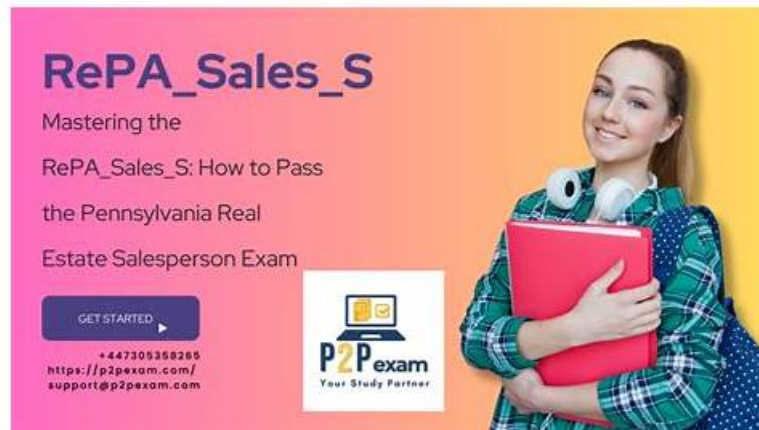


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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q50-Q55):

NEW QUESTION # 50

A salesperson who operates as an independent contractor for a broker is seldom in the office. Earnest money deposits received by this salesperson:

- A. May be held by the salesperson for 3 business days.
- B. May be kept temporarily in an escrow account opened by the salesperson.
- **C. Should be transmitted promptly after receipt to the broker.**
- D. Should be returned to the buyer to transmit to the broker.

Answer: C

Explanation:

Under 49 Pa. Code § 35.324 (Handling of Deposits and Escrow Money), all earnest money deposits must be promptly transmitted to the employing broker for deposit into an escrow account.

* A salesperson cannot hold earnest money or maintain an escrow account on their own.

* Brokers are responsible for ensuring that all escrow funds are properly handled and protected from commingling.

Why the other answers are incorrect:

* Option A (Salesperson Holding Escrow Funds): Salespersons are prohibited from maintaining independent escrow accounts.

* Option C (Holding Funds for 3 Days): Earnest money must be turned over to the broker as soon as possible; salespersons cannot hold it for any period.

* Option D (Returning to Buyer for Transmission): Earnest money must go directly to the broker, not back to the buyer.

NEW QUESTION # 51

What MAXIMUM length of time may a salesperson's real estate license be inactive before reactivation ceases to be possible without retaking and passing the licensing examination?

- A. 3 years
- B. 4 years
- C. 2 years
- D. 5 years

Answer: D

Explanation:

If a real estate license is inactive for more than 5 years, the licensee must retake and pass the licensing exam to reinstate their license.

* 49 Pa. Code § 35.251 (Relicensure Following Revocation or Inactive Status) states that a licensee who has been inactive for over 5 years must complete all initial licensing requirements again, including the exam.

* A licensee can keep their license in inactive status indefinitely, but after 5 years, it requires reexamination.

Why the other answers are incorrect:

* Option A (2 Years) & Option B (3 Years): Licensees may reactivate their license within this period without retaking the exam.

* Option C (4 Years): The limit is 5 years, not 4.

Reference:

49 Pa. Code § 35.251- Relicensure Following Revocation or Inactive Status

NEW QUESTION # 52

The Commission, after obtaining the facts of a verified complaint against a licensee, holding a hearing, and finding that licensee guilty, may:

- A. Imprison a licensee for no more than 90 days.
- B. Make the licensee take up to 20 hours of ethics training.
- C. Levy a fine of \$2,000 - \$5,000 if this is the licensee's first offense.
- D. Suspend or revoke a license and/or levy a fine of \$1,000 or less.

Answer: D

Explanation:

Under 63 P.S. § 455.305 (Civil Penalty Provisions), the Pennsylvania Real Estate Commission has the authority to suspend or revoke a license and impose fines of up to \$1,000 per violation.

* The Commission can impose fines but does not have authority over criminal penalties such as imprisonment.

* Suspension or revocation is a common penalty for severe violations, including fraud, misrepresentation, or mismanagement of client funds.

Why the other answers are incorrect:

* Option A (\$2,000 - \$5,000 Fine): The fine limit for first offenses is typically \$1,000 per violation.

* Option C (20 Hours of Ethics Training): Training may be recommended but is not an official penalty imposed by the Commission.

* Option D (90-Day Imprisonment): The Commission does not have authority to impose jail sentences.

Reference:

63 P.S. § 455.305- Civil Penalty Provisions

NEW QUESTION # 53

What is the status of a person's real estate license after a claim has been paid from the Real Estate Recovery Fund to settle a claim against that licensee?

- A. Active
- **B. Suspended**
- C. Reinstated
- D. Inactive

Answer: B

Explanation:

Under 63 P.S. § 455.803 (Real Estate Recovery Fund), if the Pennsylvania Real Estate Commission pays out money from the Real Estate Recovery Fund due to a licensee's misconduct, the license is automatically suspended.

* A suspended license means the person cannot legally practice real estate until they reimburse the Recovery Fund for the full amount paid, plus interest.

* This is a consumer protection measure to ensure that licensees who cause financial harm cannot continue practicing until restitution is made.

* Once repayment is made, the licensee must apply for reinstatement, which is not automatic and may require a hearing.

Why the other answers are incorrect:

* Option A (Active): The license does not remain active after a payout from the fund.

* Option B (Inactive): "Inactive" means the licensee voluntarily stopped practicing, which is not the case here.

* Option C (Reinstated): Reinstatement does not occur automatically; the licensee must repay the fund and petition for reinstatement.

Reference:

63 P.S. § 455.803 - Real Estate Recovery Fund Suspension Rules

NEW QUESTION # 54

Which entities are authorized to investigate charges against real estate licensees concerning illegal discrimination in the sale or rental of housing?

- A. The Pennsylvania State Legislature and the Pennsylvania Real Estate Commission
- B. The Pennsylvania Real Estate Commission and the Better Business Bureau
- C. The Pennsylvania Human Relations Commission and the Pennsylvania State Legislature
- **D. The Pennsylvania Real Estate Commission and the Pennsylvania Human Relations Commission**

Answer: D

Explanation:

Both the Pennsylvania Real Estate Commission (PREC) and the Pennsylvania Human Relations Commission (PHRC) have authority to investigate illegal discrimination in real estate transactions.

* The Pennsylvania Human Relations Commission (PHRC) is responsible for enforcing the Pennsylvania Human Relations Act (PHRA), which prohibits discrimination in housing based on race, color, religion, ancestry, age, sex, national origin, disability, and familial status.

* The Pennsylvania Real Estate Commission (PREC) investigates complaints against licensed real estate professionals who violate fair housing laws, including violations of the Real Estate Licensing and Registration Act (RELRA).

Why the other answers are incorrect:

* Option A (Pennsylvania State Legislature and PREC): The Legislature makes laws but does not enforce them or conduct investigations.

* Option B (PREC and Better Business Bureau): The Better Business Bureau (BBB) is a private organization and does not have legal enforcement authority.

* Option C (PHRC and Legislature): The Legislature does not investigate complaints, but the PHRC does.

NEW QUESTION # 55

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