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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q31-Q36):

NEW QUESTION # 31

The provisions of the Real Estate Licensing and Registration Act apply to:

- A. A licensed auctioneer who is auctioning property.
- B. An attorney-at-law who participates in real estate transactions on behalf of a client.
- **C. A real estate licensee selling real estate they own.**
- D. A trustee who participates in real estate transactions under the authority of a court order.

Answer: C

Explanation:

Under 63 P.S. § 455.304 (Exemptions from Licensing Requirements), most individuals selling their own property are exempt from real estate licensing requirements. However, a real estate licensee selling their own real estate must comply with disclosure laws and ethical obligations.

* If a real estate licensee sells their own property, they must disclose in all advertising that they are a licensed real estate professional to avoid misleading the public.

* While a non-licensee selling their own property is not covered under real estate licensing laws, a licensed salesperson must adhere to licensing and disclosure laws.

Why the other answers are incorrect:

* Option A (Trustee under Court Order): Court-appointed trustees are exempt from real estate licensing requirements.

* Option B (Attorney Representing Clients): Attorneys are permitted to handle real estate transactions as part of their legal practice without a real estate license.

* Option D (Licensed Auctioneer): Auctioneers selling real estate are regulated under separate auctioneer licensing laws, not real estate licensing laws.

Reference:

63 P.S. § 455.304- Exemptions from Licensing Requirements

NEW QUESTION # 32

A salesperson secures a listing priced at \$110,000. A prospective buyer asks the salesperson to write a \$65,000 offer for the property. The salesperson should:

- A. Prepare the offer as requested but not waste the seller's time presenting it.
- **B. Prepare the offer as requested and present it to the seller.**
- C. Suggest that the buyer have another licensee prepare the offer.
- D. Advise the buyer to offer more for the property since the seller is unlikely to accept such a low offer.

Answer: B

Explanation:

Under 49 Pa. Code § 35.292 (Duties of Licensees Generally), a real estate licensee is required to present all written offers to the seller, regardless of the amount.

* It is the seller's right to accept, reject, or counter an offer, not the salesperson's decision.

* A salesperson cannot refuse to submit an offer based on personal opinions about the price.

* Presenting all offers ensures fair dealings and upholds fiduciary duty to the seller.

Why the other answers are incorrect:

* Option A (Not Waste the Seller's Time): It is the seller's decision to accept or reject an offer, not the salesperson's.

* Option C (Advise Buyer to Offer More): A licensee must remain neutral and cannot pressure a buyer to increase their offer.

* Option D (Suggest Buyer Use Another Agent): There is no reason to transfer the buyer to another agent. The agent must present the offer.

NEW QUESTION # 33

If a client requests to list their home for much more than the comparable market analysis (CMA) recommends, what is the duty of the salesperson?

- A. Provide the client financial advice as to how they can invest their assets to earn the amount they would like to receive
- B. Require the seller to receive an appraisal before listing the property
- C. Refuse the listing because accepting the listing would violate the Pennsylvania Real Estate Licensing and Registration Act
- **D. Advise the client as to the reason it is in their best interest to list the property closer to the comparable market value**

Answer: D

Explanation:

A real estate licensee has a fiduciary duty to provide honest, professional advice to their clients, including pricing strategies based on comparative market analysis (CMA).

* Under 49 Pa. Code § 35.292 (Duties of Licensees Generally), a licensee must act in the best interest of the client, which includes providing realistic pricing guidance.

* If a seller insists on listing at an inflated price, the agent should educate them on the risks, such as longer market time and reduced buyer interest.

* While the agent cannot force a seller to list at a lower price, they must ensure that the client makes an informed decision.

Why the other answers are incorrect:

* Option A (Require an Appraisal): CMAs are typically sufficient for pricing; an appraisal is only required in specific cases (e.g., lender requirements).

* Option B (Refuse the Listing): Overpricing is not illegal, so there is no licensing violation in accepting the listing.

* Option D (Providing Investment Advice): Real estate licensees are not financial advisors and should not offer investment strategies.

NEW QUESTION # 34

When a licensed salesperson changes from one broker to another, the Pennsylvania Real Estate Commission MUST be notified within how many days after the intended date of the change?

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

Answer: B

Explanation:

Under 49 Pa. Code § 35.301 (Changes in Employment Status), a salesperson must notify the Pennsylvania Real Estate Commission within 10 days of switching brokers.

* This ensures that the Commission's records remain up-to-date and that the salesperson is properly licensed under a supervising broker.

* Failure to report the change within 10 days can result in disciplinary action.

Why the other answers are incorrect:

* Option A (5 Days): The regulation clearly states 10 days, not 5.

* Option C (15 Days): This exceeds the allowed time frame for notification.

* Option D (30 Days): Waiting 30 days is too long and would violate Pennsylvania licensing laws.

Reference:

49 Pa. Code § 35.301- Changes in Employment Status

NEW QUESTION # 35

A salesperson has just obtained the seller's signature on an offer to purchase. When MUST the buyer receive a copy?

- A. Within 24 hours of the offer's acceptance
- **B. Within 1 business day of the offer's acceptance**
- C. In a reasonably practicable period of time
- D. At the closing

Answer: B

Explanation:

Under 49 Pa. Code § 35.331 (Written Agreements Generally), all parties must receive a copy of a signed offer within 1 business day of acceptance.

* This ensures that buyers and sellers have full documentation of the transaction.

* Delaying delivery of signed contracts can lead to disputes and potential violations of real estate regulations.

Why the other answers are incorrect:

* Option A (24 Hours): While fast delivery is preferred, the law specifically states "1 business day."

* Option C (At Closing): Buyers must receive a copy well before closing.

* Option D (Reasonably Practicable Time): This is too vague and does not meet the specific 1-business-day requirement.

NEW QUESTION # 36

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