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Real Estate New Jersey Real Estate Salesperson Exam Sample Questions (Q102-Q107):

NEW QUESTION # 102

A married couple is purchasing a home. They ask the salesperson to advise them regarding the best way to take title. The salesperson should

- A. decline to advise them and suggest that they consult an attorney.
- B. advise them to take title as tenants by the entirety.
- C. ask a broker to make a recommendation.
- D. explain the possible types of joint ownership so they understand the options.

Answer: A

Explanation:

According to the NJ Real Estate Commission regulations on licensee conduct and the Salesperson Study Guide (Agency & Professional Practice section), licensees may explain types of ownership but must not give legal advice or recommend a specific method of taking title. Advising how to take title (e.g., tenants by the entirety, joint tenancy, tenancy in common) constitutes the practice of law. The proper action is to refer the buyers to an attorney.

Therefore, the correct answer is C.

(Reference: NJ Real Estate Salesperson Pre-Licensure Course Study Guide, Professional Responsibilities & Avoiding Unauthorized Practice of Law.)

NEW QUESTION # 103

When buyers move into their new house, they see that the ceiling fan in the dining room is gone. The ceiling fan was not mentioned in the offer to purchase. Did the sellers have the right to take the ceiling fan?

- A. Yes, because it was not referenced in the contract.
- B. Yes, because it was the sellers' personal property.
- C. No, because it was a fixture in the house.
- D. No, because it was chattel.

Answer: C

Explanation:

A fixture is personal property that has become real property by being permanently attached (e.g., ceiling fans, light fixtures).

Fixtures are considered part of the real estate and transfer with the property unless specifically excluded in the contract.

Chattel refers to movable personal property, which a ceiling fan is not once installed.

Correct answer = C.

Reference: NJ Real Estate Salesperson Study Guide, Chapter on Property Ownership and Fixtures.

NEW QUESTION # 104

A buyer's agent is NOT permitted to tell a buyer that:

- A. a former occupant of a property had AIDS
- B. the seller is willing to accept less than the listing price because of financial circumstances
- C. the property was the scene of a serious crime
- D. the roof leaked recently but was patched by the owner

Answer: A

Explanation:

Under federal Fair Housing Law (1988 Amendments) and NJ Law Against Discrimination:

Licensees are prohibited from disclosing that a property was occupied by someone with HIV/AIDS. Such disclosure is considered discrimination against persons with disabilities.

Material defects (e.g., roof leaks) must be disclosed.

Stigmatized property issues (e.g., crime scenes) do not legally require disclosure in NJ, but agents may discuss if asked.

Disclosing the seller's willingness to accept less is allowed only with the seller's consent.

Correct prohibited disclosure = B.

Reference: Fair Housing Amendments Act (1988); NJ Law Against Discrimination; NJ Real Estate Salesperson Study Guide, Chapter on Fair Housing and Disclosure.

NEW QUESTION # 105

Which of the following best describes the Housing for Older Persons Act?

- A. It allows the awarding of monetary damages against those who believed that property designated as housing for older persons was exempt.
- B. It requires that 55-and-older housing have significant facilities and services designed for seniors.
- C. It allows grandparents with grandchildren to be exempt from the provisions of the Act.
- D. It requires that at least 80% of occupied units have one person age 55 or older living there.

Answer: D

Explanation:

The Housing for Older Persons Act (HOPA, 1995 amendment to the Fair Housing Act) provides exemption from familial status discrimination if:

At least 80% of units are occupied by at least one person 55 years of age or older.

The housing adheres to a policy of providing housing for older persons.

The requirement for "significant facilities and services" was removed by the 1995 Act.

Correct answer = B.

Reference: Housing for Older Persons Act of 1995; NJ Real Estate Salesperson Study Guide, Chapter on Fair Housing.

NEW QUESTION # 106

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

Answer: C

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 # 107

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