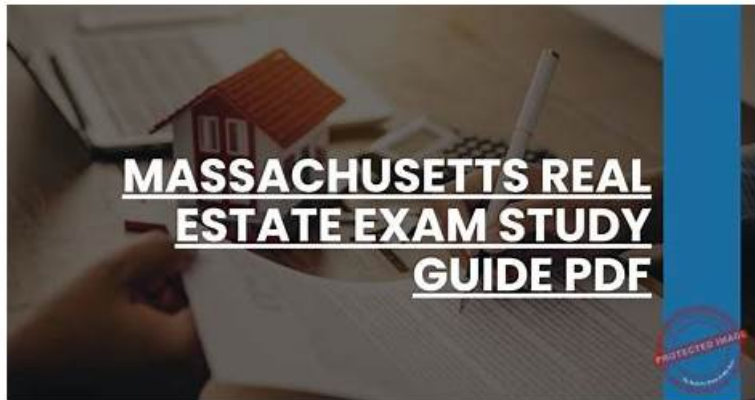


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Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q84-Q89):

NEW QUESTION # 84

A broker has been engaged to locate a property for a buyer. The broker has determined that a suitable property for the buyer is for sale and is owned by the broker's cousin. The broker has not informed the buyer of the broker's relationship with the owner. If the buyer purchases the property under these circumstances, the broker is

- A. Violating the license law because it is illegal to purchase family property for a principal.

- B. Not violating the license law because the broker in this situation has no duty of disclosure.
- **C. Violating the license law because a relative's interest shall be made known to all parties.**
- D. Not violating the license law because a relative's interest is an exception to the fiduciary duty rule.

Answer: C

Explanation:

Under Massachusetts real estate license law, a broker must disclose any personal interest, or the interest of an immediate family member, in a transaction to all parties. This is a matter of fiduciary duty and is explicitly required under 254 CMR 3.00.

Failing to disclose that the seller is the broker's cousin constitutes a conflict of interest and violates the duty of loyalty, disclosure, and honesty to the client (the buyer). While it is not illegal to buy or sell property involving relatives, the relationship must always be made known to avoid misrepresentation or concealment of material facts.

Therefore, the broker is in violation because the familial relationship was not disclosed.

Reference: 254 CMR 3.00 - Duties of Licensees; M.G.L. c. 112, § 87AAA; Massachusetts Real Estate Candidate Information Bulletin - Agency & Disclosure.

NEW QUESTION # 85

A private integrated club refused to rent one of its condos to a minority family. The club explained that it did not rent the condos to the public since the condos were for members only. Is the club in violation of the federal Fair Housing Act, and if so, how?

- **A. Yes, because when race is involved, no exceptions to the federal Fair Housing Act exist.**
- B. Yes, because the club had minority members, and therefore was not eligible for exemptions from the federal Fair Housing Act.
- C. No, because a private club may restrict the rental of its own lodgings to its members as long as the lodgings are not operated commercially.
- D. No, because as an integrated club, they could discriminate on the basis of race in renting facilities.

Answer: A

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

The federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968) prohibits housing discrimination based on race, color, religion, sex, national origin, familial status, or disability. While the Act contains limited exemptions for private clubs and religious organizations, no exemption applies when race is involved.

Therefore, even if the club limits occupancy to members, it cannot refuse to rent based on race. Race discrimination is always illegal, regardless of ownership type or membership restrictions.

B is incorrect: minority membership status does not determine exemption.

C is false: no private club exemption allows racial discrimination.

D misstates the exemption; private clubs may limit lodging to members, but not on the basis of race.

Thus, the correct answer is A: when race is involved, no exemptions apply.

Reference: Fair Housing Act, 42 U.S.C. 3604; Massachusetts Real Estate Salesperson Candidate Handbook - Fair Housing.

NEW QUESTION # 86

Time is of the essence means

- A. every act under the contract must be performed on the exact date specified.
- B. the closing must occur as soon as possible.
- C. time limits stated in the contract may not be modified, even by mutual agreement of the parties.
- **D. time limits set forth in the contract must be carefully observed.**

Answer: D

Explanation:

The phrase "time is of the essence" is a standard clause in Massachusetts real estate contracts. It means that contract deadlines are legally binding and must be strictly observed. Failure to perform within the time specified constitutes a breach of contract.

It does not mean that the closing must occur "as soon as possible" (A) but rather on the date agreed upon.

C overstates - while performance must be timely, contracts may allow flexibility in exact timing if not specified.

D is incorrect because deadlines may be modified if both parties agree in writing.

Thus, the best legal definition is B: time limits set forth in the contract must be carefully observed.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Contracts; M.G.L. c.106, Uniform Commercial Code §2-309 (time requirements).

NEW QUESTION # 87

A tenant in a building that is being converted to condominiums is required to receive an opportunity to purchase the unit the tenant occupies at terms

- A. 20% less than that offered to the general public.
- B. 15% less than that offered to the general public.
- C. Equal to or better than that offered to the general public.
- D. At a monthly payment equal to the tenant's current monthly rent.

Answer: C

Explanation:

Under Massachusetts law (specifically M.G.L. c. 183A), tenants in properties being converted to condominiums are given the right of first refusal to purchase the unit they occupy. The offer must be made at terms that are equal to or better than those offered to the general public.

This ensures that tenants have the opportunity to buy their units at the same price or better terms than any outside buyers. This protection allows tenants the chance to remain in their homes as owners, rather than being displaced.

The law does not stipulate that the unit must be offered at a discount (such as 20% or 15% off); rather, the terms must be equal or more favorable than those available to others.

Reference: M.G.L. c. 183A, 9; Massachusetts Real Estate Candidate Information Bulletin - Tenants' Rights.

NEW QUESTION # 88

Active licensees renewing a real estate license must have completed how many hours of continuing education during the two years prior to the scheduled renewal?

- A. Twelve
- B. Four
- C. Six
- D. Sixteen

Answer: C

Explanation:

In Massachusetts, active real estate licensees are required to complete 12 hours of continuing education (CE) during the two-year period prior to their license renewal. This education is essential to ensure that real estate professionals stay updated on industry changes, including legal updates, ethical practices, and the latest regulations.

Among the 12 hours, 3 hours must be focused on the legal aspects of real estate, while the remaining 9 hours can be chosen from various real estate topics, such as ethics, property management, or fair housing laws.

Thus, the correct answer is that six hours are required for continuing education, not 4, 12, or 16.

Reference: 254 CMR 6.00 - Continuing Education Requirements; Massachusetts Real Estate License Law.

NEW QUESTION # 89

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