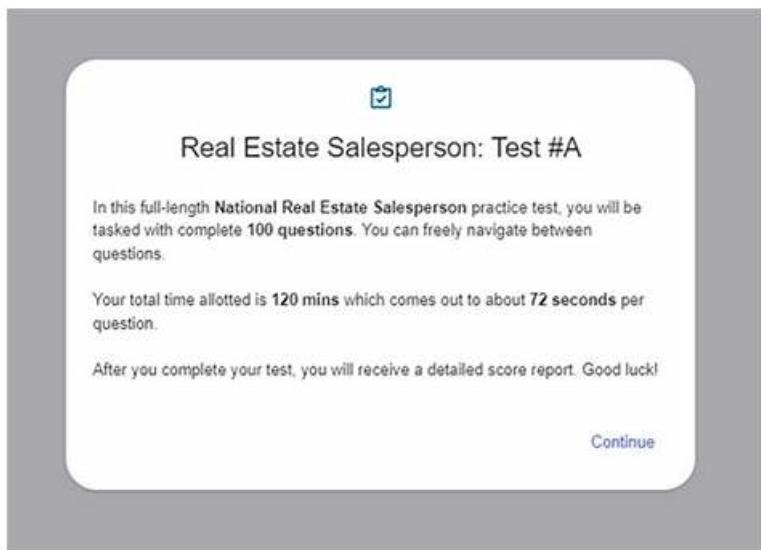


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Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q114-Q119):

NEW QUESTION # 114

A property manager has successfully negotiated the lease of a home built in 1965 to tenants who have no children. Regarding

disclosure of lead-based paint, the property manager should

- A. do nothing, as regulations only apply when children are present.
- B. have all the lead-based paint covered or removed by licensed mitigators.
- **C. have the tenants sign the disclosure form and provide them with the required booklet.**
- D. give the tenants 10 days to test the home and provide them with the required booklet.

Answer: C

Explanation:

The Residential Lead-Based Paint Hazard Reduction Act (Title X, 1992) requires that landlords and sellers of housing built before 1978 disclose any known lead-based paint hazards to prospective tenants or buyers.

Massachusetts enforces this rule strictly due to its older housing stock.

The law applies regardless of whether children are present. Tenants must receive:

An EPA-approved lead hazard information booklet.

A disclosure form confirming acknowledgment.

Tenants must be informed of their right to test for lead, but in a lease situation they do not automatically get a 10-day inspection period (that applies to sales, not rentals). Covering or removing lead paint (B) is only required if a child under six will occupy the property in Massachusetts, under the Lead Law (M.G.L. c.111 §197).

Thus, the correct answer is D.

Reference: EPA Lead-Based Paint Disclosure Rule; Massachusetts Lead Law; Massachusetts Real Estate Salesperson Candidate Handbook - Environmental Issues.

NEW QUESTION # 115

A broker maintains a trust or escrow account. A \$10,000 earnest money deposit is received from a buyer and deposited in the account. Several weeks later and prior to closing, the broker withdraws \$7,000 from the account and puts it in an operating account. This transaction is

- **A. an instance of illegal conversion of funds.**
- B. permissible as long as the broker is entitled to at least \$7,000 in commission.
- C. a violation of federal banking regulations.
- D. permissible if the seller was informed about the transfer of funds.

Answer: A

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

Escrow (trust) accounts must hold client funds untouched until proper disbursement (closing, termination, or mutual written instructions). Withdrawing funds prematurely is considered conversion, the illegal taking or use of another's money.

A: Brokers may only disburse commission funds after closing, not in advance.

B: This is not primarily a banking violation, but a license law violation.

D: Disclosure to the seller does not legalize misappropriation.

Massachusetts law (254 CMR 3.10) strictly prohibits commingling and conversion of escrow funds.

Violations can result in loss of license and criminal liability.

Correct answer: C.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Escrow Accounts; 254 CMR 3.10.

NEW QUESTION # 116

An advertisement emphasizes information meant to appeal to a particular ethnic or national group in an effort to maintain the character of the neighborhood. From the viewpoint of the federal Fair Housing Act, this could constitute a violation known as

- A. redlining
- B. panic selling
- C. blockbusting
- **D. steering.**

Answer: D

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

The Fair Housing Act prohibits discriminatory advertising that suggests preference, limitation, or discrimination based on race, color, national origin, religion, sex, familial status, or disability. Advertising designed to appeal to a particular ethnic or national group in order to "maintain neighborhood character" is an example of steering - influencing or directing prospective buyers or sellers based on protected class considerations.

Blockbusting (C) involves inducing owners to sell due to fear of demographic changes.

Redlining (B) refers to lenders refusing loans in certain neighborhoods.

Panic selling (D) is essentially synonymous with blockbusting, not advertising.

Thus, targeted ethnic advertising with the intent to control neighborhood composition is considered steering.

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

NEW QUESTION # 117

A buyer files a complaint against a licensee with the Massachusetts Commission Against Discrimination (MCAD). MCAD denies the complaint because the buyer filed it too long after the discriminatory incident occurred. Within how many days after the alleged incident must a complaint be filed to be considered?

- A. 0
- **B. 1**
- C. 2
- D. 3

Answer: B

Explanation:

The Massachusetts Commission Against Discrimination (MCAD) enforces the state's Fair Housing Law (M.

G.L. c. 151B). A person who believes they have experienced housing discrimination must file a written complaint with MCAD within 300 days of the alleged discriminatory act.

Complaints filed after 300 days will be dismissed as untimely. This timeframe aligns with federal Equal Employment Opportunity Commission (EEOC) procedures but is tailored for housing discrimination enforcement at the state level.

Thus, the deadline is 300 days.

Reference: M.G.L. c. 151B, 5; MCAD Complaint Procedures.

NEW QUESTION # 118

A buyer and a seller have a purchase agreement that contains a home inspection contingency. The buyer has applied for a VA mortgage. After the home inspection is completed, the buyer writes an addendum requesting that the seller pay to repair several items found by the home inspector. The seller counters the addendum by requiring that the buyer agree that the repairs will be made, but that no further expenses will be incurred by the seller. The VA appraisal inspection has not been conducted. Under these circumstances, which of the following is correct?

- **A. The original contract is still in effect.**
- B. The licensee should encourage the seller to place the home back on the market.
- C. The VA inspection is not necessary because the buyer's home inspection report will be sent to the mortgage company.
- D. There is no longer a valid contract.

Answer: A

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

In this scenario, the parties have entered into a binding purchase agreement with a home inspection contingency. The buyer submitted an addendum requesting seller repairs, but the seller countered. Since the buyer has not yet accepted, the counter is not binding - therefore, the original contract remains in effect until both parties agree to a modification.

Additionally, because the financing is a VA loan, the VA still requires a VA appraisal (separate from the buyer's home inspection) to determine value and minimum property requirements. The VA inspection cannot be waived by substituting the home inspector's report.

Thus, the correct answer is B: the original contract is still in effect.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Contracts; VA Loan Program Guidelines.

NEW QUESTION # 119

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