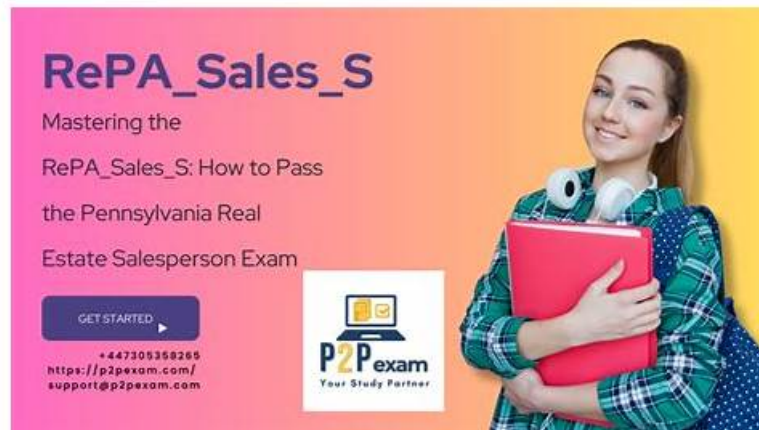


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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q28-Q33):

NEW QUESTION # 28

What MUST a licensee do before she can advertise, show, or offer a property?

- A. Prepare a preliminary appraisal of the property.
- B. Provide a list of clients for whom she has successfully completed real estate transactions in the area.
- C. Prepare a comparative market analysis for the property.
- **D. Obtain authorization from the owner of the property.**

Answer: D

Explanation:

Before advertising, showing, or offering any property, a real estate licensee must obtain written authorization from the property owner. This is a legal requirement to ensure that the licensee has the right to represent the property.

* 49 Pa. Code § 35.331 (Written Agreements Generally) states that a real estate licensee must have a written agreement with the property owner before performing any real estate services, including advertising and showing the property.

* 49 Pa. Code § 35.332 (Exclusive Listing Agreements) further clarifies that exclusive agreements must be in writing and signed by both the owner and broker.

* Without the owner's written consent, a licensee could be subject to penalties or disciplinary action from the Pennsylvania Real Estate Commission.

Why the other answers are incorrect:

* Option A (Preliminary Appraisal): Licensees are not required to conduct appraisals unless they are certified appraisers.

* Option C (List of Clients): There is no requirement to provide a history of past transactions before listing or advertising a property.

* Option D (Comparative Market Analysis - CMA): A CMA is useful for pricing but is not required before advertising or showing a property.

Reference:

49 Pa. Code § 35.331- Written Agreements Generally

49 Pa. Code § 35.332- Exclusive Listing Agreements

NEW QUESTION # 29

Licensing law in the Commonwealth of Pennsylvania requires that a real estate salesperson be supervised by a licensed real estate broker or a broker-assigned:

- **A. Associate broker.**
- B. Salesperson.
- C. Team leader.
- D. Transaction coordinator.

Answer: A

Explanation:

Under 49 Pa. Code § 35.241 (Supervision and Operation of Offices), a licensed real estate salesperson must be supervised by a broker or an associate broker designated by the broker.

* A broker may assign an associate broker (who has passed the broker exam but does not own the brokerage) to oversee salespersons.

* Salespersons cannot work independently; they must work under the direction of a licensed broker or an assigned associate broker.

Why the other answers are incorrect:

* Option A (Team Leader): A team leader is not a formal supervisory position under Pennsylvania law unless they are an associate broker or broker.

* Option B (Salesperson): A salesperson cannot supervise other salespersons.

* Option D (Transaction Coordinator): A transaction coordinator handles paperwork but does not supervise licensees.

NEW QUESTION # 30

What MAXIMUM length of time may a salesperson's real estate license be inactive before reactivation ceases to be possible without retaking and passing the licensing examination?

- A. 3 years
- B. 4 years
- **C. 5 years**
- D. 2 years

Answer: C

Explanation:

If a real estate license is inactive for more than 5 years, the licensee must retake and pass the licensing exam to reinstate their license.

* 49 Pa. Code § 35.251 (Relicensure Following Revocation or Inactive Status) states that a licensee who has been inactive for over 5 years must complete all initial licensing requirements again, including the exam.

* A licensee can keep their license in inactive status indefinitely, but after 5 years, it requires reexamination.

Why the other answers are incorrect:

* Option A (2 Years) & Option B (3 Years): Licensees may reactivate their license within this period without retaking the exam.

* Option C (4 Years): The limit is 5 years, not 4.

Reference:

NEW QUESTION # 31

The Commission, after obtaining the facts of a verified complaint against a licensee, holding a hearing, and finding that licensee guilty, may:

- A. Imprison a licensee for no more than 90 days.
- B. Levy a fine of \$2,000 - \$5,000 if this is the licensee's first offense.
- **C. Suspend or revoke a license and/or levy a fine of \$1,000 or less.**
- D. Make the licensee take up to 20 hours of ethics training.

Answer: C

Explanation:

Under 63 P.S. § 455.305 (Civil Penalty Provisions), the Pennsylvania Real Estate Commission has the authority to suspend or revoke a license and impose fines of up to \$1,000 per violation.

* The Commission can impose fines but does not have authority over criminal penalties such as imprisonment.

* Suspension or revocation is a common penalty for severe violations, including fraud, misrepresentation, or mismanagement of client funds.

Why the other answers are incorrect:

* Option A (\$2,000 - \$5,000 Fine): The fine limit for first offenses is typically \$1,000 per violation.

* Option C (20 Hours of Ethics Training): Training may be recommended but is not an official penalty imposed by the Commission.

* Option D (90-Day Imprisonment): The Commission does not have authority to impose jail sentences.

Reference:

63 P.S. § 455.305- Civil Penalty Provisions

NEW QUESTION # 32

A salesperson who operates as an independent contractor for a broker is seldom in the office. Earnest money deposits received by this salesperson:

- A. Should be returned to the buyer to transmit to the broker.
- **B. Should be transmitted promptly after receipt to the broker.**
- C. May be kept temporarily in an escrow account opened by the salesperson.
- D. May be held by the salesperson for 3 business days.

Answer: B

Explanation:

Under 49 Pa. Code § 35.324 (Handling of Deposits and Escrow Money), all earnest money deposits must be promptly transmitted to the employing broker for deposit into an escrow account.

* A salesperson cannot hold earnest money or maintain an escrow account on their own.

* Brokers are responsible for ensuring that all escrow funds are properly handled and protected from commingling.

Why the other answers are incorrect:

* Option A (Salesperson Holding Escrow Funds): Salespersons are prohibited from maintaining independent escrow accounts.

* Option C (Holding Funds for 3 Days): Earnest money must be turned over to the broker as soon as possible; salespersons cannot hold it for any period.

* Option D (Returning to Buyer for Transmission): Earnest money must go directly to the broker, not back to the buyer.

NEW QUESTION # 33

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