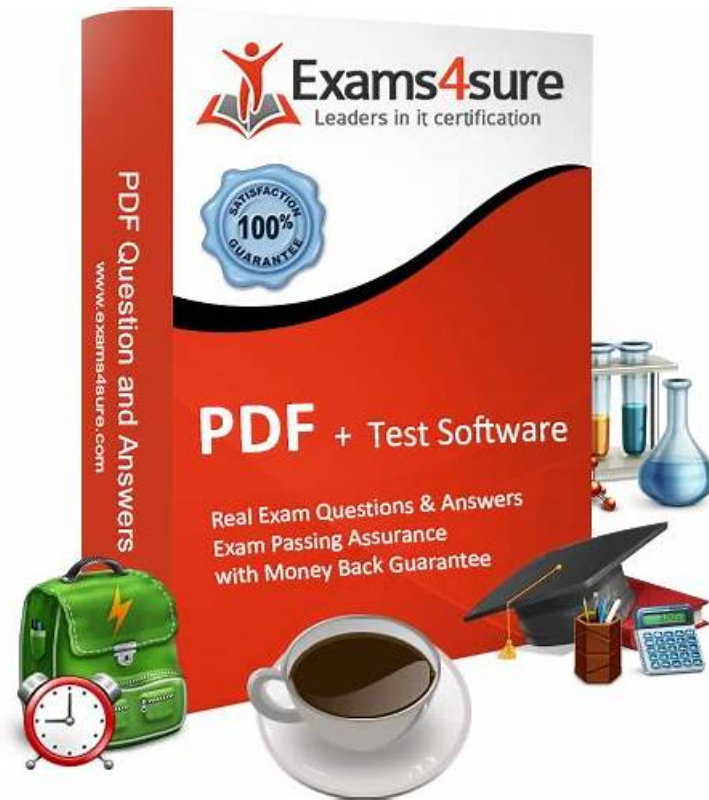


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North Carolina Real Estate Commission NC Real Estate Broker National Sample Questions (Q39-Q44):

NEW QUESTION # 39

A property manager receives a request from a prospective tenant to install grab bars in the showers and a handrail by the toilet to assist the tenant with their disability. According to the Fair Housing Act, what is the property manager required to do?

- A. Ask the tenant to provide proof from a doctor or physical therapist of their need
- B. Make the requested modifications at the property owner's own expense
- C. Allow the tenant to make the modifications at their expense
- D. Raise the amount of the tenant's security deposit to pay for the modifications

Answer: C

Explanation:

Under the Fair Housing Act, individuals with disabilities are permitted to make reasonable modifications to their rental unit at their own expense if the changes are necessary to afford them full enjoyment of the premises. The landlord or property manager must allow these modifications unless the property is government- subsidized housing, where the owner may be required to pay. Requiring medical proof or charging extra deposits beyond the cost of restoring the property (if applicable) is not allowed. Therefore, the correct answer is A.

NEW QUESTION # 40

When attempting to distinguish a fixture from personal property, one can ignore the:

- A. intent of the person who attached it.
- B. cost of the item
- C. method of attachment.
- D. item's adaptability.

Answer: B

Explanation:

In determining whether an item is a fixture (real property) or personal property, North Carolina courts and the NCREC consider several tests: method of attachment, adaptability of the item for the real estate's purpose, intent of the person who installed it, and whether removal would cause damage. The cost of the item is irrelevant to whether it is a fixture or not. Therefore, the correct answer is B.

NEW QUESTION # 41

A North Carolina real estate broker lists their vacation home for sale. A prospective buyer asks to see the property. Which statement is TRUE?

- A. The broker can be a designated agent of the buyer if another licensee in the brokerage firm acts as the broker's designated agent.
- B. The broker can represent the buyer with informed written consent as long as the broker's ownership interest in the vacation home is less than 25%.
- C. The broker can represent the buyer with informed written consent because the property is not the broker's primary residence.
- D. The broker cannot represent the buyer under any circumstances.

Answer: D

Explanation:

North Carolina rules prohibit a broker from representing a buyer in the purchase of property in which the broker has an ownership interest, regardless of whether the property is a vacation home, primary residence, or investment. The potential for conflict of interest is considered too great, and no form of dual or designated agency is permitted in such situations. Therefore, the broker cannot represent the buyer under any circumstances.

-

NEW QUESTION # 42

In North Carolina, which lien has the highest priority when property is sold to recover a debt?

- A. Mortgage lien
- **B. Ad valorem property tax lien**
- C. Judgment lien
- D. Whichever lien was recorded first

Answer: B

Explanation:

In North Carolina, and in most states, ad valorem (real estate) property tax liens have "superior lien" status.

They take precedence over all other liens, regardless of recording date. This includes mortgage liens and judgment liens. Therefore, even if a mortgage was recorded first, a property tax lien takes priority. Correct answer: A.

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NEW QUESTION # 43

If a seller whose property is currently listed with another company initiates a conversation with a broker about the possibility of the broker becoming their new listing agent, the broker:

- **A. may discuss the terms of a possible listing agreement that would begin after the current listing ends.**
- B. may not discuss the terms of any possible future listing agreement.
- C. must advise the seller to contact an attorney.
- D. may suggest that the seller terminate the current listing agreement early.

Answer: A

Explanation:

Under the NCREC Rules and Code of Ethics, a broker may not interfere with another firm's existing exclusive listing agreement.

However, if a seller independently initiates a conversation, a broker is allowed to discuss the terms of a future agreement - but that agreement must begin only after the current listing expires.

The broker must not suggest early termination or breach of contract. Therefore, option A accurately reflects what is legally and ethically permissible.

NEW QUESTION # 44

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