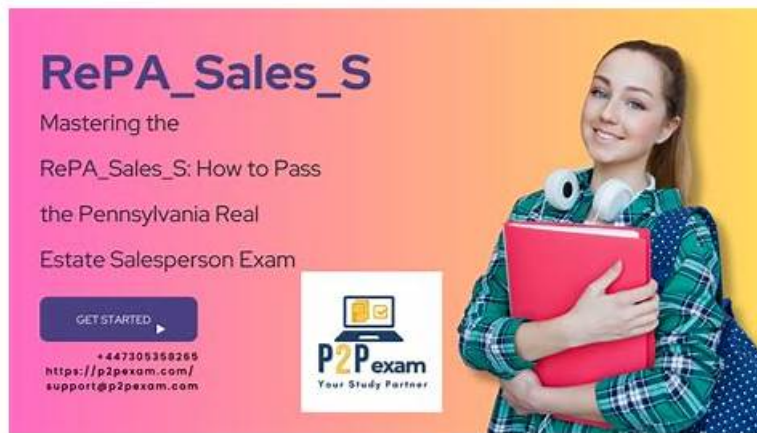


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Pennsylvania Real Estate Commission RePA_Sales_S Exam Syllabus Topics:

| Topic | Details |
|---------|--|
| Topic 1 | <ul style="list-style-type: none"> Miscellaneous: This section of the exam measures the skills of Real Estate Salespersons and includes several additional knowledge areas important for practice. Candidates are expected to understand property disclosures, the preparation and handling of contracts and forms, and the Pennsylvania Human Relations Act. It also covers the regulations relating to time-shares, as well as leasing and rental practices that are part of everyday real estate transactions. |

| | |
|---------|--|
| Topic 2 | <ul style="list-style-type: none"> • Regulations Governing the Activities of Licensees: This section of the exam measures the skills of Real Estate Brokers and centers on the professional standards and regulations that govern daily practice. It reviews rules regarding advertising, the working relationship between brokers and salespersons, and the proper handling of client funds and accounts. It also highlights prohibited conduct, as well as the conditions that can lead to suspension or revocation of a license. |
| Topic 3 | <ul style="list-style-type: none"> • Licensure: This section of the exam measures skills of Real Estate Brokers and focuses on licensure requirements. It emphasizes qualifications necessary for obtaining a license, the activities that legally require licensure, and the processes for license renewal or reactivation. Additionally, it includes the rules for changing employment as a licensee and outlines specific exemptions from licensure under Pennsylvania law. |
| Topic 4 | <ul style="list-style-type: none"> • Agency and Disclosure: This section of the exam measures the skills of Real Estate Salespersons and addresses the importance of proper agency and disclosure. It evaluates knowledge of agency disclosures, the duties of licensees, and how different agency relationships function in practice. It also covers compensation rules and the responsibilities that come with working under different types of agency agreements. |
| Topic 5 | <ul style="list-style-type: none"> • Real Estate Commission: This section of the exam measures skills of Real Estate Salespersons and covers the fundamental duties and powers of the Real Estate Commission. It includes understanding how complaints are handled, how investigations and hearings are conducted, and the processes for appeals. Candidates are also expected to be familiar with the Real Estate Recovery Fund, which provides protection for consumers in certain cases. |

Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q24-Q29):

NEW QUESTION # 24

A salesperson has just obtained the seller's signature on an offer to purchase. When MUST the buyer receive a copy?

- A. Within 24 hours of the offer's acceptance
- B. Within 1 business day of the offer's acceptance
- C. In a reasonably practicable period of time
- D. At the closing

Answer: B

Explanation:

Under 49 Pa. Code § 35.331 (Written Agreements Generally), all parties must receive a copy of a signed offer within 1 business day of acceptance.

* This ensures that buyers and sellers have full documentation of the transaction.

* Delaying delivery of signed contracts can lead to disputes and potential violations of real estate regulations.

Why the other answers are incorrect:

* Option A (24 Hours): While fast delivery is preferred, the law specifically states "1 business day."

* Option C (At Closing): Buyers must receive a copy well before closing.

* Option D (Reasonably Practicable Time): This is too vague and does not meet the specific 1-business-day requirement.

Reference:

49 Pa. Code § 35.331- Written Agreements Generally

NEW QUESTION # 25

The Pennsylvania Real Estate Commission has received a written complaint that a licensee is engaging in an activity prohibited by the Real Estate Licensing and Registration Act. What action is the Commission empowered to take?

- A. Ascertain the facts and, if warranted, hold a hearing.
- B. Suspend the licensee's license for a period not to exceed 6 months.
- C. Serve the licensee with a cease and desist order.
- D. Transfer the matter to civil authorities in the county in which the alleged activity occurred.

Answer: A

Explanation:

The Pennsylvania Real Estate Commission (PREC) has the power to investigate complaints, hold hearings, and impose disciplinary actions under 63 P.S. § 455.404 (Powers of the Commission).

- * The Commission will first investigate the complaint to determine if the allegations are valid.
- * If warranted, the Commission will hold a formal hearing to decide on appropriate disciplinary action.
- * Possible penalties include fines, suspension, or revocation of the license.

Why the other answers are incorrect:

- * Option A (Automatic 6-Month Suspension): The Commission does not impose automatic suspensions; each case is reviewed individually.
- * Option C (Cease and Desist Order): This is typically used for unlicensed real estate activities, not licensed misconduct.
- * Option D (Transfer to Civil Authorities): While some cases (e.g., fraud) may be referred to law enforcement, the Commission itself first investigates.

NEW QUESTION # 26

According to the Real Estate Commission, which of the following is REQUIRED to hold a real estate license in Pennsylvania?

- A. A home builder selling his brand new houses
- B. A bank selling its foreclosed properties
- C. An individual selling five unimproved lots that she owns
- **D. An attorney who holds himself out as a provider of brokerage services**

Answer: D

Explanation:

In Pennsylvania, any person engaging in brokerage activities (such as negotiating sales or leases for compensation) must hold a real estate license unless specifically exempted.

* 49 Pa. Code § 35.201 (Definitions) & 63 P.S. § 455.304 (Exemptions) allow attorneys to practice real estate without a license ONLY IF the services are incidental to their legal practice.

* If an attorney advertises as a real estate broker or regularly engages in real estate transactions beyond legal services, they must obtain a real estate license.

Why the other answers are incorrect:

- * Option B (Home Builder Selling New Houses): Builders are exempt when selling their own newly constructed homes.
- * Option C (Banks Selling Foreclosures): Banks are exempt under 63 P.S. § 455.304 (a)(5) since they are not in the business of selling real estate for profit.
- * Option D (Selling Five Unimproved Lots): Individuals selling their own property do not need a license, even for multiple lots.

NEW QUESTION # 27

A "For Sale by Owner" property owner has offered a flat fee to any licensee who procures a buyer. The owner's terms specify that 50% of the fee is payable upon contract acceptance, with the other 50% payable upon transfer of title. A CORRECT statement about this arrangement is that it is:

- A. in violation of license law since compensation for real estate sales can come only from listed properties.
- B. in violation of license law since all compensation must be paid at closing.
- **C. acceptable if the fee is paid to the employing broker.**
- D. acceptable if the fee does not exceed the prevailing commission rate.

Answer: C

Explanation:

Under 49 Pa. Code § 35.283 (Compensation and Commission), a salesperson can only receive payment through their employing broker. This means that if the flat fee is paid to the broker (not directly to the salesperson), then the arrangement is legal.

- * Commission does not have to be paid at closing; payment terms can be negotiated, including split payments.
- * For Sale by Owner (FSBO) properties are not required to be listed with a brokerage, so compensation can still be earned if a licensee brings a buyer.

Why the other answers are incorrect:

- * Option B (Commission Rate Limitations): There are no "prevailing" commission rates since commissions are always negotiable.

- * Option C (Compensation Must Be at Closing): Commission can be structured differently (e.g., partial upfront payment).
- * Option D (Only Listed Properties Qualify for Commission): Agents can earn commission on FSBOs as long as the broker is involved.

Reference:

49 Pa. Code § 35.283- Compensation and Commission

NEW QUESTION # 28

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

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

Answer: C

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.

NEW QUESTION # 29

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