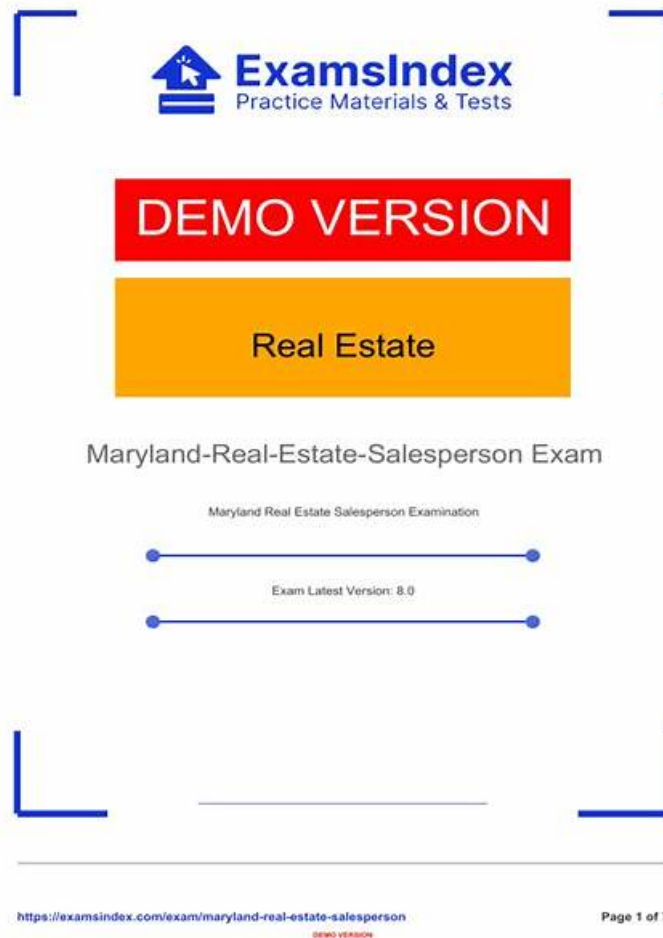


Online Engine Maryland-Real-Estate-Salesperson Real Exam Questions



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>> **Maryland-Real-Estate-Salesperson Associate Level Exam** <<

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Real Estate Maryland Real Estate Salesperson Examination Sample Questions (Q57-Q62):

NEW QUESTION # 57

According to the Maryland Code of Ethics, which statement most accurately describes a licensee's responsibility related to written offers on their listings?

- A. A licensee is only required to present formal written offers within a certain range of the listing price of the property.
- **B. All formal written offers received by the licensee must be presented to the owner until the seller accepts an offer.**
- C. A licensee is only required to present formal written offers that are equal to or more than the listing price.
- D. All formal written offers received by the licensee must be presented to the owner, even after the seller accepts an offer.

Answer: B

Explanation:

Under COMAR 09.11.02.33A(5) and the Maryland Code of Ethics, a licensee must promptly present all written offers to the property owner until an offer has been accepted. After acceptance, new offers need not be presented unless the seller specifically requests. This rule ensures fair treatment and full disclosure to clients while maintaining professional standards of practice.

Reference: Maryland 60-Hour Principles and Practices Course - "Fair Housing and Ethics" Module; COMAR 09.11.02.33A(5).

NEW QUESTION # 58

How can a real estate licensee legally discuss contract clauses with a client without practicing law?

- A. By describing the legal implications of contract clauses in detail
- B. By advising the client on landlord/tenant responsibilities
- **C. By explaining the general purpose of the contract clause without interpreting its legal impact**
- D. By drafting new contract language to suit the client's needs

Answer: C

Explanation:

Licensees are permitted to explain the purpose and factual content of real estate contracts but may not interpret legal implications or draft custom clauses, which constitutes the unauthorized practice of law. The Maryland course teaches that to stay compliant, a salesperson should explain what a clause does in general terms and refer clients to a licensed attorney for legal interpretation.

Reference: Maryland 60-Hour Principles and Practices - "Real Estate Contracts"; Maryland Real Estate Brokers Act, 17-322 - Prohibited Acts (Unauthorized Practice of Law).

NEW QUESTION # 59

Your client, Bruno, is an investor. He is in the process of selling a fourplex and mentions to you that he hates the idea of the capital gains tax he'll be subject to. What should you tell him?

- **A. "You might consider a 1031 tax-deferred exchange."**
- B. "Capital gains do not apply to investment properties."
- C. "Investors don't pay taxes."
- D. "Taxes are required, no matter what you do."

Answer: A

Explanation:

Comprehensive and Detailed Explanation From Exact Extract of Maryland 60-Hour Principles and Practices of Real Estate Pre-Licensing Course:

Under Section 1031 of the Internal Revenue Code, an investor may defer recognition of capital gains taxes by exchanging one investment or business property for another of like kind.

This is known as a 1031 tax-deferred exchange.

The Maryland pre-licensing course covers this as a financing and investment concept, explaining that it defers, not eliminates, the tax obligation and that investors must comply with strict timelines and rules set by the IRS.

Licensees should avoid offering tax advice but can inform clients of the potential to explore this option with a qualified tax professional or attorney.

Reference (Maryland Source):

- Maryland 60-Hour Principles and Practices Course, Investment and Taxation Concepts section.
- Internal Revenue Code §1031 (Like-Kind Exchanges).

NEW QUESTION # 60

What happens when personal property is attached to real property?

- A. It's classified as emblements.
- B. It remains personal property.
- C. It's considered detached property.
- **D. It becomes a fixture.**

Answer: D

Explanation:

When personal property (chattel) is physically attached to real property in such a way that it becomes part of the real estate, it becomes a fixture. Fixtures transfer with the property upon sale unless specifically excluded in the contract. The determination depends on attachment, adaptation, and intent. Maryland's course addresses fixtures under "Real Property and the Law," emphasizing how they affect ownership and conveyance.

Reference: Maryland 60-Hour Principles and Practices Course - "Real Property and the Law" Topic; Maryland Real Property Article 1-101(b).

NEW QUESTION # 61

When prospecting and soliciting for new business, licensees should be familiar with which federal acts?

- A. Human Relations Act, Fair Housing Act, and Americans with Disabilities Act
- **B. Do Not Call Implementation Act, CAN-SPAM Act, and Junk Fax Prevention Act**
- C. Sherman Act, Clayton Act, and Unfair Trade Practices Act
- D. Do Not Call Implementation Act, Sherman Act, and Unfair Trade Practices Act

Answer: B

Explanation:

Within "Real Estate Brokerage Operations" (advertising and solicitation compliance), the course emphasizes federal rules governing outreach to consumers:

* The Do Not Call Implementation Act (and related FTC/FCC rules) regulates telemarketing, requiring scrubbing against the National Do Not Call Registry, time-of-day restrictions, identification requirements, and record-keeping.

* The CAN-SPAM Act governs commercial email, requiring accurate header information, a truthful subject line, clear identification as an advertisement (where applicable), a clear opt-out mechanism, and honoring opt-out requests promptly.

* The Junk Fax Prevention Act (amending the TCPA) restricts unsolicited fax advertisements, allowing them only under specific conditions (e.g., established business relationship, proper opt-out notice).

These are the primary federal solicitation rules covered for prospecting; antitrust and fair housing laws are also taught but address different risk areas (competition and discrimination, respectively) rather than direct telemarketing/email/fax solicitation mechanics.

References (Course Outline/Study Topics):

Maryland 60-Hour Principles and Practices of Real Estate Pre-Licensing Course - "Real Estate Brokerage Operations" (Advertising & Solicitation Compliance: Do Not Call rules, CAN-SPAM, Junk Fax Prevention Act; distinctions from antitrust and fair housing requirements).

NEW QUESTION # 62

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