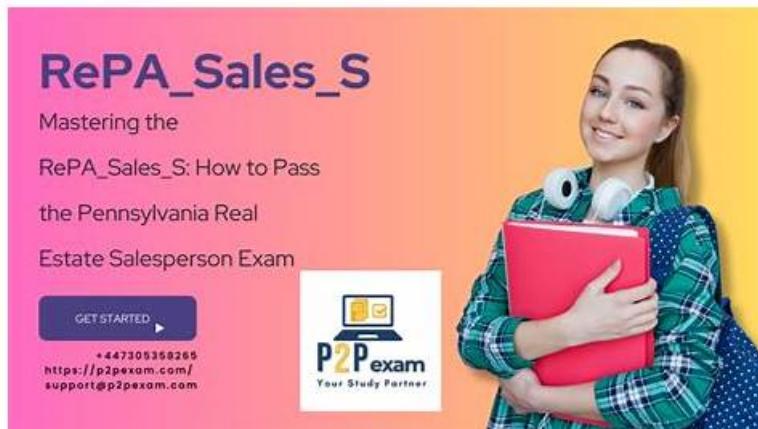


# Pennsylvania Real Estate Commission RePA\_Sales\_S Materials - Latest RePA\_Sales\_S Practice Questions



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## Pennsylvania Real Estate Commission RePA\_Sales\_S Exam Syllabus Topics:

Topic	Details
Topic 1	<ul style="list-style-type: none"><li>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.</li></ul>
Topic 2	<ul style="list-style-type: none"><li>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.</li></ul>
Topic 3	<ul style="list-style-type: none"><li>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.</li></ul>
Topic 4	<ul style="list-style-type: none"><li>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.</li></ul>

Topic 5	<ul style="list-style-type: none"> <li>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.</li> </ul>
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### **Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q23-Q28):**

#### **NEW QUESTION # 23**

The Commission, after obtaining the facts of a verified complaint against a licensee, holding a hearing, and finding that licensee guilty, may:

- A. Make the licensee take up to 20 hours of ethics training.
- B. Imprison a licensee for no more than 90 days.
- **C. Suspend or revoke a license and/or levy a fine of \$1,000 or less.**
- D. Levy a fine of \$2,000 - \$5,000 if this is the licensee's first offense.

**Answer: C**

Explanation:

Under 63 P.S. § 455.305 (Civil Penalty Provisions), the Pennsylvania Real Estate Commission has the authority to suspend or revoke a license and impose fines of up to \$1,000 per violation.

\* The Commission can impose fines but does not have authority over criminal penalties such as imprisonment.

\* Suspension or revocation is a common penalty for severe violations, including fraud, misrepresentation, or mismanagement of client funds.

Why the other answers are incorrect:

- \* Option A (\$2,000 - \$5,000 Fine): The fine limit for first offenses is typically \$1,000 per violation.
- \* Option C (20 Hours of Ethics Training): Training may be recommended but is not an official penalty imposed by the Commission.
- \* Option D (90-Day Imprisonment): The Commission does not have authority to impose jail sentences.

#### **NEW QUESTION # 24**

What are the permitted relationships between licensees and consumers as defined by the "Consumer Notice" and Pennsylvania regulations?

- A. Buyer agent, seller agent, designated agent, dual agent, and rental agent.
- B. Buyer agent, seller agent, designated dual agent, and transaction licensee.
- **C. Buyer agent, seller agent, designated agent, dual agent, and transaction licensee.**
- D. Buyer agent, buyer sub-agent, seller agent, seller sub-agent, and dual agent.

**Answer: C**

Explanation:

Under 49 Pa. Code § 35.284 (Disclosures of Business Relationships), the Consumer Notice defines five types of permitted relationships between real estate licensees and consumers:

\* Buyer's Agent- Represents the buyer and has a fiduciary duty to them

\* Seller's Agent (Listing Agent)- Represents the seller and has a fiduciary duty to them

- \* Designated Agent- A brokerage firm designates different agents to represent buyers and sellers in the same firm without creating dual agency.
- \* Dual Agent- A licensee represents both the buyer and seller in the same transaction, with mutual consent.
- \* Transaction Licensee- A real estate licensee who provides services but does not represent either party as an agent.

Why the other answers are incorrect:

- \* Option A (Rental Agent):"Rental agent" is not a defined relationship in Pennsylvania law.
- \* Option B (Buyer & Seller Sub-Agent):Sub-agency is no longer common and is not a required disclosure.
- \* Option D (Designated Dual Agent):Dual agency and designated agency are separate concepts.

#### NEW QUESTION # 25

A broker has been hired by a buyer to find an investment property. Upon locating a suitable property listed by another firm, the broker MUST:

- A. Initiate a title search of the property.
- B. **Disclose to the listing broker or the seller that they represent the buyer.**
- C. Disclose their dual representation, in writing, to both buyer and seller.
- D. Recommend a professional inspection of the property.

**Answer: B**

Explanation:

Under 49 Pa. Code § 35.311 (Duties of Buyer's Agent), a buyer's agent must disclose their relationship to the listing broker or seller before providing substantive services.

- \* This ensures that all parties understand who represents whom in the transaction.
- \* Failure to disclose agency relationships could result in ethical violations and penalties from the Pennsylvania Real Estate Commission.

Why the other answers are incorrect:

- \* Option A (Initiate a Title Search): This is typically done by the buyer's attorney or title company, not the real estate broker.
- \* Option B (Recommend an Inspection): While good practice, it is not legally required under agency law.
- \* Option C (Disclose Dual Representation): This is incorrect because the broker is not acting as a dual agent in this case.

Reference:

49 Pa. Code § 35.311- Duties of Buyer's Agent

#### NEW QUESTION # 26

In the normal course of practicing real estate, a licensed real estate salesperson may:

- A. **Receive commission and bonuses through their broker.**
- B. Directly receive a commission from the buyer as well as the seller.
- C. Agree to split commissions with another licensee and pay the split directly to the other licensee.
- D. Pay a referral fee directly to another licensed salesperson.

**Answer: A**

Explanation:

Under 49 Pa. Code § 35.283 (Compensation and Commission), a salesperson may only receive compensation through their employing broker. All commissions, bonuses, or referral fees must be paid by the broker and not directly to or from another licensee.

- \* A real estate salesperson cannot accept direct payment from clients, buyers, or sellers.
- \* Any bonus or commission earned must first go to the broker, who then distributes the appropriate amount to the salesperson.

Why the other answers are incorrect:

- \* Option A (Direct Commission from Buyer & Seller): Salespersons cannot accept direct payments from clients; all payments must go through their broker.
- \* Option B (Pay Referral Fee to Another Salesperson): Only brokers can pay referral fees. A salesperson cannot pay another licensee.
- \* Option D (Split Commission Directly with Another Licensee): Commissions must be handled by the broker, not between individual agents.

#### NEW QUESTION # 27

The provisions of the Real Estate Licensing and Registration Act apply to:

- A. A real estate licensee selling real estate they own.
- B. A licensed auctioneer who is auctioning property.
- C. A trustee who participates in real estate transactions under the authority of a court order.
- D. An attorney-at-law who participates in real estate transactions on behalf of a client.

**Answer: A**

Explanation:

Under 63 P.S. § 455.304 (Exemptions from Licensing Requirements), most individuals selling their own property are exempt from real estate licensing requirements. However, a real estate licensee selling their own real estate must comply with disclosure laws and ethical obligations.

- \* If a real estate licensee sells their own property, they must disclose in all advertising that they are a licensed real estate professional to avoid misleading the public.
- \* While a non-licensee selling their own property is not covered under real estate licensing laws, a licensed salesperson must adhere to licensing and disclosure laws.

Why the other answers are incorrect:

- \* Option A (Trustee under Court Order): Court-appointed trustees are exempt from real estate licensing requirements.
- \* Option B (Attorney Representing Clients): Attorneys are permitted to handle real estate transactions as part of their legal practice without a real estate license.
- \* Option D (Licensed Auctioneer): Auctioneers selling real estate are regulated under separate auctioneer licensing laws, not real estate licensing laws.

**NEW QUESTION # 28**

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