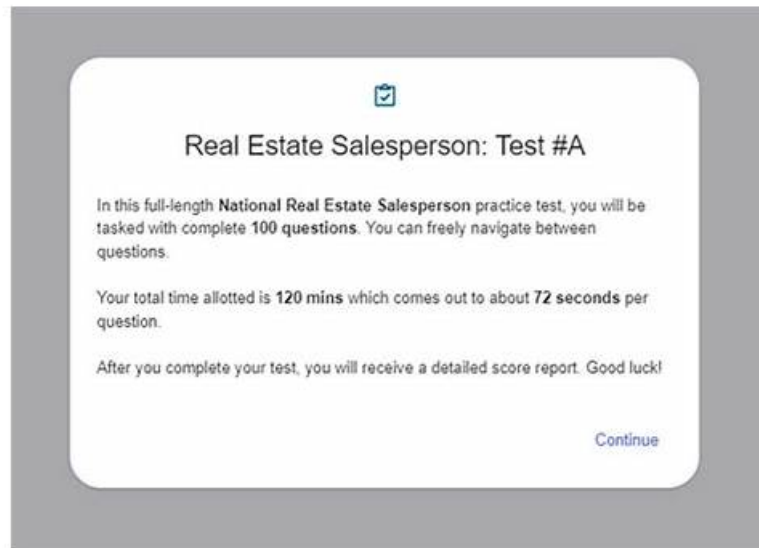


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Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q23-Q28):

NEW QUESTION # 23

If a seller defaults in performance of a contract, any of the following actions would be likely to help the buyer recover any losses EXCEPT

- A. bringing an action against the seller for payment of compensatory damages.
- B. canceling the contract and recovering the earnest money.
- C. suing the seller for specific performance.
- **D. filing a complaint with the Real Estate Commission.**

Answer: D

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

When a seller defaults on a purchase agreement, the buyer's remedies typically include:

Specific performance (A): Court order requiring the seller to perform.

Canceling and recovering earnest money (C).

Suing for damages (D).

However, filing a complaint with the Real Estate Commission (B) is not a legal remedy against the seller because the Commission regulates licensees, not private sellers. Unless the seller is also a licensee, the Commission cannot enforce the contract or award damages.

Thus, the correct answer is B: filing a complaint with the Real Estate Commission.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Contracts; Buyer Remedies.

NEW QUESTION # 24

A salesperson owns an apartment complex in Boston. The salesperson has decided to advertise the property for sale in a local newspaper and personally sell it. If the salesperson proceeds in this manner, the salesperson is

- A. Violating the law because a salesperson may not sell an income-producing property.
- **B. Not violating the law because the salesperson has all the rights of a non-salesperson owner.**
- C. Violating the law because the salesperson is not a broker and cannot advertise.
- D. Not violating the law because the broker-salesperson distinction does not apply to commercial properties.

Answer: B

Explanation:

A salesperson in Massachusetts, when selling their own property, has the same rights as a non-salesperson owner. The broker-salesperson distinction does not apply when an individual is selling their own property. A salesperson is not restricted from selling their own property, even if it is an income-producing property like an apartment complex.

The key distinction is that salespersons are prohibited from engaging in real estate activities for others without the supervision of a licensed broker. However, in this scenario, the salesperson is acting as an individual property owner and is free to advertise and sell the apartment complex without violating the law.

Therefore, the salesperson is not violating the law and has all the rights of a non-salesperson property owner.

Reference: M.G.L. c. 112, 87RR - Licensee Requirements; Massachusetts Real Estate Candidate Information Bulletin.

NEW QUESTION # 25

Which of the following is true about a competitive market analysis?

- A. It is employed for insurance purposes.
- B. It is used to establish depreciable value.
- C. It is usually based on local tax assessment.
- **D. It is useful to the buyer as well as to the seller.**

Answer: D

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

A competitive market analysis (CMA) is a tool prepared by real estate licensees to help sellers establish a listing price and to help buyers determine an appropriate offer. It compares recent sales of similar properties, active listings, and expired listings to estimate a property's fair market value.

A: Insurance companies use replacement cost appraisals, not CMAs.

B: Depreciable value is for tax accounting and appraisals, not CMAs.

C: Local tax assessments do not typically reflect current market value and are not the basis of a CMA.

Because it helps both sellers and buyers understand market value, the correct answer is D.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Valuation and Market Analysis.

NEW QUESTION # 26

According to the CAN-SPAM Act, every email advertisement for real estate services must do all of the following EXCEPT

- A. advise the recipient that it will take 180 days to remove the recipient's name from this email list.
- B. clearly indicate the nature of the content of the email.
- C. inform the recipient of the name and location of the brokerage firm.
- D. allow a method for the recipient to opt out and not receive future emails.

Answer: A

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

The CAN-SPAM Act of 2003 governs commercial email. Key requirements include:

Emails must not use misleading subject lines (A).

Must include the sender's valid physical postal address (B).

Must provide a clear, simple way to opt out of future emails (C).

Opt-out requests must be honored within 10 business days, not 180 days.

Thus, advising that it will take 180 days to remove an email address is not compliant.

Correct answer: D.

Reference: CAN-SPAM Act (15 U.S.C. 7704); Massachusetts Real Estate Salesperson Candidate Handbook

- Advertising Compliance.

NEW QUESTION # 27

The broker has a single agency relationship with the seller. The broker will show the property to a buyer who is a customer. The broker must disclose that the

- A. seller needs to move soon.
- B. seller does not like the next door neighbor.
- C. home has a leaky roof in heavy rains.
- D. home has a lake view.

Answer: C

Explanation:

In Massachusetts, when a broker represents the seller, the buyer is treated as a customer (not a client). While the broker owes fiduciary duties to the seller, they also have a duty of honest dealing and disclosure of material defects to customers.

A leaky roof in heavy rains is a material defect that affects the property's value and safety. The broker must disclose it regardless of agency relationship.

The seller's urgency to move (A) and dislike of a neighbor (D) are not material facts.

A positive feature like a lake view (B) may be marketed but is not a required disclosure.

Thus, the correct answer is C: leaky roof.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Agency & Disclosure; 254 CMR

3.00 (Licensee Obligations).

NEW QUESTION # 28

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