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Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q97-Q102):

NEW QUESTION # 97

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. Not entitled to purchase the property.

- D. Entitled to purchase the property.

Answer: C

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 # 98

The listing broker has been presented with multiple offers. The seller would accept only a cash offer on the home, so the broker will present

- **A. all offers to the seller.**
- B. the highest cash offer to the seller.
- C. the highest offer to the seller.
- D. only cash offers to the seller.

Answer: A

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

Under license law and the broker's fiduciary duty of obedience and disclosure, the listing broker must present all offers to the seller promptly, regardless of terms, unless the seller gives prior written instructions to the contrary. The broker does not have discretion to screen offers or present only those that match the seller's preferences.

It is the seller's decision whether to reject, accept, or counter offers (including non-cash offers). By law, withholding offers could constitute a violation of fiduciary duty and possibly discrimination if done selectively.

Thus, the correct answer is D: all offers to the seller.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Agency Duties; 254 CMR 3.00.

NEW QUESTION # 99

The common area of a condominium development is owned by

- **A. all owners as tenants in common.**
- B. its duly elected Board of Directors.
- C. those owners who were original owners of the units.
- D. any individuals who pay a prorated share of the taxes and maintenance.

Answer: A

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

In a condominium, each unit owner holds fee simple title to their individual unit, plus an undivided interest in the common areas (hallways, lobbies, grounds, recreational facilities). This interest is shared as tenants in common with all other owners, meaning no single owner can claim exclusive rights to any portion of the common elements.

A: The Board of Directors manages the property but does not own the common areas.

B: Original ownership does not confer unique rights; ownership passes with each sale.

C: Paying a prorated share of expenses is required, but ownership is based on deeded rights, not payment.

Therefore, the correct answer is D: all owners as tenants in common.

Reference: Massachusetts Condominium Act (M.G.L. c.183A); Massachusetts Real Estate Salesperson Candidate Handbook - Property Ownership.

NEW QUESTION # 100

A licensee whose license has been suspended is required to

- A. Stop working, but may still make referrals.
- B. Appeal the decision within 14 days.
- **C. Surrender the license to the Board of Registration.**
- D. Do nothing; no action is required.

Answer: C

Explanation:

When a real estate license is suspended in Massachusetts, the licensee must surrender their license to the Board of Registration immediately. Suspension means the licensee is temporarily prohibited from engaging in real estate activities.

The licensee cannot continue to work, make referrals, or conduct any real estate transactions during the suspension period. They must follow the suspension terms set by the Board, and the license will be reinstated after the suspension period has ended, provided they comply with any further requirements. The licensee may appeal the decision, but this must be done separately from the immediate surrender requirement.

Reference: M.G.L. c. 112, § 87FF; 254 CMR 5.00 - Disciplinary Action.

NEW QUESTION # 101

When practicing as a facilitator, the facilitator

- A. Must represent a seller or a buyer.
- **B. Does not represent the seller or the buyer.**
- C. Has an agency obligation of disclosure to the seller.
- D. Must have signed Disclosed Dual Agency.

Answer: B

Explanation:

A facilitator is a neutral party who assists both the buyer and the seller in a real estate transaction but does not have the agency responsibilities of an agent. Facilitators do not represent either party (seller or buyer) and do not owe fiduciary duties to either. The role of a facilitator is limited to helping both parties complete the transaction by providing guidance on the process, preparing documents, and ensuring that all procedural steps are followed.

Unlike agents, facilitators are not required to disclose confidential information or negotiate on behalf of either party. Their primary function is to assist with the logistics of the transaction without representing one party's interests over the other.

Reference: 254 CMR 3.00 - Agency Relationships; Massachusetts Real Estate Candidate Information Bulletin - Facilitator Role.

NEW QUESTION # 102

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