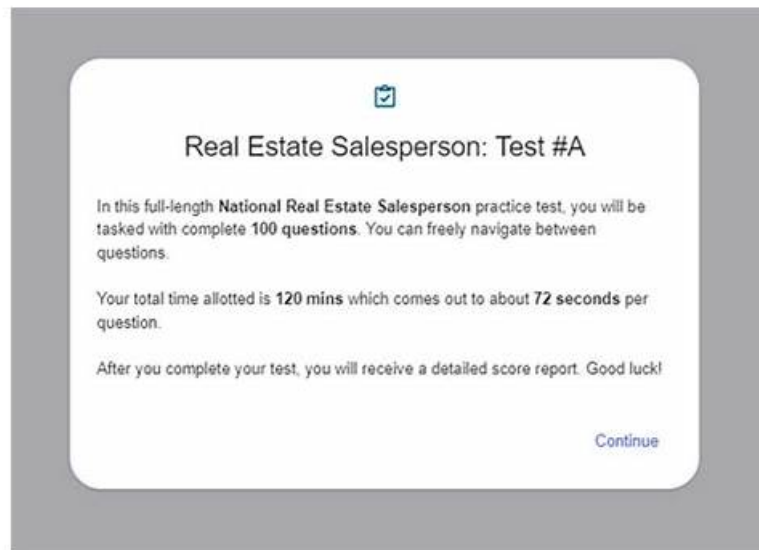


Simulation Massachusetts-Real-Estate-Salesperson Questions - Massachusetts-Real-Estate-Salesperson New Real Test



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Real Estate Massachusetts Real Estate Salesperson Exam Sample Questions (Q67-Q72):

NEW QUESTION # 67

Broker N has five affiliated salespersons. On Monday at 10:00 a.m., Salesperson J submitted an offer to purchase from a prospective buyer. The offer price was \$300,000. An hour later, Salesperson R submitted an offer of \$296,000. However, Broker N held the second offer until the seller rejected the first offer. Broker N's conduct in this situation is

- A. Not permissible because a broker must present all offers to the principal forthwith.
- B. Permissible as long as both salespeople share a commission on either of the offers accepted by the seller.

- C. Permissible as long as both salespeople knew of Broker N's action.
- D. Not permissible because a broker must inform all potential buyers of existing offers.

Answer: A

Explanation:

Massachusetts law and professional practice require that all offers must be presented to the seller forthwith (immediately). A broker may not withhold or delay offers, regardless of their order of arrival, price, or terms.

In this scenario, Broker N violated fiduciary duty to the seller by withholding the second \$296,000 offer until the first was rejected.

The seller is entitled to see all offers promptly in order to make an informed decision.

The broker has no authority to filter, delay, or prioritize offers.

The law does not require informing other buyers about competing offers (that would be a separate issue of disclosure), but the broker's obligation is always to the client-the seller-to present all offers immediately.

Reference: 254 CMR 3.00 - Duties of Licensees; NAR Code of Ethics, Article 1.

NEW QUESTION # 68

A real estate licensee is a partial owner of a local inspection company. It is permissible for the licensee to tell all clients to use this company when

- A. the client does not ask for other recommendations.
- **B. the licensee discloses the interest in the company to the client.**
- C. the licensee does not know any of the other title companies in the area.
- D. it is in the best interest of the client.

Answer: B

Explanation:

Under Massachusetts law and federal RESPA (Real Estate Settlement Procedures Act, Section 8), real estate professionals may have an ownership interest in related businesses (such as inspection, title, or mortgage companies), but they must provide full disclosure of this interest to clients in writing.

Steering clients exclusively to a business in which the agent has a financial interest - without disclosure - is a conflict of interest and a violation of fiduciary duties. However, once the relationship is disclosed, the client may freely choose whether to use that company or not.

The other options are incorrect because:

"Best interest" (A) doesn't override disclosure requirements.

Lack of knowledge of competitors (B) is not an excuse.

Failing to disclose simply because the client doesn't ask (C) is a violation.

Thus, the only permissible action is disclosure (D).

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Agency & Disclosure; RESPA, 12 U.S.C. §2607.

NEW QUESTION # 69

A broker has a single agency relationship with the seller. Any required property condition disclosure would be completed by the

- A. broker.
- **B. seller.**
- C. listing agent on behalf of seller.
- D. listing agent on behalf of broker.

Answer: B

Explanation:

In Massachusetts, the seller is legally responsible for completing the property condition disclosure form. The listing broker or agent may provide the form and ensure it is delivered to prospective buyers, but they do not complete it on behalf of the seller.

The rationale is that the seller is the party with direct knowledge of the property's condition. Licensees must never fill out the disclosure themselves, as this could expose them to liability for inaccuracies. The broker's duty is limited to ensuring the disclosure is provided in accordance with Massachusetts law (M.G.L. c.93, 114) but not to make representations or complete the document.

Thus, the correct answer is A: seller.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Agency & Disclosure Obligations; M.G.L. c. 93,114.

NEW QUESTION # 70

On which of the following must the landlord pay interest when collecting first month, last month, and security deposit?

- A. First month only
- **B. Security deposit and last month**
- C. Last month only
- D. Only if they are deposited in an interest-bearing account

Answer: B

Explanation:

Under M.G.L. c. 186, 15B, landlords in Massachusetts must pay interest on both the security deposit and the last month's rent if these funds are held for more than one year. The interest must be paid annually and credited to the tenant's account, unless the tenant and landlord have a written agreement stating otherwise.

The first month's rent is not subject to interest requirements. The landlord must hold the security deposit in a separate, interest-bearing account, and the interest accrues for the benefit of the tenant.

Therefore, the landlord must pay interest on both the security deposit and last month's rent.

Reference: M.G.L. c. 186, 15B; Massachusetts Real Estate Candidate Information Bulletin - Tenant Rights.

NEW QUESTION # 71

An owner has a freestanding cabinet that was custom-built to fit an alcove of the living room. When the owner sells the home, the cabinet will be best described as

- A. personal property.
- B. an appurtenance.
- **C. a fixture.**
- D. real property.

Answer: C

Explanation:

A fixture is personal property that has been permanently attached or adapted to real estate so that it becomes part of the real property. Courts apply the MARIA test (Method of attachment, Adaptation, Relationship, Intention, Agreement) to determine fixture status.

In this case, the cabinet was custom-built to fit an alcove, making it uniquely adapted to the property. Even though it is freestanding, its adaptation to the structure makes it a fixture.

Real property (A): the land and everything permanently attached, which includes fixtures, but the more precise term here is "fixture."

Personal property (B): movable and not adapted to the home.

Appurtenance (D): rights and benefits that run with the land (e.g., easements).

Thus, the best description is C: fixture.

Reference: Massachusetts Real Estate Salesperson Candidate Handbook - Property Ownership; Fixtures vs. Personal Property.

NEW QUESTION # 72

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