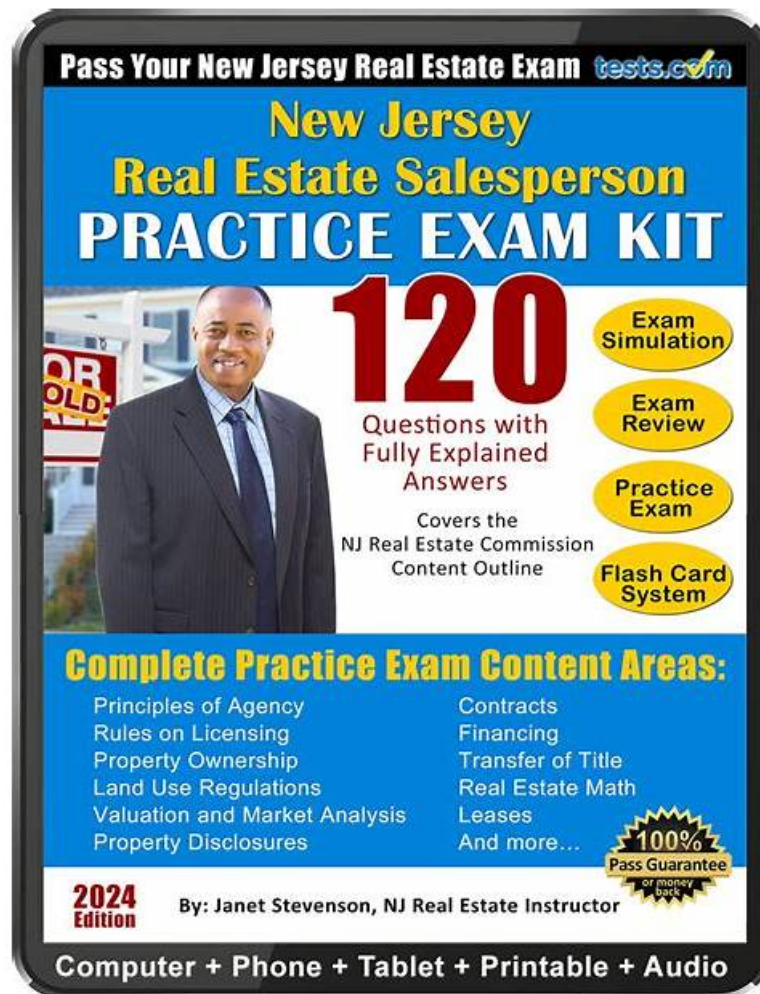


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## Real Estate New Jersey Real Estate Salesperson Exam Sample Questions (Q66-Q71):

### NEW QUESTION # 66

A seller has listed a home with a broker for \$112,000. The seller is leaving for a 45-day cruise midway through the listing period and authorizes the broker through a limited power of attorney to accept any offer of all cash at a price of \$108,000 or more pending his return. The broker receives an offer for \$110,000 all cash.

The broker

- A. must forward the offer to the seller's attorney for consideration.
- B. may sign a deed of conveyance if the seller does not return on time.
- C. may accept the offer.
- D. may not accept the offer until the seller returns.

**Answer: C**

Explanation:

The New Jersey Real Estate Commission rules clarify that brokers typically have no power to accept offers on behalf of the owner without authorization. However, in this case, the seller granted a limited power of attorney expressly authorizing the broker to accept all-cash offers of \$108,000 or more.

A (may not accept) is incorrect because the authorization is clear.

B (forward to attorney) is not required since the broker has direct authority.

D (sign deed of conveyance) is beyond the broker's authority; only the seller can convey title unless a formal attorney-in-fact arrangement authorizes deed execution, which was not given here.

Therefore, the correct answer is C.

Reference: NJ Real Estate Salesperson Study Guide, Agency Agreements & Fiduciary Duties; NJ Contract Law principles regarding limited power of attorney.

### NEW QUESTION # 67

Which of the following is a radioactive odorless gas which may require mitigation?

- A. formaldehyde
- B. carbon monoxide
- C. asbestos
- D. radon

**Answer: D**

Explanation:

Radon is a naturally occurring, colorless, tasteless, and odorless radioactive gas formed from the natural breakdown of uranium in soil and rock. It can accumulate in basements and lower levels of homes.

The New Jersey Department of Environmental Protection (NJDEP) identifies radon as a serious environmental hazard. Testing and mitigation systems (such as sub-slab ventilation) are required in certain areas of New Jersey where radon levels are high.

Asbestos is a fibrous mineral linked to lung disease but is not radioactive.

Formaldehyde is a chemical used in building materials but is not radioactive.

Carbon monoxide is a deadly, odorless gas from combustion, but again not radioactive.

Therefore, the correct answer is A (radon).

Reference: NJ Real Estate Salesperson Pre-Licensure Course Guide, Chapter on Environmental Issues; NJDEP Radon Awareness Statutes.

### NEW QUESTION # 68

According to the Real Estate Licensing Law, a real estate licensee can provide a rebate of the commission to a buyer

- A. if a writing confirming the terms of the rebate is provided to the buyer at closing.
- B. if the licensee is the broker.
- C. if notated on the contract of sale.
- D. provided it does not exceed 50% of the total commission.

**Answer: A**

Explanation:

New Jersey law (P.L. 2009, c. 273; NJ Real Estate Licensing Law) permits brokers to rebate a portion of their commission to a buyer provided that:

The rebate does not constitute a violation of RESPA or other federal laws.

The terms of the rebate are disclosed in writing to the buyer prior to closing.

The rebate must be documented in the transaction records maintained by the broker.

There is no statutory 50% cap, and it does not have to be written directly into the contract of sale. It is also not limited to the broker personally—salespersons may provide a rebate under the broker's supervision.

Reference: New Jersey Real Estate Commission - Licensing Law, Commission Rebates to Buyers, N.J.S.A.

45:15-17; NJREC Bulletins on Commission Rebates.

### NEW QUESTION # 69

A client is considering listing an industrially zoned 10-acre site. It has been vacant for several years, and was formerly used as an automobile junkyard. What would a responsible real estate licensee recommend the seller consider obtaining prior to putting the property on the market?

- A. an electromagnetic field determination
- B. a radon measurement analysis
- C. an air quality report from the Environmental Protection Agency
- D. an environmental site assessment

**Answer: D**

Explanation:

A property formerly used as an automobile junkyard may have soil or groundwater contamination.

The recommended due diligence is an Environmental Site Assessment (ESA), usually a Phase I ESA, to evaluate potential contamination and liability under environmental laws (such as CERCLA).

Radon, EMF, or air quality reports may be relevant in other contexts, but here the correct and standard recommendation is an ESA.

Correct answer = B.

Reference: NJ Real Estate Salesperson Study Guide, Chapter on Environmental Issues; CERCLA and Phase I ESA guidelines.

### NEW QUESTION # 70

New Jersey Real Estate Commission regulations require a licensee to terminate membership in a real estate board or multiple listing service whenever the organization:

- A. suggests uniform commission rates among all member brokers
- B. lobbies against legislation that the licensee personally favors
- C. charges dues that the licensee feels are excessive
- D. advocates rules, practices, and/or standards with which the licensee does not agree

**Answer: A**

Explanation:

The NJ Real Estate Commission prohibits price-fixing or collusion regarding commission rates. If a real estate board, trade association, or MLS suggests or enforces uniform commission rates among member brokers, participation in such a practice would violate antitrust laws as well as NJREC regulations.

In such cases, licensees must terminate their membership immediately to avoid disciplinary action. Lobbying, dues disputes, or general disagreements with rules are not grounds for mandatory termination.

Reference: NJREC Rules and Regulations; NJ Real Estate Salesperson Study Guide, Chapter on Antitrust and Commission Rules.

### NEW QUESTION # 71

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