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Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q84-Q89):

NEW QUESTION # 84

A property manager has successfully negotiated the lease of a home built in 1965 to tenants who have no children. Regarding disclosure of lead-based paint, the property manager should

- A. give the tenants 10 days to test the home and provide them with the required booklet.
- B. have all the lead-based paint covered or removed by licensed mitigators.
- C. have the tenants sign the disclosure form and provide them with the required booklet.

- D. do nothing, as regulations only apply when children are present.

Answer: C

Explanation:

The Residential Lead-Based Paint Hazard Reduction Act (Title X, 1992) requires that landlords and sellers of housing built before 1978 disclose any known lead-based paint hazards to prospective tenants or buyers.

Massachusetts enforces this rule strictly due to its older housing stock.

The law applies regardless of whether children are present. Tenants must receive:

An EPA-approved lead hazard information booklet.

A disclosure form confirming acknowledgment.

Tenants must be informed of their right to test for lead, but in a lease situation they do not automatically get a

10-day inspection period (that applies to sales, not rentals). Covering or removing lead paint (B) is only required if a child under six will occupy the property in Massachusetts, under the Lead Law (M.G.L. c.111 §197).

Thus, the correct answer is D.

Reference: EPA Lead-Based Paint Disclosure Rule; Massachusetts Lead Law; Massachusetts Real Estate Salesperson Candidate Handbook - Environmental Issues.

NEW QUESTION # 85

A licensee whose license has been suspended is required to

- **A. Surrender the license to the Board of Registration.**
- B. Appeal the decision within 14 days.
- C. Stop working, but may still make referrals.
- D. Do nothing; no action is required.

Answer: A

Explanation:

When a real estate license is suspended in Massachusetts, the licensee must surrender their license to the Board of Registration immediately. Suspension means the licensee is temporarily prohibited from engaging in real estate activities.

The licensee cannot continue to work, make referrals, or conduct any real estate transactions during the suspension period. They must follow the suspension terms set by the Board, and the license will be reinstated after the suspension period has ended, provided they comply with any further requirements. The licensee may appeal the decision, but this must be done separately from the immediate surrender requirement.

Reference: M.G.L. c. 112, § 87FF; 254 CMR 5.00 - Disciplinary Action.

NEW QUESTION # 86

While inspecting a tenant-occupied property, the buyer was told by the seller that the microwave oven would be included in the sale price. Upon possession, the buyer learned that the microwave oven belonged to the tenant and not the seller. Is the buyer entitled to the microwave oven?

- **A. No, because the seller did not have the right to include the microwave in the sale.**
- B. No, because the microwave was the real property of the tenant.
- C. Yes, because the buyer's offer to purchase included all real property.
- D. Yes, because all oral contracts for the sale of real property are enforceable.

Answer: A

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

In a real estate sale, the seller can only transfer property they own. Personal property belonging to a tenant is not part of the seller's estate and cannot be conveyed, regardless of oral promises.

A: Incorrect - microwave ovens are personal property, not automatically real property.

B: Oral contracts are generally unenforceable under the Statute of Frauds.

C: Incorrect because the microwave is personal property, not real property of the tenant.

D: Correct - the seller had no ownership interest and therefore no authority to include it in the sale.

Thus, the buyer is not entitled to the microwave.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Property Ownership (Fixtures vs. Personal Property); Statute of Frauds.

NEW QUESTION # 87

When lending standards are tightened, lenders typically require

- A. a waiver of the Equal Credit Opportunity Act.
- B. a higher loan-to-value ratio.
- C. a lower loan-to-value ratio.
- D. a balloon payment after 5 years.

Answer: C

Explanation:

The loan-to-value ratio (LTV) is the loan amount compared to the property's value or purchase price.

A lower LTV ratio means that the borrower must make a larger down payment, reducing the lender's risk.

A higher LTV ratio (A) increases risk and is more common in loose lending markets.

C (balloon payments) is a loan feature, not directly related to tightening standards.

D (waiving ECOA) is illegal; lenders cannot require waiving anti-discrimination protections.

Thus, in tighter credit markets, lenders protect themselves by requiring lower LTV ratios.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Financing; Federal Reserve Lending Guidelines.

NEW QUESTION # 88

The heir to a large estate will be of legal age within 30 days. The heir lists for sale with a broker one of the properties held by the estate. The broker knows of a buyer for the property and sells it within 24 hours of listing, with closing to be in 45 days. Both listing and sale contracts are

- A. executory.
- B. executed.
- C. fulfilled.
- D. voidable.

Answer: D

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

Contracts entered into by a minor (a person not yet of legal age) are generally voidable at the option of the minor. In this case, the heir is still underage when signing both the listing and the sales contract. Although enforceable by the minor, they may be disaffirmed before reaching majority age or within a reasonable time thereafter.

Fulfilled (A) applies only once all terms have been performed.

Executed (B) means fully performed; here, the contracts are not.

Executory (D) means still in progress, which is true, but the critical legal issue is that the contracts are voidable due to minority.

Therefore, both contracts are voidable.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Contracts; M.G.L. c.231 §85O (contracts with minors).

NEW QUESTION # 89

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