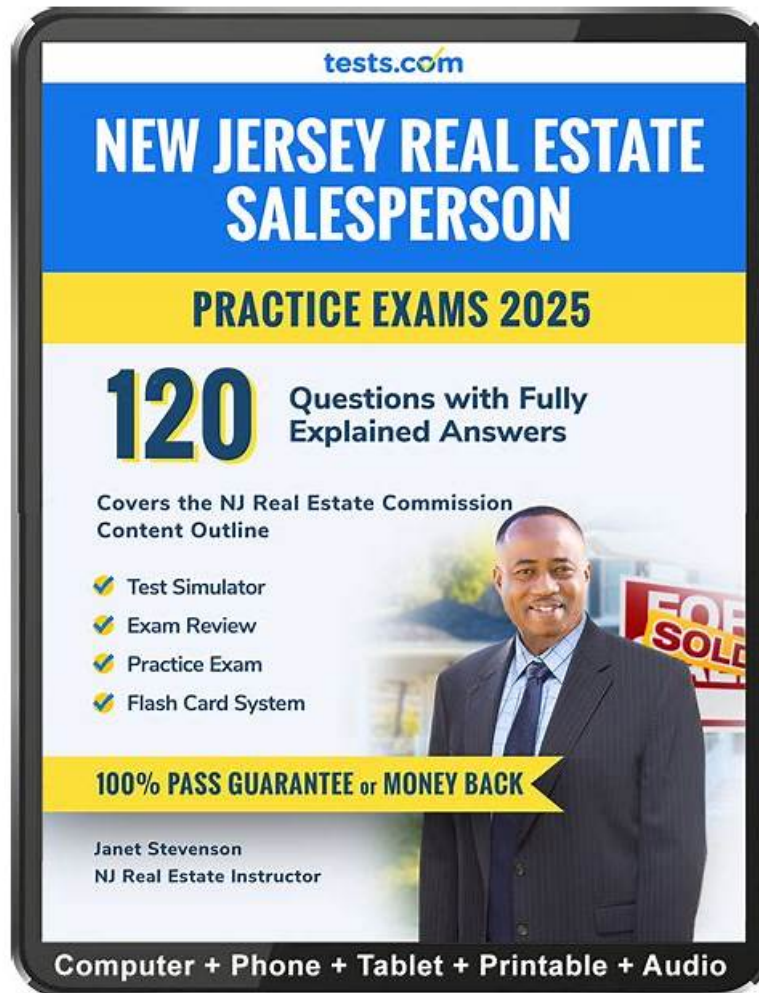


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Real Estate New Jersey Real Estate Salesperson Exam Sample Questions (Q30-Q35):

NEW QUESTION # 30

A private integrated club refused to rent one of its condos to a minority family. The club explained that it did not rent the condos to the public since the condos were for members only. Is the club in violation of the federal Fair Housing Act, and if so, how?

- A. Yes, because when race is involved, no exceptions to the federal Fair Housing Act exist.
- B. Yes, because the club had minority members, and therefore was not eligible for exemptions from the federal Fair Housing Act.
- C. No, because as an integrated club, they could discriminate on the basis of race in renting facilities.
- **D. No, because a private club may restrict the rental of its own lodgings to its members as long as the lodgings are not operated commercially.**

Answer: D

Explanation:

Under the Federal Fair Housing Act of 1968 (as amended), there are limited exemptions. One is the private club exemption: a bona fide private club that is not operated commercially may restrict the rental or occupancy of lodgings that it owns to members only. However, even though exemptions exist, race-based discrimination is never permitted in the sale or rental of housing to the public. Here, since the club restricts rentals to members only and does not rent to the general public, it is not in violation of the Act. Reference: Federal Fair Housing Act, 42 U.S.C. §3607 (Exemptions); NJ Real Estate Salesperson Study Guide, Chapter on Fair Housing and Civil Rights.

NEW QUESTION # 31

Which of the following can hold escrow accounts?

- A. banks, salespersons, and title companies
- B. salespersons, brokers, and lenders
- **C. banks, brokers, and attorneys**
- D. lenders, brokers, and real estate commissions

Answer: C

Explanation:

Under New Jersey law:

Salespersons may NOT hold escrow accounts.

Only brokers of record, attorneys, and financial institutions (banks) may lawfully maintain escrow accounts.

The Real Estate Commission itself does not hold escrow accounts.

Therefore, the correct grouping is banks, brokers, and attorneys.

Reference: NJREC Rules and Regulations, N.J.A.C. 11:5-5.1 (Trust Accounts); New Jersey Real Estate Salesperson Study Guide, Chapter on Escrow and Trust Funds.

NEW QUESTION # 32

Evergreen bushes and apple trees on a property that were planted by the current owner are examples of

- A. personal property
- B. trade fixtures
- C. real estate
- D. chattels

Answer: C

Explanation:

Natural attachments (trees, bushes, perennial plants) are part of the land and thus real estate.

Annual crops (emblems) are considered personal property.

Chattels = movable personal property.

Trade fixtures = items installed by a tenant for business use.

Correct answer = A.

Reference: NJ Real Estate Salesperson Study Guide, Chapter on Real vs. Personal Property.

NEW QUESTION # 33

A contract is delivered to the listing broker by a cooperating broker. The listing broker makes an appointment with the owner to present the offer at 7 p.m. of that day. Before 7 p.m., two more offers arrive on the same property. Which offer should be presented to the owner at the 7 p.m. appointment?

- A. all three of the offers
- B. the offer with the highest sale price
- C. the offer most favorable to the seller, including price and all terms
- D. the first offer received

Answer: A

Explanation:

Under NJREC rules and fiduciary duties:

A licensee must present all written offers to the seller immediately but no later than 24 hours after receipt.

The seller has the right to consider every offer, regardless of sequence or perceived favorability.

Therefore, at the 7 p.m. appointment, the listing broker must present all three offers.

Correct answer = A.

Reference: NJREC Rules and Regulations, N.J.A.C. 11:5-6.9; NJ Real Estate Salesperson Study Guide, Chapter on Offers.

NEW QUESTION # 34

Broker P is the sole proprietor of XYZ Realty. P employs five salespersons, all of whom have been practicing real estate for at least two years. Under the license law, if P should die, which of the following actions can be taken?

- A. The Real Estate Commission can direct an experienced broker with another firm to conclude all pending business.
- B. The most experienced salesperson can act as broker for a maximum of six months until a permanent replacement broker is licensed.
- C. A salesperson holding a real estate license for at least three years can apply for a temporary broker's license in order to continue the firm's activity.
- D. All sales contracts can be declared null and void and all salespersons will lose their licenses until establishing employment with another broker.

Answer: C

Explanation:

Under NJ Real Estate Commission (NJREC) licensing rules, when a broker of record dies or becomes incapacitated, a qualified salesperson with at least three years' experience may apply for a temporary broker's license to continue the firm's operations for a limited period while the firm arranges a permanent broker.

Existing agency contracts and transactions do not become void simply because of the broker's death.

* Therefore, D is correct.

* A is incorrect-contracts are not automatically void, and salespersons don't lose their licenses.

* B is not the prescribed process.

* C misstates both who may act and the time period; NJ uses a temporary broker's license mechanism for a qualified salesperson (experience requirement is three years).

(Reference: NJ Real Estate Salesperson Pre-Licensure Course Study Guide, Licensing-Broker of Record Death/Incapacity; NJREC Rules on temporary broker authority.)

NEW QUESTION # 35

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