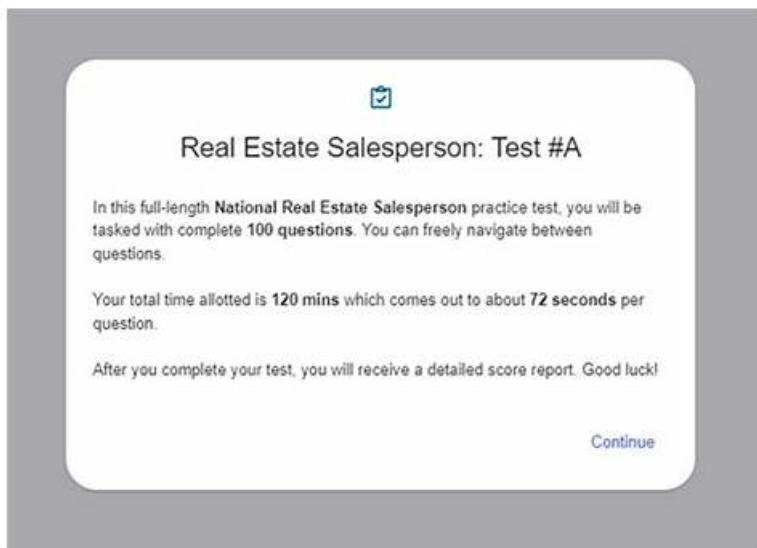


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Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q64-Q69):

NEW QUESTION # 64

Which of the following is used in the cost approach when estimating the value of improvements?

- A. How much it would cost to build a similar building at today's cost.
- B. The price per square foot of comparable properties.
- C. The assessed value of the property including the land.
- D. Location, available financing, and depreciation.

Answer: A

Explanation:

The cost approach to value is based on the principle of substitution, which states that a buyer will not pay more for a property than the cost to build a comparable one. In this method, the appraiser estimates the current cost of constructing the improvements using either the replacement cost (cost to build a similar building with modern materials and methods) or the reproduction cost (exact duplicate of the original).

The appraiser then subtracts depreciation (physical deterioration, functional obsolescence, or economic obsolescence) and adds the land value (determined separately). This approach is most often used for special-purpose properties (schools, churches, government buildings) where comparable sales are limited.

The other options are incorrect:

Assessed value (A) is for taxation, not appraisal.

Price per square foot (C) is a sales comparison method.

Location/financing (D) are factors but not a direct step in the cost approach.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Appraisal Methods; USPAP Standards.

NEW QUESTION # 65

A broker received a birthday check from a client. The broker decided to put it in the escrow account because it was from a client. This is

- A. acceptable if the client has had a transaction within the last 18 months.
- B. acceptable if the check was written on the client's business account.
- C. conversion.
- D. commingling

Answer: D

Explanation:

Comprehensive and Detailed Explanation (150-250 words):

Escrow accounts are trust accounts designated for client funds related to real estate transactions (e.g., earnest money, security deposits, rent held on behalf of others). Depositing non-transactional personal funds into escrow - such as a birthday gift check - is prohibited because it mixes personal/non-transaction funds with client trust funds. This is called commingling.

Conversion (A) occurs when escrow funds are used improperly for personal benefit.

C and D are incorrect because escrow is never for gifts or unrelated funds, regardless of account type or timeline.

Massachusetts regulations (254 CMR 3.10) explicitly prohibit commingling of personal funds with escrow accounts. Even if the check is from a client, if it's unrelated to a transaction, depositing it in escrow is a violation.

Correct answer: B.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Escrow/Trust Accounts; 254 CMR 3.10.

NEW QUESTION # 66

A salesperson's client is the lessee. Who does the salesperson represent?

- A. lien holder
- B. landlord
- C. lender
- D. tenant

Answer: D

Explanation:

In a leasing transaction, the lessee is the tenant - the party obtaining the right to occupy and use the property.

The lessor is the landlord, who owns the property and grants possession through the lease.

Therefore, when a salesperson's client is the lessee, the salesperson represents the tenant in the transaction.

The role is similar to representing a buyer in a purchase transaction - the agent owes fiduciary duties such as loyalty, confidentiality, and disclosure to the tenant client.

The other options do not apply:

Lender (A) provides financing, not leasing services.

Landlord (C) would be the lessor, not the lessee.

Lien holder (D) is a creditor with a security interest in property, unrelated to this relationship.

Thus, the correct answer is B: tenant.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Agency Law; M.G.L. c.112,87AAA-112.

NEW QUESTION # 67

A seller informs the listing broker that the wind chime on the back door is broken and the roof leaks when it rains. The listing broker is required to disclose

- A. Nothing.
- **B. The leaky roof**
- C. Both the wind chime and the leaky roof.
- D. The wind chime.

Answer: B

Explanation:

Massachusetts law requires real estate licensees to disclose material defects of which they are aware. A material defect is any condition that would significantly affect the health, safety, or value of the property. In this case, a leaky roof is considered a material defect because it can cause substantial property damage, affect habitability, and impact property value.

On the other hand, a broken wind chime is a minor cosmetic defect that does not materially affect the property's value or use.

Licensees are not required to disclose trivial issues but must disclose known material defects even if instructed by the seller to remain silent. Failure to disclose material defects constitutes misrepresentation and may result in disciplinary action.

Reference: 254 CMR 3.00 - Duties of Licensees; Massachusetts Real Estate Salesperson Candidate Information Bulletin - Agency & Disclosure.

NEW QUESTION # 68

Time is of the essence means

- A. the closing must occur as soon as possible.
- B. time limits stated in the contract may not be modified, even by mutual agreement of the parties.
- C. every act under the contract must be performed on the exact date specified.
- **D. time limits set forth in the contract must be carefully observed.**

Answer: D

Explanation:

The phrase "time is of the essence" is a standard clause in Massachusetts real estate contracts. It means that contract deadlines are legally binding and must be strictly observed. Failure to perform within the time specified constitutes a breach of contract.

It does not mean that the closing must occur "as soon as possible" (A) but rather on the date agreed upon.

C overstates - while performance must be timely, contracts may allow flexibility in exact timing if not specified.

D is incorrect because deadlines may be modified if both parties agree in writing.

Thus, the best legal definition is B: time limits set forth in the contract must be carefully observed.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Contracts; M.G.L. c.106, Uniform Commercial Code §2-309 (time requirements).

NEW QUESTION # 69

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