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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q49-Q54):

NEW QUESTION # 49

Why is the following advertisement placed by a salesperson employed by ABC Realty, in violation of Pennsylvania Rules?

"Harrisburg \$200,000 SUPER BUY Cozy 3br, 2 1/2 bath Cottage, near bus. For info call 555-9234 (home) or 675-6330 (office). Ask for JOHN DOE."

- A. The salesperson's name appears in the ad.
- **B. The broker's name does not appear in the ad.**
- C. The MLS number is not included in the ad.
- D. No address is given.

Answer: B

Explanation:

According to 49 Pa. Code § 35.305 (Business Name on Advertisements), all advertisements placed by a salesperson must include the broker's name.

- * The broker's name is missing, which violates Pennsylvania advertising requirements (Option C - Correct).
- * The property address does not need to be in the ad (Option A - Incorrect).
- * Salesperson names are allowed but must be accompanied by the broker's name (Option B - Incorrect).
- * MLS numbers are not a requirement in all advertisements (Option D - Incorrect).

NEW QUESTION # 50

Which of the following phrases in a rental ad may be permissible?

- **A. Creek Village - an Age-Restricted Community**
- B. Children 12 and Older Only
- C. All Couples Apartment Building
- D. Adults Only Building

Answer: A

Explanation:

Under The Federal Fair Housing Act (42 U.S.C. § 3604) and the Pennsylvania Human Relations Act (PHRA), it is illegal to discriminate against renters or buyers based on family status, which includes children. However, age-restricted housing is allowed under certain conditions.

* Housing communities designated as "55 and older" or "62 and older" are legally permitted under the Housing for Older Persons Act (HOPA), provided they meet federal guidelines.

* Option C (Creek Village - an Age-Restricted Community) is lawful because it indicates compliance with HOPA, meaning at least 80% of residents are over 55.

Why the other answers are incorrect:

- * Option A (Children 12 and Older Only): Discriminating against families with young children violates the Fair Housing Act (FHA).
- * Option B (Adults Only Building): Landlords cannot prohibit families with children from renting.
- * Option D (All Couples Apartment Building): This discriminates against single renters and violates fair housing laws.

NEW QUESTION # 51

Which of the following is a REQUIRED general duty of a licensee?

- A. Conduct an independent inspection of the property.
- B. Provide assistance with document preparation.
- **C. Independently verify the accuracy of any representation on a property condition disclosure statement.**
- D. Accept liability and responsibility for acts of the consumer.

Answer: C

Explanation:

Under 68 Pa. C.S. §§ 7301-7314 (Real Estate Seller Disclosure Law), a licensee has a duty to ensure that the property condition disclosure statement is complete and accurate as provided by the seller.

* While the licensee does not conduct a formal property inspection, they must not ignore material defects that are apparent or known to them.

* If a licensee knows of an issue that contradicts the seller's disclosure, they must disclose this to the buyer to prevent misrepresentation.

* This protects consumers from fraudulent or misleading property conditions.

Why the other answers are incorrect:

- * Option A (Independent Inspection): A licensee is not a home inspector and is not required to perform a physical inspection.
- * Option C (Accept Consumer Liability): A licensee is not responsible for actions taken by a buyer or seller.
- * Option D (Document Preparation Assistance): A licensee can help explain documents but cannot prepare legal contracts without an attorney.

Reference:

68 Pa. C.S. §§ 7301-7314- Real Estate Seller Disclosure Law

NEW QUESTION # 52

If a salesperson representing a buyer gets information from the seller's agent as to the status of the real estate transaction, what is the buyer's agent REQUIRED to do?

- A. Advise the seller as to the status of the transaction.
- **B. Advise the buyer as to the status of the transaction.**
- C. Advise the listing broker as to the status of the transaction.
- D. Advise the loan officer as to the status of the transaction.

Answer: B

Explanation:

Under 49 Pa. Code § 35.284 (Disclosures of Business Relationships), a buyer's agent has a fiduciary duty to their client. This means the agent must act in the buyer's best interest and communicate all material information regarding the transaction to the buyer.

- * The buyer's agent's primary responsibility is to the buyer (Option B - Correct).
- * The buyer's agent does not have any fiduciary duty to the seller (Option A - Incorrect).
- * The buyer's agent is not required to inform the listing broker (Option C - Incorrect).
- * The loan officer does not have the same level of involvement in fiduciary duties as the buyer (Option D - Incorrect).

NEW QUESTION # 53

What MUST a licensee do before she can advertise, show, or offer a property?

- A. Prepare a preliminary appraisal of the property.
- **B. Obtain authorization from the owner of the property.**
- C. Provide a list of clients for whom she has successfully completed real estate transactions in the area.
- D. Prepare a comparative market analysis for the property.

Answer: B

Explanation:

Before advertising, showing, or offering any property, a real estate licensee must obtain written authorization from the property owner. This is a legal requirement to ensure that the licensee has the right to represent the property.

* 49 Pa. Code § 35.331 (Written Agreements Generally) states that a real estate licensee must have a written agreement with the property owner before performing any real estate services, including advertising and showing the property.

* 49 Pa. Code § 35.332 (Exclusive Listing Agreements) further clarifies that exclusive agreements must be in writing and signed by both the owner and broker.

* Without the owner's written consent, a licensee could be subject to penalties or disciplinary action from the Pennsylvania Real Estate Commission.

Why the other answers are incorrect:

- * Option A (Preliminary Appraisal): Licensees are not required to conduct appraisals unless they are certified appraisers.
- * Option C (List of Clients): There is no requirement to provide a history of past transactions before listing or advertising a property.
- * Option D (Comparative Market Analysis - CMA): A CMA is useful for pricing but is not required before advertising or showing a property.

Reference:

49 Pa. Code § 35.331- Written Agreements Generally

49 Pa. Code § 35.332- Exclusive Listing Agreements

NEW QUESTION # 54

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