUESTION # 102

A salesperson is selling a leased commercial property. What will happen to the lease after the sale is consummated?

- A. The new owner has the option of canceling the lease or accepting the lease.
- B. The lease expires and the tenant must move.
- C. The tenant and the new owner must negotiate a new lease.
- **D. The lease is assigned to the new owner.**

Answer: D

Explanation:

In New Jersey, under landlord-tenant law, a lease is considered a contract that runs with the land. When a property is sold while a lease is in effect, the new owner automatically assumes the rights and responsibilities of the landlord under the existing lease. The tenant does not need to renegotiate and cannot be forced to vacate until the lease term expires, unless both parties agree otherwise. This transfer is known as an assignment of lease to the new owner.

Therefore, the correct answer is A.

Reference: NJ Real Estate Salesperson Pre-Licensure Course Guide, Chapter on Leases; NJ Landlord-Tenant Law principles.

NEW QUESTION # 103

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. explain the possible types of joint ownership so they understand the options.
- C. advise them to take title as tenants by the entirety.
- D. ask a broker to make a recommendation.

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 # 104

Which of the following is a radioactive odorless gas which may require mitigation?

- A. carbon monoxide
- B. radon
- C. formaldehyde
- D. asbestos

Answer: B

Explanation:

Radon is a naturally occurring, colorless, tasteless, and odorless radioactive gas formed from the natural breakdown of uranium in soil and rock. It can accumulate in basements and lower levels of homes.

The New Jersey Department of Environmental Protection (NJDEP) identifies radon as a serious environmental hazard. Testing and mitigation systems (such as sub-slab ventilation) are required in certain areas of New Jersey where radon levels are high.

Asbestos is a fibrous mineral linked to lung disease but is not radioactive.

Formaldehyde is a chemical used in building materials but is not radioactive.

Carbon monoxide is a deadly, odorless gas from combustion, but again not radioactive.

Therefore, the correct answer is A (radon).

Reference: NJ Real Estate Salesperson Pre-Licensure Course Guide, Chapter on Environmental Issues; NJDEP Radon Awareness Statutes.

NEW QUESTION # 105

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