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Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q114-Q119):

NEW QUESTION # 114

According to the Massachusetts Fair Housing Law, it is unlawful to ask prospective tenants questions about their

- A. Occupation.

- B. Criminal history.
- **C. Place of birth.**
- D. Income.

Answer: C

Explanation:

The Massachusetts Fair Housing Law (M.G.L. c. 151B) prohibits discrimination in housing based on race, color, religion, sex, sexual orientation, gender identity, national origin, age, ancestry, veteran status, familial status, disability, or receipt of public assistance. Asking about a tenant's place of birth could reveal information about national origin or ancestry, which are protected classes under both state and federal fair housing law.

By contrast, landlords and brokers are legally permitted to verify income and occupation to determine financial qualifications, and Massachusetts law also permits certain criminal history checks in compliance with state and federal guidelines. However, questioning applicants about their place of birth is directly discriminatory and unlawful.

Reference: M.G.L. c. 151B, 4; HUD Fair Housing Act Guidelines.

NEW QUESTION # 115

A broker has listed a property for \$225,000. An offer of \$210,000 contingent upon inspection comes in the first week and the seller accepts it. Another offer of \$205,000 comes in the second week. The seller accepts it as a secondary offer contingent upon the termination of the first offer. The first offeror demands the seller spend \$5,000 in repairs before going through with the purchase. The seller may do any of the following EXCEPT

- **A. ignore the demand and sell the property to the second offeror.**
- B. terminate the first agreement in writing and sell to the second offeror.
- C. refuse to do the repairs and still proceed with the sale in as-is condition.
- D. agree to do the needed repairs and consummate the transaction with the first offeror.

Answer: A

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

Once the seller accepted the first buyer's offer, they entered into a legally binding contract. Any additional requests for repairs must be negotiated. The seller may:

Agree to the repairs (A)

Refuse and insist on as-is (B)

Terminate by mutual agreement in writing and move to the secondary offer (C) However, the seller cannot simply ignore the buyer's demands and sell to another buyer. Doing so would be a breach of contract. The second offer is valid only as a backup if the first contract is properly terminated.

Thus, the seller may do anything except D.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Contracts; Secondary Offers.

NEW QUESTION # 116

A building was purchased for \$350,000 with a 20% down payment. If the lender charged the buyer three discount points, how much will the buyer need to close?

- A. \$360,500
- **B. \$80,500**
- C. \$61,600
- D. \$78,400

Answer: B

NEW QUESTION # 117

Based on the common law of agency, which of the following would always be an agent's duty?

- A. disclosing that the reason a client is selling is an impending divorce
- B. hiring a contractor to repair a listing with a leaky roof
- **C. placing the interests of the principal above all others, including the agent's own interests**

- D. analyzing the preliminary title report and advising the buyer regarding exceptions listed

Answer: C

Explanation:

The common law of agency requires real estate licensees to act in the best interests of their principal (the client). The six fiduciary duties are: obedience, loyalty, disclosure, confidentiality, accounting, and reasonable care/diligence.

The most fundamental of these is loyalty - meaning the agent must always place the client's interests above all others, including their own.

Hiring a contractor (A) goes beyond the agent's authority unless authorized.

Disclosing divorce (B) would breach confidentiality, not fulfill a duty.

Analyzing legal title exceptions (C) constitutes unauthorized legal practice.

Thus, the correct answer is D: placing the principal's interests first.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Agency Law; Common Law Fiduciary Duties.

NEW QUESTION # 118

Under Housing and Urban Development guidelines, when an advertisement includes the phrase "walk to bus- stop," the advertisement is

- A. Only discriminatory against disabled individuals in some cases.
- **B. Not discriminatory against disabled individuals.**
- C. Discriminatory against individuals with disabilities.
- D. Only discriminatory if the statement is false.

Answer: B

Explanation:

HUD guidelines on advertising under the Fair Housing Act (42 U.S.C. §§ 3601-3619) prohibit language that expresses limitations, preferences, or discrimination based on a protected class (race, color, religion, sex, disability, familial status, or national origin).

However, phrases describing the property's location or proximity to amenities (such as "walk to bus-stop" or "near shopping center") are not considered discriminatory under HUD's advertising rules.

HUD distinguishes between "steering language" and neutral descriptors. References to nearby services are acceptable because they do not discourage or exclude individuals with disabilities; they simply describe a geographic fact. HUD specifically lists "walk to transportation" as non-discriminatory advertising language in its Fair Housing Advertising Guidelines.

Reference: HUD Fair Housing Advertising Guidelines; Fair Housing Act (42 U.S.C. § 3604(c)).

NEW QUESTION # 119

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