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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q29-Q34):

NEW QUESTION # 29

A salesperson is representing a buyer who wants to make an offer on a property that is listed by another licensee in her office. Without the listing licensee's knowledge, she becomes aware that the sellers are getting divorced. In what capacity would the salesperson NOT be able to share the information?

- A. Designated buyer agent
- B. Sub-agent of the buyer
- C. Transaction licensee
- D. Dual agent

Answer: D

Explanation:

Under 49 Pa. Code § 35.314 (Duties of Dual Agents), a dual agent represents both the buyer and seller in the same transaction and must maintain neutrality by not disclosing confidential information unless required by law.

* If the salesperson has knowledge that the sellers are getting divorced, this is considered confidential information that could harm their negotiating position.

* Dual agents cannot disclose confidential facts that would disadvantage either party unless both parties agree in writing.

* Disclosure of confidential details in a dual agency scenario would be a violation of Pennsylvania real estate law.

Why the other answers are incorrect:

* Option B (Sub-Agent of Buyer): A sub-agent of the buyer has a fiduciary duty to the buyer and may disclose information that benefits them.

* Option C (Transaction Licensee): A transaction licensee does not represent either party and may disclose non-confidential information.

* Option D (Designated Buyer Agent): A designated agent works solely for the buyer and is free to disclose information that benefits them.

NEW QUESTION # 30

According to the Pennsylvania Real Estate Commission, which one of the following actions by a licensee is prohibited conduct?

- A. Failure to disclose the licensee's use of a third party to acquire property listed by the licensee's office
- B. Taking a listing that has a duration of only 2 months
- C. Failure to engage legal counsel to respond to a Commission request for information stemming from a complaint about the licensee
- D. Negotiating a commission that seriously undercuts those of other brokerage firms

Answer: A

Explanation:

A real estate licensee in Pennsylvania is prohibited from failing to disclose any personal interest in a transaction. This includes using a third party to purchase property listed by the licensee's own office.

* 49 Pa. Code § 35.283 (Disclosure of Interest) requires that a licensee must disclose any financial interest they have in a transaction.

* If a licensee arranges for a third party (such as a relative or business associate) to purchase a property without disclosure, this is considered a serious ethical violation.

Why the other answers are incorrect:

* Option A (Short Listing Duration): Listings do not have a minimum required time period, so a 2-month duration is permissible.

* Option B (Undercutting Commission): Commission fees are negotiable, and the Real Estate Commission does not set a minimum fee.

* Option D (Legal Counsel Not Required): Licensees are not required to hire legal counsel to respond to Commission complaints, but they must respond honestly and fully.

Reference:

49 Pa. Code § 35.283- Disclosure of Interest

NEW QUESTION # 31

When a tenant who has a service or support animal applies to lease an apartment in a building that does not allow pets, which of the following rules may the landlord follow?

- A. The landlord may disallow the animal if it is not federally registered as a support or service animal.
- B. The landlord must allow the service or support animal but may charge an additional deposit.
- C. The landlord may disallow the animal if there are no other animals permitted in the building.
- D. Both state and federal laws require the landlord to allow any service or support animal.

Answer: D

Explanation:

Under the Fair Housing Act (42 U.S.C. § 3604) and the Americans with Disabilities Act (ADA) (42 U.S.C. § 12101), both service and emotional support animals must be allowed in rental properties, even in "no pets" buildings.

* Service animals (such as guide dogs) and emotional support animals (ESA) are not considered "pets" under federal and state law, so landlords cannot prohibit them.

* A landlord cannot charge an additional deposit or pet fee for service/support animals.

* The tenant must provide documentation from a licensed medical provider if the disability is not obvious, but there is no requirement for a formal "federal registration" of service animals.

Why the other answers are incorrect:

* Option B (Charge Additional Deposit): This is illegal under Fair Housing laws because service animals are not "pets".

* Option C (No Pets Rule): A no-pets policy does not apply to service animals.

* Option D (Federally Registered Service Animal): There is no federal registry for service animals, so this is not a valid requirement.

NEW QUESTION # 32

If a licensee advertises prizes as part of a promotion for the sale of real estate, which of the following must be disclosed in the advertisement?

- A. The names of any stores that will exchange the prize.
- B. How many others have won similar prizes.
- **C. The fair market value of the prize.**
- D. Where the prize was manufactured.

Answer: C

Explanation:

Under 49 Pa. Code § 35.305 (Business Name on Advertisements), a real estate licensee must disclose the fair market value of any prizes, gifts, or incentives offered as part of a sales promotion.

* This ensures transparency and prevents misleading advertisements that might influence a consumer's decision based on exaggerated prize values.

* Failure to disclose the fair market value could result in penalties or disciplinary action from the Pennsylvania Real Estate Commission.

Why the other answers are incorrect:

* Option B (Where the Prize Was Manufactured): There is no requirement to disclose where a prize was made.

* Option C (How Many Others Have Won): The law does not require disclosure of the number of previous winners.

* Option D (Names of Stores for Exchange): There is no requirement to provide names of stores that would honor or exchange the prize.

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

Answer: A

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

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