

有難い RePA_Sales_S 専門試験試験-試験の準備方法-完璧な RePA_Sales_S 過去問



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>> RePA_Sales_S 専門試験 <<

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Pennsylvania Real Estate Commission PA Salesperson State Exam 認定 RePA_Sales_S 試験問題 (Q16-Q21):

質問 # 16

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 all compensation must be paid at closing.
- B. acceptable if the fee is paid to the employing broker.
- C. acceptable if the fee does not exceed the prevailing commission rate.

- D. in violation of license law since compensation for real estate sales can come only from listed properties.

正解: B

解説:

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

質問 # 17

Which of the following activities performed by the manager of a multifamily dwelling REQUIRES a real estate license?

- **A. Entering into leases**
- B. Providing information on rental amounts to prospective renters
- C. Distributing building rules and regulations
- D. Showing apartments to prospective renters

正解: A

解説:

A real estate license is required to enter into leases on behalf of a landlord because this involves negotiating real estate transactions.

* According to 49 Pa. Code § 35.201 (Definitions), property management activities that include leasing, collecting rent, and negotiating lease terms require a real estate license.

* A property manager who is actively negotiating leases must hold a real estate license unless they are directly employed by the property owner.

Why the other answers are incorrect:

* Option B (Distributing Rules): This does not require a license since it is administrative.

* Option C (Showing Apartments): Showing apartments does not require a license as long as no negotiations occur.

* Option D (Providing Rental Info): Providing information is not negotiating a lease, so a license is not needed.

Reference:

49 Pa. Code § 35.201- Definitions

質問 # 18

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

正解: C

解説:

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 forunlicensed real estate activities, not licensed misconduct.
- * Option D (Transfer to Civil Authorities):While some cases (e.g., fraud) may be referred to law enforcement, theCommission itself first investigates.

質問 # 19

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

正解: D

解説:

Under49 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, thelaw specifically states "1 business day."

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

* Option D (Reasonably Practicable Time):This istoo vagueand does not meet thespecific 1-business- day requirement.

Reference:

49 Pa. Code § 35.331- Written Agreements Generally

質問 # 20

A salesperson who operates as an independent contractor for a broker is seldom in the office. Earnest money deposits received by this salesperson:

- A. May be kept temporarily in an escrow account opened by the salesperson.
- B. Should be returned to the buyer to transmit to the broker.
- C. May be held by the salesperson for 3 business days.
- D. Should be transmitted promptly after receipt to the broker.

正解: D

解説:

Under49 Pa. Code § 35.324 (Handling of Deposits and Escrow Money), all earnest money deposits must be promptly transmitted to the employing broker for deposit into an escrow account.

* A salesperson cannot hold earnest money or maintain an escrow account on their own.

* Brokers are responsible for ensuring that all escrow funds are properly handled and protected from commingling.

Why the other answers are incorrect:

* Option A (Salesperson Holding Escrow Funds):Salespersons are prohibited from maintaining independent escrow accounts.

* Option C (Holding Funds for 3 Days):Earnest money must be turned over to the broker as soon as possible; salespersons cannot hold it for any period.

* Option D (Returning to Buyer for Transmission):Earnest money must go directly to the broker, not back to the buyer.

質問 # 21

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