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Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q51-Q56):

NEW QUESTION # 51

A salesperson's client is the lessee. Who does the salesperson represent?

- A. landlord
- B. lien holder
- C. tenant
- D. lender

Answer: C

Explanation:

In a leasing transaction, the lessee is the tenant - the party obtaining the right to occupy and use the property.

The lessor is the landlord, who owns the property and grants possession through the lease.

Therefore, when a salesperson's client is the lessee, the salesperson represents the tenant in the transaction.

The role is similar to representing a buyer in a purchase transaction - the agent owes fiduciary duties such as loyalty, confidentiality, and disclosure to the tenant client.

The other options do not apply:

Lender (A) provides financing, not leasing services.

Landlord (C) would be the lessor, not the lessee.

Lien holder (D) is a creditor with a security interest in property, unrelated to this relationship.

Thus, the correct answer is B: tenant.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Agency Law; M.G.L. c.112,87AAA-112.

NEW QUESTION # 52

Who establishes zoning ordinances?

- A. local authorities
- B. the federal government
- C. regional councils
- D. individual states

Answer: A

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

Zoning ordinances are enacted at the local (municipal) level-cities and towns-under police power delegated by the state. While states pass enabling legislation and can set broad land-use frameworks, the actual creation and administration of zoning (district maps, permitted uses, dimensional regulations, variances, special permits) is done by local authorities such as city or town councils and implemented by local planning and zoning boards. Federal and regional bodies may influence land use through funding or environmental regulations, but they do not enact local zoning ordinances. On the Massachusetts exam, candidates are expected to know that municipalities adopt zoning bylaws/ordinances to promote public health, safety, and welfare, and administer them via local boards, inspectors, and appeals processes. Thus, the correct answer is D.

References: Massachusetts Real Estate Salesperson Candidate Handbook - Land Use Controls (Public restrictions: zoning); M.G.L. c. 40A (The Zoning Act).

NEW QUESTION # 53

A broker has been engaged to locate a property for a buyer. The broker has determined that a suitable property for the buyer is for

sale and is owned by the broker's cousin. The broker has not informed the buyer of the broker's relationship with the owner. If the buyer purchases the property under these circumstances, the broker is

- **A. Violating the license law because a relative's interest shall be made known to all parties.**
- B. Not violating the license law because a relative's interest is an exception to the fiduciary duty rule.
- C. Violating the license law because it is illegal to purchase family property for a principal.
- D. Not violating the license law because the broker in this situation has no duty of disclosure.

Answer: A

Explanation:

Under Massachusetts real estate license law, a broker must disclose any personal interest, or the interest of an immediate family member, in a transaction to all parties. This is a matter of fiduciary duty and is explicitly required under 254 CMR 3.00.

Failing to disclose that the seller is the broker's cousin constitutes a conflict of interest and violates the duty of loyalty, disclosure, and honesty to the client (the buyer). While it is not illegal to buy or sell property involving relatives, the relationship must always be made known to avoid misrepresentation or concealment of material facts.

Therefore, the broker is in violation because the familial relationship was not disclosed.

Reference: 254 CMR 3.00 - Duties of Licensees; M.G.L. c. 112, § 87AAA; Massachusetts Real Estate Candidate Information Bulletin - Agency & Disclosure.

NEW QUESTION # 54

What is the difference between a license to use property and an easement?

- **A. A license can be cancelled by the issuer.**
- B. An easement can be cancelled by the issuer.
- C. There must be consideration paid for a license.
- D. There must be consideration paid for an easement.

Answer: A

Explanation:

A license is a personal, revocable privilege to enter or use another person's land for a specific purpose (e.g., a ticket to a sporting event). A license does not create an interest in land and may be revoked at any time by the issuer.

An easement, however, is a non-possessory interest in land that grants a legal right to use the property of another (e.g., a right-of-way). Easements are generally permanent, run with the land, and cannot simply be canceled by the property owner at will.

Massachusetts law distinguishes between the two: easements are formal property interests that usually require a written grant and may only be terminated by agreement, expiration, or court action, while licenses are informal, temporary, and revocable.

Thus, the correct answer is A: A license can be cancelled by the issuer.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Property Interests and Rights; M.G. L. c. 183.

NEW QUESTION # 55

Which of the following property valuation estimates or reports would have to be prepared by a licensed or certified appraiser?

- A. a comparative market analysis
- B. a broker's price opinion
- C. a value analysis for a non-residential property valued below \$250,000
- **D. a reconciliation report for an FHA loan**

Answer: D

Explanation:

Under federal law (FIRREA - Financial Institutions Reform, Recovery, and Enforcement Act of 1989), any appraisal used in connection with a federally related transaction (such as FHA-insured or VA-guaranteed loans) must be prepared by a state-licensed or state-certified appraiser.

While brokers and salespersons in Massachusetts may prepare broker price opinions (BPOs) and comparative market analyses (CMAs), these are considered marketing tools and cannot substitute for a certified appraisal in federally related transactions.

Likewise, although smaller non-residential properties under \$250,000 may sometimes qualify for alternative valuation methods, FHA loan underwriting requires a formal appraisal with reconciliation prepared by a licensed appraiser.

Thus, the correct answer is C: reconciliation report for an FHA loan.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Appraisal; FIRREA (12 U.S.C. 3331-3351).

NEW QUESTION # 56

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