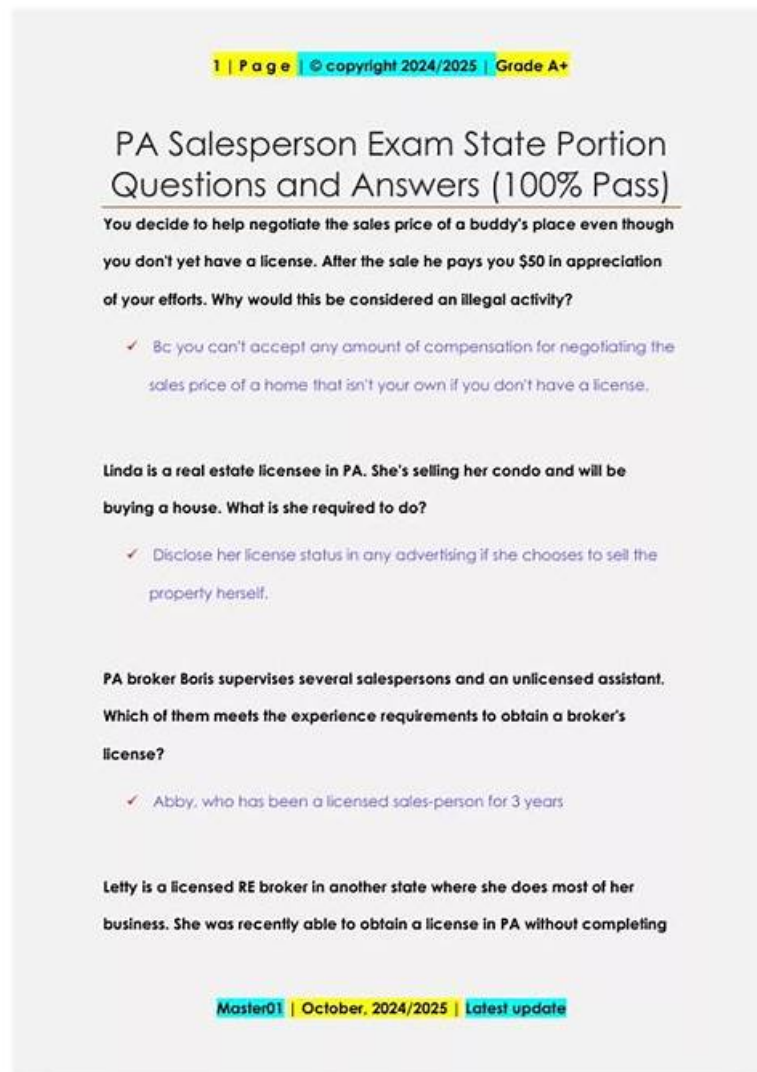


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Pennsylvania Real Estate Commission RePA_Sales_S Exam Syllabus Topics:

Topic	Details
Topic 1	<ul style="list-style-type: none">Miscellaneous: This section of the exam measures the skills of Real Estate Salespersons and includes several additional knowledge areas important for practice. Candidates are expected to understand property disclosures, the preparation and handling of contracts and forms, and the Pennsylvania Human Relations Act. It also covers the regulations relating to time-shares, as well as leasing and rental practices that are part of everyday real estate transactions.

Topic 2	<ul style="list-style-type: none"> • Regulations Governing the Activities of Licensees: This section of the exam measures the skills of Real Estate Brokers and centers on the professional standards and regulations that govern daily practice. It reviews rules regarding advertising, the working relationship between brokers and salespersons, and the proper handling of client funds and accounts. It also highlights prohibited conduct, as well as the conditions that can lead to suspension or revocation of a license.
Topic 3	<ul style="list-style-type: none"> • Licensure: This section of the exam measures skills of Real Estate Brokers and focuses on licensure requirements. It emphasizes qualifications necessary for obtaining a license, the activities that legally require licensure, and the processes for license renewal or reactivation. Additionally, it includes the rules for changing employment as a licensee and outlines specific exemptions from licensure under Pennsylvania law.
Topic 4	<ul style="list-style-type: none"> • Agency and Disclosure: This section of the exam measures the skills of Real Estate Salespersons and addresses the importance of proper agency and disclosure. It evaluates knowledge of agency disclosures, the duties of licensees, and how different agency relationships function in practice. It also covers compensation rules and the responsibilities that come with working under different types of agency agreements.
Topic 5	<ul style="list-style-type: none"> • Real Estate Commission: This section of the exam measures skills of Real Estate Salespersons and covers the fundamental duties and powers of the Real Estate Commission. It includes understanding how complaints are handled, how investigations and hearings are conducted, and the processes for appeals. Candidates are also expected to be familiar with the Real Estate Recovery Fund, which provides protection for consumers in certain cases.

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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q34-Q39):

NEW QUESTION # 34

What **MUST** a licensee do before she can advertise, show, or offer a property?

- A. Provide a list of clients for whom she has successfully completed real estate transactions in the area.
- B. Prepare a comparative market analysis for the property.
- **C. Obtain authorization from the owner of the property.**
- D. Prepare a preliminary appraisal of the property.

Answer: C

Explanation:

Before advertising, showing, or offering any property, a real estate licensee must obtain written authorization from the property owner. This is a legal requirement to ensure that the licensee has the right to represent the property.

* 49 Pa. Code § 35.331 (Written Agreements Generally) states that a real estate licensee must have a written agreement with the property owner before performing any real estate services, including advertising and showing the property.

* 49 Pa. Code § 35.332 (Exclusive Listing Agreements) further clarifies that exclusive agreements must be in writing and signed by both the owner and broker.

* Without the owner's written consent, a licensee could be subject to penalties or disciplinary action from the Pennsylvania Real Estate Commission.

Why the other answers are incorrect:

- * Option A (Preliminary Appraisal): Licensees are not required to conduct appraisals unless they are certified appraisers.
- * Option C (List of Clients): There is no requirement to provide a history of past transactions before listing or advertising a property.
- * Option D (Comparative Market Analysis - CMA): A CMA is useful for pricing but is not required before advertising or showing a property.

Reference:

49 Pa. Code § 35.331- Written Agreements Generally

49 Pa. Code § 35.332- Exclusive Listing Agreements

NEW QUESTION # 35

According to the Real Estate Commission, which of the following is REQUIRED to hold a real estate license in Pennsylvania?

- A. A bank selling its foreclosed properties
- B. A home builder selling his brand new houses
- C. An individual selling five unimproved lots that she owns
- **D. An attorney who holds himself out as a provider of brokerage services**

Answer: D

Explanation:

In Pennsylvania, any person engaging in brokerage activities (such as negotiating sales or leases for compensation) must hold a real estate license unless specifically exempted.

* 49 Pa. Code § 35.201 (Definitions) & 63 P.S. § 455.304 (Exemptions) allow attorneys to practice real estate without a license ONLY IF the services are incidental to their legal practice.

* If an attorney advertises as a real estate broker or regularly engages in real estate transactions beyond legal services, they must obtain a real estate license.

Why the other answers are incorrect:

* Option B (Home Builder Selling New Houses): Builders are exempt when selling their own newly constructed homes.

* Option C (Banks Selling Foreclosures): Banks are exempt under 63 P.S. § 455.304 (a)(5) since they are not in the business of selling real estate for profit.

* Option D (Selling Five Unimproved Lots): Individuals selling their own property do not need a license, even for multiple lots.

References:

63 P.S. § 455.304- Exemptions from Licensing

NEW QUESTION # 36

A listing agreement must contain all of the following EXCEPT:

- A. The duration of the listing.
- B. The broker's compensation.
- C. A description of the services to be provided.
- **D. The broker's license number.**

Answer: D

NEW QUESTION # 37

A "For Sale by Owner" property owner has offered a flat fee to any licensee who procures a buyer. The owner's terms specify that 50% of the fee is payable upon contract acceptance, with the other 50% payable upon transfer of title. A CORRECT statement about this arrangement is that it is:

- A. acceptable if the fee does not exceed the prevailing commission rate.
- B. in violation of license law since all compensation must be paid at closing.
- C. in violation of license law since compensation for real estate sales can come only from listed properties.
- **D. acceptable if the fee is paid to the employing broker.**

Answer: D

Explanation:

Under 49 Pa. Code § 35.283 (Compensation and Commission), a salesperson can only receive payment through their employing

broker. This means that if the flat fee is paid to the broker (not directly to the salesperson), then the arrangement is legal.

* Commission does not have to be paid at closing; payment terms can be negotiated, including split payments.

* For Sale by Owner (FSBO) properties are not required to be listed with a brokerage, so compensation can still be earned if a licensee brings a buyer.

Why the other answers are incorrect:

* Option B (Commission Rate Limitations): There are no "prevailing" commission rates since commissions are always negotiable.

* Option C (Compensation Must Be at Closing): Commission can be structured differently (e.g., partial upfront payment).

* Option D (Only Listed Properties Qualify for Commission): Agents can earn commission on FSBOs as long as the broker is involved.

NEW QUESTION # 38

If a salesperson representing a buyer gets information from the seller's agent as to the status of the real estate transaction, what is the buyer's agent REQUIRED to do?

- A. Advise the loan officer as to the status of the transaction.
- B. Advise the seller as to the status of the transaction.
- **C. Advise the buyer as to the status of the transaction.**
- D. Advise the listing broker as to the status of the transaction.

Answer: C

Explanation:

Under 49 Pa. Code § 35.284 (Disclosures of Business Relationships), a buyer's agent has a fiduciary duty to their client. This means the agent must act in the buyer's best interest and communicate all material information regarding the transaction to the buyer.

* The buyer's agent's primary responsibility is to the buyer (Option B - Correct).

* The buyer's agent does not have any fiduciary duty to the seller (Option A - Incorrect).

* The buyer's agent is not required to inform the listing broker (Option C - Incorrect).

* The loan officer does not have the same level of involvement in fiduciary duties as the buyer (Option D - Incorrect).

NEW QUESTION # 39

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