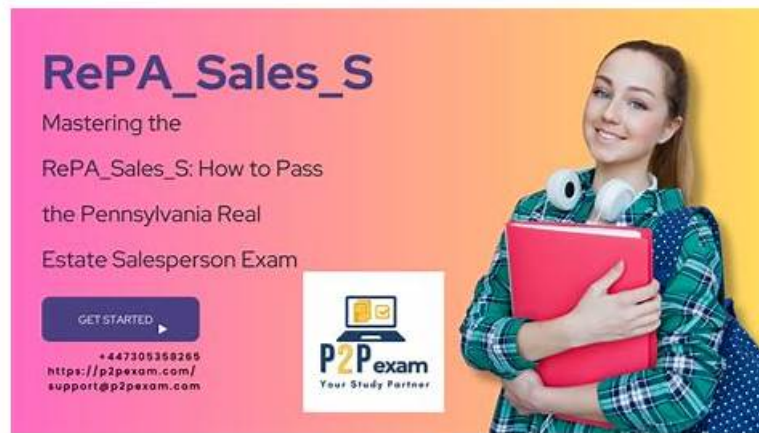


Pennsylvania Real Estate Commission - RePA_Sales_S - Unparalleled Free PA Salesperson State Exam Study Material



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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q42-Q47):

NEW QUESTION # 42

A person is employed by a real estate owner to manage a multifamily residential property. Which of the following activities is the person permitted to perform without a real estate license?

- A. Negotiate terms and conditions of occupancy.
- **B. Provide information on rental amounts and building rules and regulations.**
- C. Enter into leases on behalf of the owner.
- D. Hold money belonging to tenants other than on behalf of the owner.

Answer: B

Explanation:

Under 49 Pa. Code § 35.201 (Definitions), an unlicensed individual who is directly employed by a property owner can perform certain tasks, such as providing rental information and enforcing building rules, but they cannot engage in leasing or negotiation activities.

* Providing information on rental amounts and building rules is considered administrative and does not require a real estate license.

* However, negotiating leases, collecting rents on behalf of third parties, or holding security deposits in a non-owner-controlled account would require a real estate license.

Why the other answers are incorrect:

* Option B (Entering into Leases): Only a licensed real estate broker or a supervised salesperson can legally execute lease agreements on behalf of a landlord.

* Option C (Negotiating Terms): Negotiating lease terms is an activity that requires a real estate license.

* Option D (Holding Tenant Funds Independently): Handling tenant funds outside of the owner's direct control is a brokerage activity and requires a real estate license.

NEW QUESTION # 43

A real estate licensee may be disciplined by the Pennsylvania Real Estate Commission for which of the following reasons?

- A. Inability to obtain automobile liability insurance
- **B. Habitual intoxication or drug addiction**
- C. Any felony conviction
- D. Nonpayment of Federal income taxes

Answer: B

Explanation:

Under 49 Pa. Code § 35.291 (Reporting of Crimes and Disciplinary Actions), a real estate licensee may face disciplinary action for engaging in unethical conduct, fraud, or incompetence. One of the reasons listed is habitual intoxication or drug addiction, as this impairs the licensee's ability to properly conduct real estate activities.

* A felony conviction (Option D - Incorrect) does not automatically result in discipline but is reviewed by the Commission.

* Failure to pay taxes (Option C - Incorrect) is a federal issue, not a licensing violation.

* Car insurance (Option A - Incorrect) is unrelated to a real estate license.

NEW QUESTION # 44

An owner sells a house through a salesperson who works as an independent contractor for a broker. Before the closing, the owner fires the broker. However, the owner agrees to pay the salesperson a \$1,000 fee for services. Which of the following is TRUE?

- A. The owner can cancel any part of the sales contract at any time.
- **B. The salesperson cannot legally accept the \$1,000.**
- C. The salesperson may legally accept the \$1,000.
- D. The salesperson may only accept the \$1,000 with the broker's consent.

Answer: B

Explanation:

According to 49 Pa. Code § 35.283 (Compensation and Commission), a salesperson may not accept compensation from anyone other than their employing broker.

* A salesperson cannot accept direct payments from an owner or buyer (Option A - Correct).

* The owner cannot cancel the sales contract unilaterally (Option B - Incorrect).

* The salesperson may only be compensated through the broker, even if the owner agrees to direct payment (Option C & D - Incorrect).

NEW QUESTION # 45

A licensee meets with a couple to discuss listing their home, and the couple ends the meeting by signing a listing agreement. State law REQUIRES that the couple receive a copy of the agreement:

- A. after the licensee obtains their employing broker's signature.
- **B. within 5 business days from the time the agreement was signed.**

- C. after the cancellation period has expired.
- **D. at the time their signatures are obtained.**

Answer: D

Explanation:

Under 49 Pa. Code § 35.331 (Written Agreements Generally), a copy of any written agreement (including listing agreements) must be provided to the parties at the time of signing.

- * This rule ensures transparency and protects clients from unauthorized changes to agreements.
- * Failure to provide an immediate copy is a violation of Pennsylvania real estate regulations.

Why the other answers are incorrect:

- * Option B (Broker Signature First): The broker does not need to sign before providing a copy to the client.
- * Option C (After Cancellation Period): There is no required waiting period before providing a copy.
- * Option D (Within 5 Days): The law states it must be immediate, not within 5 days.

NEW QUESTION # 46

Can a licensed real estate broker prepare an appraisal for a new loan on property that the broker has listed for sale?

- A. Yes, with proper disclosure to the lender about the broker's qualifications.
- B. Yes, if the appraisal is done before an offer to purchase is accepted by the seller.
- C. Yes, if the appraisal is identified as a comparative market analysis.
- **D. No, real property appraisals are not within the scope of practice for a real estate broker.**

Answer: D

Explanation:

Under The Pennsylvania Real Estate Appraisers Certification Act (63 P.S. § 457.1-457.19), only a state-certified or licensed appraiser can perform real estate appraisals for loan purposes.

- * Real estate brokers and salespersons can perform Comparative Market Analyses (CMAs) but cannot legally perform an appraisal for a lender.
- * This restriction ensures that appraisals used for lending purposes meet state and federal standards.

Why the other answers are incorrect:

- * Option A (CMAs as Appraisals): CMAs are not appraisals.
- * Option B (Before Offer Accepted): The timing of the appraisal does not change licensing requirements.
- * Option C (Disclosure to Lender): Even with disclosure, brokers are not permitted to conduct appraisals for loans.

NEW QUESTION # 47

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