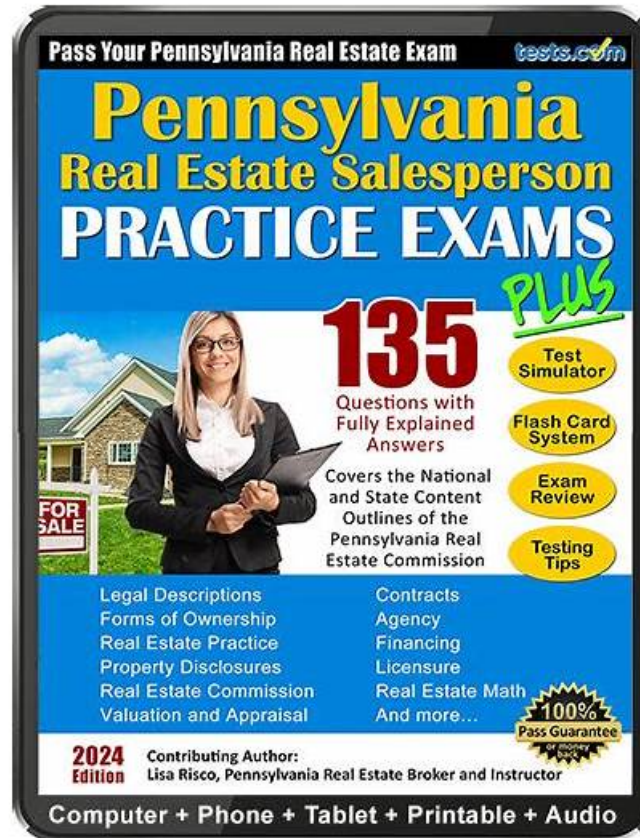


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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q41-Q46):

NEW QUESTION # 41

What MAXIMUM length of time may a salesperson's real estate license be inactive before reactivation ceases to be possible without retaking and passing the licensing examination?

- A. 3 years
- B. 4 years
- C. 5 years
- D. 2 years

Answer: C

Explanation:

If a real estate license is inactive for more than 5 years, the licensee must retake and pass the licensing exam to reinstate their license.

* 49 Pa. Code § 35.251 (Relicensure Following Revocation or Inactive Status) states that a licensee who has been inactive for over 5 years must complete all initial licensing requirements again, including the exam.

* A licensee can keep their license in inactive status indefinitely, but after 5 years, it requires reexamination.

Why the other answers are incorrect:

* Option A (2 Years) & Option B (3 Years): Licensees may reactivate their license within this period without retaking the exam.

* Option C (4 Years): The limit is 5 years, not 4.

NEW QUESTION # 42

An owner sells a house through a salesperson who works as an independent contractor for a broker. Before the closing, the owner fires the broker. However, the owner agrees to pay the salesperson a \$1,000 fee for services. Which of the following is TRUE?

- A. The salesperson may only accept the \$1,000 with the broker's consent.
- B. The owner can cancel any part of the sales contract at any time.
- C. The salesperson may legally accept the \$1,000.
- D. The salesperson cannot legally accept the \$1,000.

Answer: D

Explanation:

According to 49 Pa. Code § 35.283 (Compensation and Commission), a salesperson may not accept compensation from anyone other than their employing broker.

* A salesperson cannot accept direct payments from an owner or buyer (Option A - Correct).

* The owner cannot cancel the sales contract unilaterally (Option B - Incorrect).

* The salesperson may only be compensated through the broker, even if the owner agrees to direct payment (Option C & D - Incorrect).

Reference:

49 Pa. Code § 35.283- Compensation and Commission

NEW QUESTION # 43

What are the permitted relationships between licensees and consumers as defined by the "Consumer Notice" and Pennsylvania regulations?

- A. Buyer agent, buyer sub-agent, seller agent, seller sub-agent, and dual agent.
- B. Buyer agent, seller agent, designated agent, dual agent, and transaction licensee.
- C. Buyer agent, seller agent, designated agent, dual agent, and rental agent.
- D. Buyer agent, seller agent, designated dual agent, and transaction licensee.

Answer: B

Explanation:

Under 49 Pa. Code § 35.284 (Disclosures of Business Relationships), the Consumer Notice defines five types of permitted relationships between real estate licensees and consumers:

* Buyer's Agent- Represents the buyer and has a fiduciary duty to them.

- * Seller's Agent (Listing Agent)- Represents the seller and has a fiduciary duty to them.
- * Designated Agent- A brokerage firm designates different agents to represent buyers and sellers in the same firm without creating dual agency.
- * Dual Agent- A licensee represents both the buyer and seller in the same transaction, with mutual consent.
- * Transaction Licensee- A real estate licensee who provides services but does not represent either party as an agent.

Why the other answers are incorrect:

- * Option A (Rental Agent): "Rental agent" is not a defined relationship in Pennsylvania law.
- * Option B (Buyer & Seller Sub-Agent): Sub-agency is no longer common and is not a required disclosure.
- * Option D (Designated Dual Agent): Dual agency and designated agency are separate concepts.

Reference:

49 Pa. Code § 35.284- Disclosures of Business Relationships

NEW QUESTION # 44

Can a licensed real estate broker prepare an appraisal for a new loan on property that the broker has listed for sale?

- A. Yes, with proper disclosure to the lender about the broker's qualifications.
- **B. No, real property appraisals are not within the scope of practice for a real estate broker.**
- C. Yes, if the appraisal is identified as a comparative market analysis.
- D. Yes, if the appraisal is done before an offer to purchase is accepted by the seller.

Answer: B

Explanation:

Under The Pennsylvania Real Estate Appraisers Certification Act (63 P.S. § 457.1-457.19), only a state- certified or licensed appraiser can perform real estate appraisals for loan purposes.

* Real estate brokers and salespersons can perform Comparative Market Analyses (CMAs) but cannot legally perform an appraisal for a lender.

* This restriction ensures that appraisals used for lending purposes meet state and federal standards.

Why the other answers are incorrect:

- * Option A (CMAs as Appraisals): CMAs are not appraisals.
- * Option B (Before Offer Accepted): The timing of the appraisal does not change licensing requirements.
- * Option C (Disclosure to Lender): Even with disclosure, brokers are not permitted to conduct appraisals for loans.

NEW QUESTION # 45

According to the Pennsylvania Landlord- Tenant Act, a tenant must be notified of the final disposition of their security deposit within what time period following the end of the lease?

- A. Within 5 days
- **B. Within 30 days**
- C. Within 60 days
- D. Immediately upon completion of the landlord's final inspection of the premises

Answer: B

Explanation:

Under The Pennsylvania Landlord and Tenant Act of 1951 (68 P.S. § 250.512), a landlord must return the tenant's security deposit or provide a written explanation of any deductions within 30 days of lease termination.

* If the landlord withholds any portion of the deposit, they must provide an itemized list of damages and the amount deducted.

* If the landlord fails to return the deposit or provide an itemized list within 30 days, they forfeit their right to keep any portion of the deposit and may be subject to legal penalties.

* The tenant must provide a forwarding address to receive the deposit or notice.

Why the other answers are incorrect:

- * Option A (5 Days): There is no 5-day requirement in Pennsylvania law.
- * Option C (60 Days): The landlord is required to act within 30 days, not 60 days.
- * Option D (Immediately upon inspection): While an inspection may occur, the law grants the landlord up to 30 days to finalize deductions and return funds.

NEW QUESTION # 46

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