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Real Estate New Jersey Real Estate Salesperson Exam Sample Questions (Q18-Q23):

NEW QUESTION # 18

Prospective buyers for a house want to operate a recycling center in their backyard. Local zoning laws do not allow this. What do they need to do first?

- A. Obtain a modification to the local master plan.
- B. File an appeal with the local court.
- **C. Obtain a variance or special exception.**
- D. Obtain a building permit.

Answer: C

Explanation:

Under New Jersey Municipal Land Use Law and the NJ Real Estate Salesperson study guide (Chapter on Land Use Regulations), when zoning ordinances restrict a particular use, the property owner or prospective buyer must request relief from the zoning board. The proper relief mechanism is a variance (sometimes called a special exception or conditional use permit).

A building permit (A) only allows construction according to existing zoning. It does not authorize a prohibited use.

A modification to the master plan (B) is a legislative act by the planning board/municipality and not the immediate remedy for individual property owners.

An appeal with the local court (D) may come later if denied, but the first step is to apply to the zoning board for a variance.

Therefore, the correct choice is C: obtain a variance or special exception.

Reference: NJ Real Estate Salesperson Pre-Licensure Course Study Guide, Land Use Controls/Zoning; N.J.S.

A). 40:55D (Municipal Land Use Law).

NEW QUESTION # 19

A tenant has an option to purchase leased property. The price that the tenant will pay for the property is determined by the:

- A. terms specified in the option.
- B. property's market value at the time of exercising the option.
- C. agreement, when the option is exercised.
- D. tenant, when the option is exercised.

Answer: A

Explanation:

An option to purchase is a contract where:

The terms and price are established upfront in the option agreement.

The tenant (optionee) has the unilateral right to exercise the option within the agreed period.

Market value or tenant's discretion does not determine the price unless specifically stated in the option.

Correct answer = A.

Reference: NJ Real Estate Salesperson Study Guide, Chapter on Contracts and Options.

NEW QUESTION # 20

A seller has entered into an exclusive right to sell agreement with a broker. The buyer presents the seller with an offer to purchase that is 20% less than the list price. Which of the following is appropriate?

- A. The seller is obligated to make a counteroffer to the buyer if the offer is unacceptable.
- B. The seller is under no obligation to accept the offer or make a counteroffer.
- C. The seller is obligated to pay the buyer a commission or the offer price if the seller rejects the offer.
- D. The seller has 72 hours to submit a counteroffer or else the offer is considered to be accepted.

Answer: B

Explanation:

Under New Jersey agency and contract principles taught in the NJ Real Estate Salesperson Pre-Licensure Course Study Guide (Listings & Offers/Contracts chapters), a seller who has a listing (including an exclusive right to sell) is never obligated to accept any offer and is not required to make a counteroffer. The listing is an employment contract with the broker; it does not compel acceptance of buyer terms. An offer may be accepted, rejected, or countered at the seller's discretion. There is no automatic acceptance period like "72 hours," unless explicitly written into the offer itself.

* Therefore, B is correct.

* A is wrong-sellers owe no "commission or offer price" to a buyer for rejecting an offer.

* C is wrong-no default 72-hour rule exists by law.

* D is wrong-no duty to counter exists.

(Reference: NJ Real Estate Salesperson Pre-Licensure Course Study Guide, Agency & Listings; Contracts- Offer and Acceptance.)

NEW QUESTION # 21

The following statement was found in a real estate sales contract: "In the event of a default by the purchaser, the forfeiture of the earnest money to the seller will be the only compensation to which the seller will be entitled." This statement most likely describes a:

- A. indemnification clause
- B. default delivery clause
- C. liquidated damages clause
- D. broker protection clause

Answer: C

Explanation:

A liquidated damages clause specifies in advance the amount of money or type of damages one party will receive if the other party defaults.

In this case, the earnest money deposit forfeiture is the seller's only compensation in the event of buyer default.

A broker protection clause protects a broker's commission rights.

Indemnification clauses shift liability to another party.

A default delivery clause is not a standard real estate term.
Thus, the correct clause is B: liquidated damages clause.
Reference: NJ Real Estate Salesperson Study Guide, Chapter on Contracts and Contract Clauses.

NEW QUESTION # 22

Prospective buyers asked the licensee representing them if it would be a good idea to check the property they wish to purchase for radon. The licensee's best response would be to tell the buyers that:

- A. they should do so, because radon is now considered to be one of the causes of lung cancer.
- B. it is unlikely that radon would be a problem in that area.
- C. as long as they are non-smokers, it should not be an issue.
- D. they need not do so, because if radon were present, there would be an odor that would make it easy to detect.

Answer: A

Explanation:

Radon is a colorless, odorless, radioactive gas linked to lung cancer.

The EPA and NJDEP recommend testing homes for radon regardless of location.

Licensees should never minimize the risk or falsely suggest it is detectable by odor.

The best professional response is to recommend that buyers test for radon because it is a known health risk.

Correct answer = C.

Reference: NJDEP Radon Hazard Program; NJ Real Estate Salesperson Study Guide, Chapter on Environmental Issues.

NEW QUESTION # 23

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