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Real Estate Licensing Virginia Real Estate Salesperson Exam Sample

Questions (Q65-Q70):

NEW QUESTION # 65

What was the outcome of Plessy v. Ferguson?

- A. The Supreme Court decided that the enforcement of racially based restrictive covenants was illegal.
- B. The Supreme Court decided that racial segregation of children in public schools was illegal.
- **C. The Supreme Court decided that "separate but equal" separation of the races was legal as long as Black and white facilities were equal.**
- D. The Supreme Court decided that racially based zoning was illegal.

Answer: C

Explanation:

In Plessy v. Ferguson (1896), the U.S. Supreme Court upheld a Louisiana law mandating racial segregation in railway cars.

The Court ruled that racial segregation was constitutional under the "separate but equal" doctrine.

This legalized segregation in public facilities for decades until overturned by Brown v. Board of Education (1954), which declared segregation in public schools unconstitutional.

Other options:

(B) Refers to Brown v. Board of Education (1954).

(C) Refers to Shelley v. Kraemer (1948) (restrictive covenants).

(D) Refers to Buchanan v. Warley (1917) (racial zoning).

Reference (Virginia Real Estate & Civil Rights Law):

Plessy v. Ferguson, 163 U.S. 537 (1896)

Brown v. Board of Education, 347 U.S. 483 (1954)

Virginia Fair Housing Law history and case law integration

NEW QUESTION # 66

Harry, an agent, transfers some money from an escrow account into his personal savings accounts. What is he doing and is it legal or illegal?

- **A. This is conversion, and it is illegal.**
- B. This is conversion, and it is legal.
- C. This is commingling, and it is legal.
- D. This is commingling, and it is illegal.

Answer: A

Explanation:

Commingling occurs when a licensee mixes clients' escrow funds with their own funds in the same account. This is prohibited but usually involves "mixing," not directly taking the money.

Conversion occurs when a licensee uses or transfers client funds for personal use, such as Harry moving money from an escrow account to his personal account.

Conversion is considered a serious violation of Virginia license law and is illegal.

Reference:

Virginia Code §54.1-2108.1 (Maintenance and management of escrow accounts)

NEW QUESTION # 67

What is unique about an exclusive right-to-sell listing agreement?

- A. There are multiple brokers working to sell the same property.
- **B. The broker gets compensation regardless of who sells the property.**
- C. The broker acts as a general agent for the client in all business dealings.
- D. The broker represents both the seller and the buyer.

Answer: B

Explanation:

An Exclusive Right-to-Sell Listing Agreement is the strongest listing contract for brokers.

The broker earns a commission regardless of who procures the buyer-whether it's another broker, the seller themselves, or the listing agent.

This contrasts with an Exclusive Agency Agreement, where the seller may avoid paying commission if they find the buyer themselves.

Virginia law requires such agreements to be in writing, signed by all parties, and have a definite termination date (§ 54.1-2137).

Reference (Virginia Real Estate):

Code of Virginia § 54.1-2137 (Agency agreements)

Real Estate Regulations (18 VAC 135-20-280) regarding written agreements

NEW QUESTION # 68

Disclosure is an important part of a brokerage's duties and responsibilities. Which of the following is NOT an important disclosure all brokerages should make?

- A. disclosure of agency
- B. disclosure of all offers
- C. disclosure of an area's demographics of race and ethnicity
- D. disclosure of financial condition

Answer: C

Explanation:

Brokerages have legal and ethical disclosure obligations, including:

Disclosure of agency (who the licensee represents).

Disclosure of financial condition (as it pertains to ability to complete transaction).

Disclosure of all offers (must present promptly).

However, disclosing demographics of race and ethnicity violates the Fair Housing Act because it could encourage steering or discrimination. This type of disclosure is explicitly prohibited.

Reference (Virginia Real Estate):

Federal Fair Housing Act (42 U.S.C. §§ 3601-3619)

Virginia Fair Housing Law, Code of Virginia Title 36, Ch. 5.1

Real Estate Board Regulations (18 VAC 135-20-300) - Standards of conduct

NEW QUESTION # 69

Per se violations are:

- A. acts that are considered inherently illegal
- B. acts that are in violation of the TCPA
- C. acts that are in violation of CAN-SPAM
- D. acts that are NOT considered inherently illegal

Answer: A

Explanation:

In antitrust law, a per se violation is an act that is considered inherently illegal, regardless of intent or outcome.

Examples in real estate:

Price-fixing (brokers agreeing on commission rates).

Market allocation (dividing territories or clients).

Group boycotts (agreeing not to deal with a competitor).

These acts automatically violate the Sherman Antitrust Act without requiring proof of harm.

Other options confuse per se violations with other laws like TCPA (Do Not Call) or CAN-SPAM (email).

Reference (Virginia Real Estate):

Sherman Antitrust Act, 15 U.S.C. §§ 1-7

Virginia Real Estate Principles - Antitrust section

A490-02REGS.pdf - Professional conduct and antitrust

NEW QUESTION # 70

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