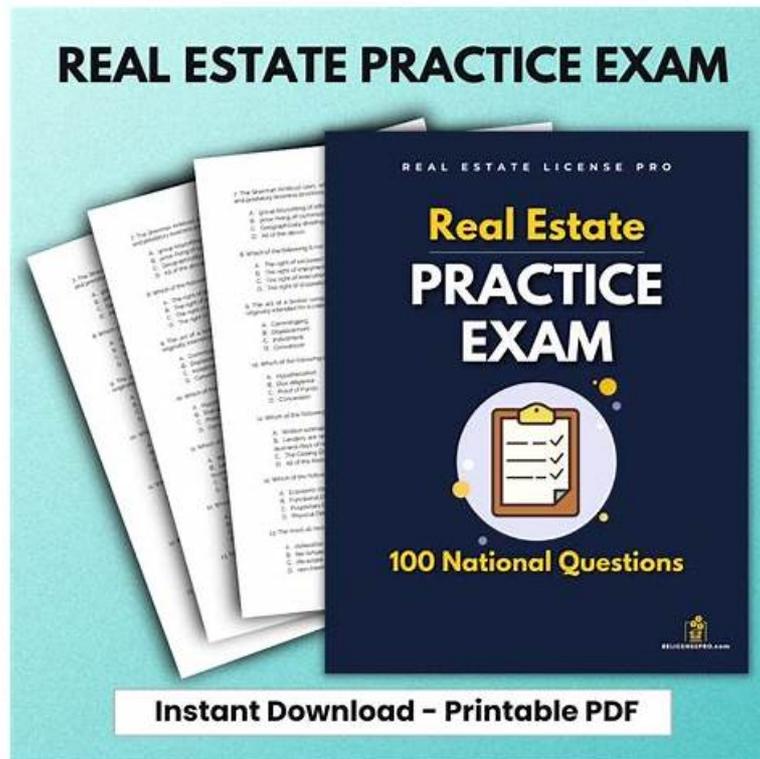


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## Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q76-Q81):

### NEW QUESTION # 76

The two clauses in a mortgage which allow the lender to proceed with a foreclosure sale are which of the following?

- A. escalation clause and alienation clause
- **B. acceleration clause and power of sale clause**
- C. escalation clause and power of sale clause
- D. foreclosure clause and alienation clause

**Answer: B**

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

Two key clauses permit a lender to enforce foreclosure:

Acceleration clause - allows the lender to declare the entire debt immediately due and payable if the borrower defaults. Without this clause, the lender could only sue for past-due installments.

Power of sale clause - common in Massachusetts "title theory" mortgages, it authorizes the lender to sell the property at public auction without going through full judicial foreclosure.

The alienation clause (also called a "due-on-sale" clause) allows the lender to demand payoff when the property is transferred, not for foreclosure. The escalation clause allows interest rate or payment adjustments, not foreclosure.

Therefore, the correct pair that authorizes foreclosure is D: acceleration clause and power of sale clause.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Financing Instruments; M.G.L. c. 183 21 (Power of Sale Foreclosure).

### NEW QUESTION # 77

Which of the following will NOT be considered relevant if HUD investigates a prospective home buyer's allegation of discriminatory treatment by a licensee in a brokerage office?

- A. the reports of undercover testers who visited the office
- **B. whether the licensee believed they were acting in the best interests of the prospective buyer**
- C. whether or not the HUD Equal Housing Opportunity poster is displayed in the office
- D. records of the houses shown and properties suggested to the prospective buyer

**Answer: B**

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

HUD enforces the Fair Housing Act, investigating allegations of discrimination in housing. Relevant evidence in such investigations includes objective records such as listings shown, properties suggested, office policies, whether the HUD Fair Housing poster is displayed, and even reports from undercover testers.

The licensee's personal belief or intent (C) is irrelevant. The law focuses on the effect of the action, not the subjective intent of the broker. Even if the broker believes they were "acting in the client's best interest," if the conduct results in steering, blockbusting, or other discriminatory practices, it is still a violation.

Therefore, the only irrelevant factor is the licensee's personal belief, making C the correct answer.

Reference: Fair Housing Act, 42 U.S.C. 3600; HUD Fair Housing Investigative Procedures; Massachusetts Real Estate Salesperson Candidate Handbook - Fair Housing.

### NEW QUESTION # 78

A broker has a single agency relationship with the seller. Any required property condition disclosure would be completed by the

- A. broker.
- B. listing agent on behalf of broker.
- C. listing agent on behalf of seller.
- **D. seller.**

**Answer: D**

Explanation:

In Massachusetts, the seller is legally responsible for completing the property condition disclosure form. The listing broker or agent may provide the form and ensure it is delivered to prospective buyers, but they do not complete it on behalf of the seller.

The rationale is that the seller is the party with direct knowledge of the property's condition. Licensees must never fill out the disclosure themselves, as this could expose them to liability for inaccuracies. The broker's duty is limited to ensuring the disclosure is provided in accordance with Massachusetts law (M.G.L. c.93, 114) but not to make representations or complete the document.

Thus, the correct answer is A: seller.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Agency & Disclosure Obligations; M.G.L. c. 93,114.

### NEW QUESTION # 79

When performing its duties, the Board of Registration protects and safeguards the interests of the

- A. General public.
- B. Licensees.
- C. Governor's office.
- D. State legislature.

**Answer: A**

Explanation:

The Massachusetts Board of Registration of Real Estate Brokers and Salespersons is a regulatory agency under the Division of Professional Licensure. Its mission is to protect the general public, not licensees.

The Board enforces the real estate licensing laws (M.G.L. c. 112, §§ 87PP-87DDD), establishes regulations (254 CMR), administers licensing exams, investigates complaints, and disciplines licensees for violations.

Although the Board interacts with licensees, its role is to ensure consumers are protected from fraud, incompetence, or misconduct in real estate transactions.

Thus, the Board's primary duty is safeguarding the general public, not serving the interests of licensees or government branches.

Reference: M.G.L. c. 13, § 54; M.G.L. c. 112, 87PP-87DDD.

### NEW QUESTION # 80

When practicing as a facilitator, the facilitator

- A. Must represent a seller or a buyer.
- B. Does not represent the seller or the buyer.
- C. Must have signed Disclosed Dual Agency.
- D. Has an agency obligation of disclosure to the seller.

**Answer: B**

Explanation:

A facilitator is a neutral party who assists both the buyer and the seller in a real estate transaction but does not have the agency responsibilities of an agent. Facilitators do not represent either party (seller or buyer) and do not owe fiduciary duties to either. The role of a facilitator is limited to helping both parties complete the transaction by providing guidance on the process, preparing documents, and ensuring that all procedural steps are followed.

Unlike agents, facilitators are not required to disclose confidential information or negotiate on behalf of either party. Their primary function is to assist with the logistics of the transaction without representing one party's interests over the other.

Reference: 254 CMR 3.00 - Agency Relationships; Massachusetts Real Estate Candidate Information Bulletin - Facilitator Role.

### NEW QUESTION # 81

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