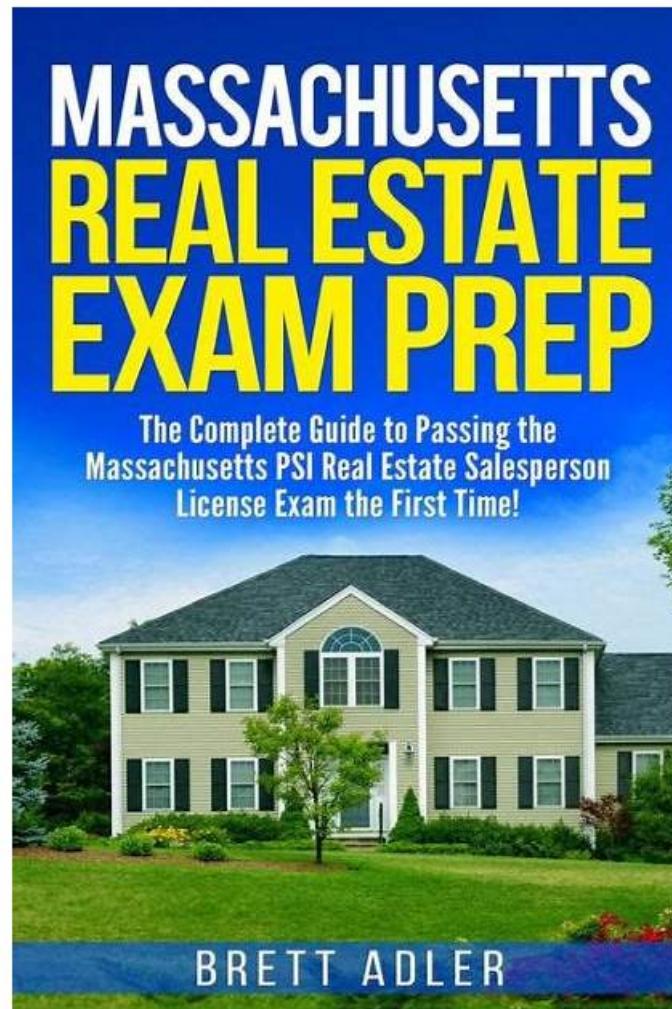


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Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q28-Q33):

NEW QUESTION # 28

A buyer files a complaint against a licensee with the Massachusetts Commission Against Discrimination (MCAD). MCAD denies the complaint because the buyer filed it too long after the discriminatory incident occurred. Within how many days after the alleged incident must a complaint be filed to be considered?

- A. 0
- **B. 1**
- C. 2
- D. 3

Answer: B

Explanation:

The Massachusetts Commission Against Discrimination (MCAD) enforces the state's Fair Housing Law (M.G.L. c. 151B). A person who believes they have experienced housing discrimination must file a written complaint with MCAD within 300 days of the alleged discriminatory act.

Complaints filed after 300 days will be dismissed as untimely. This timeframe aligns with federal Equal Employment Opportunity Commission (EEOC) procedures but is tailored for housing discrimination enforcement at the state level.

Thus, the deadline is 300 days.

Reference: M.G.L. c. 151B, 5; MCAD Complaint Procedures.

NEW QUESTION # 29

Deposit money received by a salesperson must be turned over to the salesperson's broker

- A. Within three days.
- **B. Immediately.**
- C. At the date specified in the offer to purchase.
- D. At the signing of the purchase and sale agreement.

Answer: B

Explanation:

Under 254 CMR 3.10, all deposit money received by a salesperson must be immediately turned over to the salesperson's broker for deposit into the escrow account. It is the broker's responsibility to ensure that the funds are properly held and protected, not the salesperson's.

The rule is clear that the funds should be handed over immediately. Any delay in submitting the funds to the broker could violate escrow rules and could result in disciplinary action.

Reference: 254 CMR 3.10 - Handling of Client Funds; Massachusetts Real Estate Candidate Information Bulletin - Escrow Procedures.

NEW QUESTION # 30

A couple enters into a purchase contract to buy a house, and their parents are providing a \$5,000 earnest money check. The check

is deposited in the listing broker's escrow account. The buyers are unable to get financing, and the contract provides for return of the earnest money to the buyers. The buyers and seller agree in writing to the release of the earnest money. The listing broker should

- A. issue a \$5,000 check to the buyers.
- B. return the earnest money check, minus expenses, to the parents.
- C. issue a \$5,000 check to the parents.
- D. return the earnest money check, minus expenses, to the buyers.

Answer: A

Explanation:

Under Massachusetts escrow laws, once an earnest money deposit is given, it becomes part of the transaction and must be held in the broker's escrow account until proper written instructions are received. The critical rule is that the earnest money belongs to the buyer, not to the third party who may have supplied the funds.

Therefore, even though the parents wrote the \$5,000 check, the funds legally belong to the buyers under the purchase and sale agreement. When the contract is canceled due to financing failure, and both parties (buyer and seller) agree in writing to release the deposit, the broker must issue the refund to the buyers, not the parents.

Massachusetts regulations (254 CMR 3.00) require brokers to handle escrow strictly according to the agreement and prohibit deductions for "expenses" unless explicitly authorized. Thus, the correct action is to issue the \$5,000 back to the buyers in full.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Trust Funds & Escrow; 254 CMR 3.10 (Board of Registration of Real Estate Brokers and Salespersons).

NEW QUESTION # 31

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

Answer: D

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 # 32

A first-year licensee without either a degree in finance, or a strong background in real estate investment should generally refrain from

- A. representing a first time home buyer.
- B. representing an owner who wants to sell raw land to a developer.
- C. listing commercial income property.
- D. acting as the seller's agent in selling an oceanfront lot to a retiree.

Answer: C

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

Commercial income property brokerage requires specialized competencies: analyzing rent rolls, operating statements, cap rates, cash flow, expense recoveries, lease structures (NNN, modified gross), and investment metrics (IRR, NOI, debt coverage). A first-year

licensee lacking finance/investment background typically does not yet possess these skills. Massachusetts licensing materials stress competence and reasonable care

/diligence as fiduciary duties; taking assignments beyond one's expertise can breach those duties. While raw land or unique residential properties can also be complex, the exam recognizes commercial income listings as particularly finance-heavy and analysis-driven. New licensees should seek mentorship, co-list with experienced commercial practitioners, or refer such opportunities until competency is established.

Representation of first-time homebuyers (C) is a common early-career practice area, provided the agent understands agency, disclosures, financing basics, and transaction timelines. Therefore, the prudent, exam- correct choice is to refrain from listing commercial income property without appropriate background.

References: Massachusetts Real Estate Salesperson Candidate Handbook - Agency/Fiduciary Duties; Real Estate Brokerage Practice sections on competence and scope of services.

NEW QUESTION # 33

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