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Real Estate New Jersey Real Estate Salesperson Exam Sample Questions (Q68-Q73):

NEW QUESTION # 68

A buyer and broker enter into a 3-month exclusive buyer agency agreement. With regard to the broker's right to be compensated and to work with other clients, this means that during the term of this agreement, the broker

- A. is entitled to compensation even if the buyer purchases a property that they locate.
- B. may not show a property to other buyers until the buyer decides if they want to make an offer.
- C. must be compensated by the seller.
- D. is only due compensation if the buyer purchases one of the broker's listings.

Answer: A

Explanation:

Under an Exclusive Buyer Agency Agreement, the buyer agrees that the broker is their exclusive representative during the term. This creates a contractual right for the broker to be compensated regardless of who finds the property. If the buyer purchases any property during the agreement period (even one they personally locate or one listed by another brokerage), the broker is still entitled to commission as agreed.

The broker is not restricted from showing properties to other buyers at the same time, as fiduciary obligations run individually to each client.

Reference: New Jersey Real Estate Salesperson Pre-Licensure Course Study Guide, Chapter on Agency Relationships; NJREC Buyer Representation Agreements.

NEW QUESTION # 69

Rules for Truth in Lending and RESPA call for disclosure documents to borrowers. How can a managing broker best prepare associated licensees to manage these disclosures?

- A. The buyer's broker can provide samples so that when the licensee and the borrower prepare the forms they are following a good example.
- B. Because the lender has primary responsibility to provide these forms, the broker and licensees should be aware of the items required for the lender to comply.
- C. Because the listing broker will be primarily responsible for completing the Loan Estimate to send to the lender, the broker should train associated licensees to collect all the necessary information in a timely fashion.
- D. The managing broker should train licensees to advise borrowers to accept the Loan Estimate right away.

Answer: B

Explanation:

Under TILA-RESPA Integrated Disclosure (TRID) rules, the lender is primarily responsible for preparing and delivering the Loan Estimate and Closing Disclosure.

Brokers and licensees do not prepare these forms.

However, licensees must be knowledgeable about the disclosures so they can help clients understand the process and provide necessary information for lender compliance.

Thus, the best practice is B: brokers should ensure licensees are aware of what the lender requires.

Reference: Truth in Lending Act (Regulation Z); RESPA (Regulation X); NJ Real Estate Salesperson Study Guide, Chapter on Federal Lending Laws.

NEW QUESTION # 70

A broker who charges or collects an advance fee in excess of \$25 for services to be rendered MUST:

- A. deduct the amount collected from the commission or settlement
- **B. furnish within ninety days of its collection an accounting of how the money was used**
- C. retain the difference between the amount of money collected and the amount spent
- D. give the principal receipts for all expenditures

Answer: B

Explanation:

According to N.J.A.C. 11:5-6.1(j), any broker who collects an advance fee greater than \$25 for services to be rendered must provide the client with a written accounting within 90 days of the collection date. This accounting must detail how the money was used and what services were performed.

This rule prevents abuse of advance fees and ensures transparency between brokers and clients. Brokers cannot simply keep advance fees without providing an itemized report.

Therefore, the correct answer is C.

Reference: NJREC Rules and Regulations, N.J.A.C. 11:5-6.1(j); NJ Real Estate Salesperson Pre-Licensure Course Guide, Chapter on Brokerage Business Practices.

NEW QUESTION # 71

A licensee faxes a list of available properties to prospective buyers. Which of the following is true?

- A. The licensee's company's name does not need to be listed.
- B. The licensee must include only a phone number to reply.
- C. The licensee must mail an identical list to all parties.
- **D. The fax must contain an opt-out provision for future communications.**

Answer: D

Explanation:

Under the federal Telephone Consumer Protection Act (TCPA) and Junk Fax Prevention Act:

Any unsolicited fax must include a clear opt-out provision allowing the recipient to request no further communications.

The fax must also identify the sender, including company name.

There is no requirement to mail identical lists.

Correct answer = A.

Reference: Telephone Consumer Protection Act (TCPA); Junk Fax Prevention Act; NJ Real Estate Salesperson Study Guide, Chapter on Advertising Rules.

NEW QUESTION # 72

A contract of sale prepared by a licensee MUST include an attorney review clause if it pertains to which of the following types of properties?

- **A. Single family residential vacant lot**
- B. Commercial building that does not exceed 10,000 square feet
- C. Six-family dwelling unit, a portion of which is used for non-residential purposes
- D. Subdivision of fifteen or more lots

Answer: A

Explanation:

According to the New Jersey Supreme Court Mandated Attorney Review Clause (as adopted by NJREC, N.J.

A).C. 11:5-6.2(g)), all contracts prepared by licensees for the sale of one-to-four family residential properties and residential vacant lots must contain the three-day attorney review clause.

The purpose is to protect consumers in residential transactions by giving them the right to have their attorney review and potentially cancel or modify the contract within three business days.

Therefore, the correct answer is D, because the attorney review clause is mandatory for contracts involving a single-family residential vacant lot.

Reference: NJREC Rules and Regulations, N.J.A.C. 11:5-6.2(g); NJ Attorney Review Clause Requirement, New Jersey Real Estate Salesperson Pre-Licensure Course Guide.

NEW QUESTION # 73

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