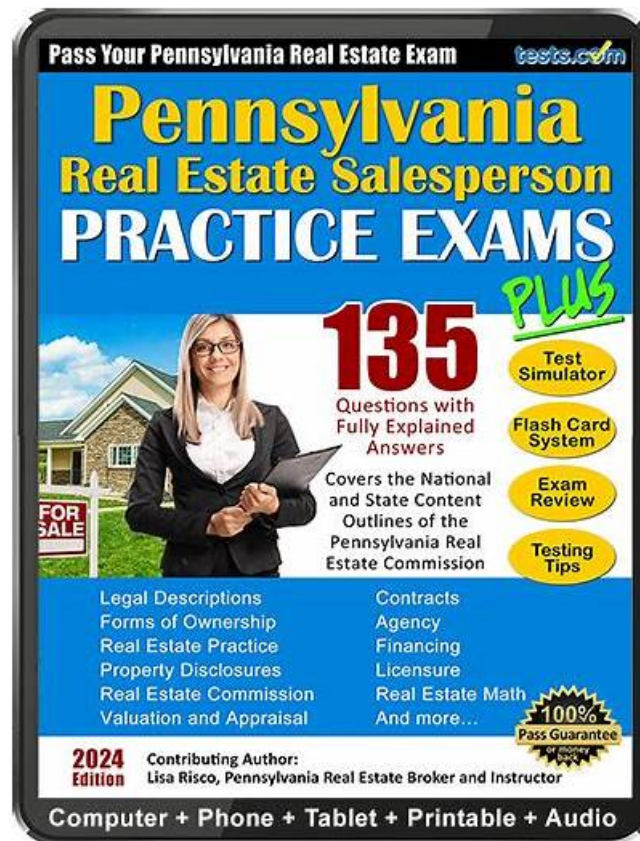


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Pennsylvania Real Estate Commission RePA_Sales_S Exam Syllabus Topics:

Topic	Details
Topic 1	Real Estate Commission: This section of the exam measures skills of Real Estate Salespersons and covers the fundamental duties and powers of the Real Estate Commission. It includes understanding how complaints are handled, how investigations and hearings are conducted, and the processes for appeals. Candidates are also expected to be familiar with the Real Estate Recovery Fund, which provides protection for consumers in certain cases.

Topic 2	• Licensure: This section of the exam measures skills of Real Estate Brokers and focuses on licensure requirements. It emphasizes qualifications necessary for obtaining a license, the activities that legally require licensure, and the processes for license renewal or reactivation. Additionally, it includes the rules for changing employment as a licensee and outlines specific exemptions from licensure under Pennsylvania law.
Topic 3	• Regulations Governing the Activities of Licensees: This section of the exam measures the skills of Real Estate Brokers and centers on the professional standards and regulations that govern daily practice. It reviews rules regarding advertising, the working relationship between brokers and salespersons, and the proper handling of client funds and accounts. It also highlights prohibited conduct, as well as the conditions that can lead to suspension or revocation of a license.
Topic 4	• Miscellaneous: This section of the exam measures the skills of Real Estate Salespersons and includes several additional knowledge areas important for practice. Candidates are expected to understand property disclosures, the preparation and handling of contracts and forms, and the Pennsylvania Human Relations Act. It also covers the regulations relating to time-shares, as well as leasing and rental practices that are part of everyday real estate transactions.
Topic 5	• Agency and Disclosure: This section of the exam measures the skills of Real Estate Salespersons and addresses the importance of proper agency and disclosure. It evaluates knowledge of agency disclosures, the duties of licensees, and how different agency relationships function in practice. It also covers compensation rules and the responsibilities that come with working under different types of agency agreements.

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Pennsylvania Real Estate Commission PA Salesperson State Exam Sample Questions (Q21-Q26):

NEW QUESTION # 21

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

Answer: A

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).

Reference:

NEW QUESTION # 22

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

Answer: D

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).

Reference:

49 Pa. Code § 35.305- Business Name on Advertisements

NEW QUESTION # 23

If a client requests to list their home for much more than the comparable market analysis (CMA) recommends, what is the duty of the salesperson?

- A. Require the seller to receive an appraisal before listing the property
- **B. Advise the client as to the reason it is in their best interest to list the property closer to the comparable market value**
- C. Provide the client financial advice as to how they can invest their assets to earn the amount they would like to receive
- D. Refuse the listing because accepting the listing would violate the Pennsylvania Real Estate Licensing and Registration Act

Answer: B

Explanation:

A real estate licensee has a fiduciary duty to provide honest, professional advice to their clients, including pricing strategies based on comparative market analysis (CMA).

* Under 49 Pa. Code § 35.292 (Duties of Licensees Generally), a licensee must act in the best interest of the client, which includes providing realistic pricing guidance.

* If a seller insists on listing at an inflated price, the agent should educate them on the risks, such as longer market time and reduced buyer interest.

* While the agent cannot force a seller to list at a lower price, they must ensure that the client makes an informed decision.

Why the other answers are incorrect:

* Option A (Require an Appraisal): CMAs are typically sufficient for pricing; an appraisal is only required in specific cases (e.g., lender requirements).

* Option B (Refuse the Listing): Overpricing is not illegal, so there is no licensing violation in accepting the listing.

* Option D (Providing Investment Advice): Real estate licensees are not financial advisors and should not offer investment strategies.

NEW QUESTION # 24

A "For Sale by Owner" property owner has offered a flat fee to any licensee who procures a buyer. The owner's terms specify that 50% of the fee is payable upon contract acceptance, with the other 50% payable upon transfer of title. A CORRECT statement about this arrangement is that it is:

- A. in violation of license law since all compensation must be paid at closing.
- **B. acceptable if the fee is paid to the employing broker.**
- C. acceptable if the fee does not exceed the prevailing commission rate.

- D. in violation of license law since compensation for real estate sales can come only from listed properties.

Answer: B

Explanation:

Under 49 Pa. Code § 35.283 (Compensation and Commission), a salesperson can only receive payment through their employing broker. This means that if the flat fee is paid to the broker (not directly to the salesperson), then the arrangement is legal.

* Commission does not have to be paid at closing; payment terms can be negotiated, including split payments.

* For Sale by Owner (FSBO) properties are not required to be listed with a brokerage, so compensation can still be earned if a licensee brings a buyer.

Why the other answers are incorrect:

* Option B (Commission Rate Limitations): There are no "prevailing" commission rates since commissions are always negotiable.

* Option C (Compensation Must Be at Closing): Commission can be structured differently (e.g., partial upfront payment).

* Option D (Only Listed Properties Qualify for Commission): Agents can earn commission on FSBOs as long as the broker is involved.

Reference:

49 Pa. Code § 35.283- Compensation and Commission

NEW QUESTION # 25

If clients have questions regarding the sale of their home beyond the licensee's expertise, what **MUST** the salesperson do?

- A. Seek legal representation for the clients.
- B. Advise the clients to seek another salesperson to represent them in the transaction.
- C. Ask their associate broker and advise the clients of the answer.
- **D. Advise the clients to seek expert advice.**

Answer: D

NEW QUESTION # 26

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