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Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q44-Q49):

NEW QUESTION # 44

A home warranty for a previously owned home would usually cover which of the following items?

- A. only home systems such as the roof, plumbing, and foundation
- **B. major appliances and home systems such as electric, heating, and plumbing**
- C. structure or flooding issues after closing
- D. major appliances, the buyer's personal property, and any seller added fixtures

Answer: B

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

A home warranty (separate from homeowners insurance) is a service contract that covers the cost of repair or replacement of major home systems and appliances due to normal wear and tear. Typical coverage includes heating and cooling systems, electrical, plumbing, and major appliances such as ovens, dishwashers, and refrigerators.

A: Structural or flooding issues are generally covered by homeowner's insurance or flood insurance, not warranties.

B: Roofs and foundations may not be covered unless optional riders are purchased.

D: Buyer's personal property and seller's fixtures are not part of warranty coverage.

Thus, the best answer is C.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Property Condition and Warranties; HUD Home Warranty Guidance.

NEW QUESTION # 45

Which of the following best completes the following metes and bounds description? "Beginning at the intersection of Bunker Hill Road and Munson Avenue, thence 150 feet south; thence 85 feet west; thence 150 feet north; thence"

- A. 85 feet west to the Point of Beginning.
- B. 85 feet east to the Point of Beginning.
- C. 150 feet south to the Point of Beginning.
- D. 150 feet west to the Point of Beginning.

Answer: B

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

A metes and bounds description closes by returning to the Point of Beginning (POB) using the necessary final course to complete the perimeter. Here, the sequence runs: 150 feet south, 85 feet west, and 150 feet north.

After going south 150' and later north 150', you are back aligned with the original east-west line at the POB but 85 feet west of it.

To close, you must travel 85 feet east back to the POB. Therefore, the only correct final call is "85 feet east to the Point of Beginning." This reflects the standard principle that metes and bounds must form a closed polygon, ending exactly where they started. Massachusetts exam content treats metes and bounds as a valid legal description method emphasizing a closed traverse that returns to the POB and uses calls of direction and distance to define boundaries precisely.

References: Massachusetts Real Estate Salesperson Candidate Handbook - Property Ownership & Legal Descriptions; Modern Real Estate Practice (legal descriptions: metes and bounds).

NEW QUESTION # 46

An offer of \$569,000 is verbally accepted by a seller. Two hours later an offer of \$589,000 is presented to the seller, which the seller accepts in writing. Based on the above situation the first buyer is

- A. Not entitled to the status as a backup offer.
- B. Entitled to an additional offer.
- C. Entitled to purchase the property.
- D. Not entitled to purchase the property.

Answer: D

Explanation:

Under Massachusetts law and the Statute of Frauds (M.G.L. c. 259), all contracts for the sale of real property must be in writing and signed to be enforceable. A verbal acceptance of an offer does not create a binding real estate contract. Therefore, when the seller verbally accepted the first offer of \$569,000, no enforceable agreement was formed.

Later, when the seller accepted the \$589,000 offer in writing, that acceptance created the first legally binding contract because it was in writing and signed. The first buyer cannot compel the seller to sell to them, as there was no enforceable written agreement. Thus, the first buyer is not entitled to purchase the property. Only the second, written offer created enforceable contractual rights.

Reference: Massachusetts General Laws Chapter 259 (Statute of Frauds); Massachusetts Real Estate Candidate Information Bulletin, Section: Contracts.

NEW QUESTION # 47

The Massachusetts Consumer Protection Act (M.G.L. c. 93A) does NOT apply to which of the following persons?

- A. Builders who sell fewer than ten homes a year
- **B. Owners who sell their homes privately**
- C. Listing brokers who receive only a percentage of commissions
- D. Salespersons since they are obligated to their employing brokers only

Answer: B

Explanation:

The Massachusetts Consumer Protection Act (M.G.L. c. 93A) prohibits "unfair or deceptive acts or practices in the conduct of any trade or commerce." This law applies to persons engaged in business transactions, including brokers, salespersons, and builders selling homes.

However, a private homeowner selling their own home without engaging in trade or commerce is exempt.

Courts have consistently held that Chapter 93A applies to persons "engaged in business" and does not cover purely private, non-business transactions such as a homeowner selling their own single residence.

Thus, while brokers, agents, and even builders are covered by c. 93A (even if they build/sell fewer than ten homes), a private owner selling without brokerage or business involvement is exempt.

Reference: M.G.L. c. 93A, § 1; Massachusetts Real Estate Candidate Information Bulletin - Consumer Protection Law.

NEW QUESTION # 48

A broker has listed a property for \$225,000. An offer of \$210,000 contingent upon inspection comes in the first week and the seller accepts it. Another offer of \$205,000 comes in the second week. The seller accepts it as a secondary offer contingent upon the termination of the first offer. The first offeror demands the seller spend \$5,000 in repairs before going through with the purchase. The seller may do any of the following EXCEPT

- A. agree to do the needed repairs and consummate the transaction with the first offeror.
- **B. ignore the demand and sell the property to the second offeror.**
- C. terminate the first agreement in writing and sell to the second offeror.
- D. refuse to do the repairs and still proceed with the sale in as-is condition.

Answer: B

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

Once the seller accepted the first buyer's offer, they entered into a legally binding contract. Any additional requests for repairs must be negotiated. The seller may:

Agree to the repairs (A)

Refuse and insist on as-is (B)

Terminate by mutual agreement in writing and move to the secondary offer (C) However, the seller cannot simply ignore the buyer's demands and sell to another buyer. Doing so would be a breach of contract. The second offer is valid only as a backup if the first contract is properly terminated.

Thus, the seller may do anything except D.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Contracts; Secondary Offers.

NEW QUESTION # 49

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