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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q49-Q54):

NEW QUESTION # 49

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

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

Answer: C

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 # 50

The Real Estate Commission is empowered to take action against a licensee who is found to have engaged in any of the following activities EXCEPT:

- A. Failing to furnish a copy of a listing contract to an owner after taking a listing.
- B. Failing to provide information requested by the Pennsylvania Real Estate Commission in response to a complaint about the licensee engaging in prohibited acts.
- C. Making any substantial misrepresentation.
- **D. Failing to include the salesperson's name in all advertising.**

Answer: D

Explanation:

Under 49 Pa. Code § 35.305 (Business Name on Advertisements), advertisements must include the broker's name but are not required to include the salesperson's name.

* While a salesperson's name may appear in an ad, it is not a required element under Pennsylvania law.

* However, failing to disclose key information in an ad, such as the broker's name, could result in disciplinary action.

Why the other answers are incorrect:

* Option A (Misrepresentation): Misrepresentation is a serious offense and can lead to suspension or revocation.

* Option B (Failing to Provide Listing Contract): A copy of the listing contract must be furnished to the seller at the time of signing.

* Option D (Failing to Provide Information to the Commission): Failure to respond to an investigation can result in fines, suspension, or revocation.

Reference:

49 Pa. Code § 35.305- Business Name on Advertisements

63 P.S. § 455.303- Prohibited Acts by Licensees

NEW QUESTION # 51

Why is the following advertisement placed by a salesperson employed by ABC Realty, in violation of Pennsylvania Rules?

"Harrisburg \$200,000 SUPER BUY Cozy 3br, 2 1/2 bath Cottage, near bus. For info call 555-9234 (home) or 675-6330 (office). Ask for JOHN DOE."

- A. The salesperson's name appears in the ad.
- B. No address is given.
- **C. The broker's name does not appear in the ad.**
- D. The MLS number is not included in the ad.

Answer: C

Explanation:

According to 49 Pa. Code § 35.305 (Business Name on Advertisements), all advertisements placed by a salesperson must include the broker's name.

- * The broker's name is missing, which violates Pennsylvania advertising requirements (Option C - Correct).
- * The property address does not need to be in the ad (Option A - Incorrect).
- * Salesperson names are allowed but must be accompanied by the broker's name (Option B - Incorrect).
- * MLS numbers are not a requirement in all advertisements (Option D - Incorrect).

Reference:

49 Pa. Code § 35.305- Business Name on Advertisements

NEW QUESTION # 52

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

Answer: B

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:

49 Pa. Code § 35.251- Relicensure Following Revocation or Inactive Status

NEW QUESTION # 53

Which of the following phrases in a rental ad may be permissible?

- A. All Couples Apartment Building
- B. Children 12 and Older Only
- C. Adults Only Building
- **D. Creek Village - an Age-Restricted Community**

Answer: D

Explanation:

Under The Federal Fair Housing Act (42 U.S.C. § 3604) and the Pennsylvania Human Relations Act (PHRA), it is illegal to discriminate against renters or buyers based on family status, which includes children.

However, age-restricted housing is allowed under certain conditions.

* Housing communities designated as "55 and older" or "62 and older" are legally permitted under the Housing for Older Persons Act (HOPA), provided they meet federal guidelines.

* Option C (Creek Village - an Age-Restricted Community) is lawful because it indicates compliance with HOPA, meaning at least 80% of residents are over 55.

Why the other answers are incorrect:

* Option A (Children 12 and Older Only): Discriminating against families with young children violates the Fair Housing Act (FHA).

* Option B (Adults Only Building): Landlords cannot prohibit families with children from renting.

* Option D (All Couples Apartment Building): This discriminates against single renters and violates fair housing laws.

References:

The Fair Housing Act (42 U.S.C. § 3604)

Housing for Older Persons Act (HOPA) (42 U.S.C. § 3607(b))

Pennsylvania Human Relations Act (PHRA)

NEW QUESTION # 54

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