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Real Estate Maryland Real Estate Salesperson Examination Sample Questions (Q43-Q48):

NEW QUESTION # 43

Which of the following refers to the increase in the value of an asset that is subject to taxation?

- A. Equity
- B. Deferment
- C. Taxable gains
- D. Depreciation

Answer: C

Explanation:

A real property exchange, often called a 1031 exchange, allows investors to defer paying capital gains taxes when swapping one investment property for another of like kind. However, if the transaction does not meet IRS requirements or if "boot" (cash or non-like-kind property) is received, the gain becomes taxable. The Maryland course identifies taxable gains as the main drawback when the exchange fails to fully qualify for deferral.

Reference: Maryland 60-Hour Principles and Practices - "Real Estate Financing and Investment"; Internal Revenue Code 1031.

NEW QUESTION # 44

How should all compensation related to real estate transactions be handled according to real estate law?

- A. Compensation must be channeled through the salesperson's broker.
- B. Salespeople can receive compensation directly from mortgage brokers or title representatives.
- C. Compensation can be handled privately between agents without broker involvement.
- D. All compensation must go directly to the salesperson from the seller or buyer.

Answer: A

Explanation:

In Maryland, all compensation earned by a licensed salesperson or associate broker must be paid through their supervising broker. Salespersons are not permitted to receive direct payments from clients, customers, mortgage brokers, or other settlement service providers.

Violations can result in disciplinary action or license suspension.

Reference:

Maryland 60-Hour Principles and Practices of Real Estate Pre-Licensing Course - "Maryland License Law and Regulations"

Module Md. Business Occupations and Professions Article 17-322(b)(17) - Receiving Compensation Through Proper Channel.

NEW QUESTION # 45

When a client understands what dual agency is and agrees in writing to allow a firm to act as a dual agent for them in a real estate transaction, this is known as _____.

- A. Double dipping
- B. Representation by proxy
- C. Mutual agreement
- D. Informed consent

Answer: D

Explanation:

Comprehensive and Detailed Explanation From Exact Extract of Maryland 60-Hour Principles and Practices of Real Estate Pre-Licensing Course:

Informed consent is a legal requirement under Maryland Agency Law when a brokerage represents both a buyer and a seller in the same real estate transaction (dual agency).

In this arrangement, the broker acts as the dual agent, while separate intra-company agents may represent each party.

The client must receive full disclosure of the potential conflicts of interest and consent in writing before dual agency can occur.

Without informed, written consent, dual agency is prohibited under Maryland Real Estate Commission (MREC) regulations.

Reference:

Maryland 60-Hour Principles and Practices of Real Estate Pre-Licensing Course - "Maryland Agency Law" Module Md. Business Occupations and Professions Article §17-530-§17-532 - Disclosure and Consent to Dual Agency.

NEW QUESTION # 46

When operating under a power of attorney concerning the transfer of real property, who may sign in place of the principal?

- A. Principal
- B. Grantee
- C. County clerk
- D. Agent

Answer: D

Explanation:

A power of attorney (POA) is a legal document authorizing one person (the agent or attorney-in-fact) to act on behalf of another person (the principal) in specified matters.

When it comes to transferring real property, a valid, notarized, and recorded power of attorney gives the agent the authority to sign all necessary documents in place of the principal.

The Maryland 60-Hour Course explains this under "Transfer of Title," emphasizing that all signatures must be properly acknowledged to be legally enforceable, and the power of attorney must be recorded with the deed.

Reference:

Maryland 60-Hour Principles and Practices of Real Estate Pre-Licensing Course - "Transfer of Title" Module Maryland Real Property Article 4-107 - Execution by Attorney-in-Fact; Power of Attorney Requirements.

NEW QUESTION # 47

Edgar is in the process of selling his home in a short sale. What's a short sale?

- A. The forced sale of a home due to the borrower defaulting on the mortgage loan
- B. A sale that fails to receive a high enough bid at auction, and then falls to the bank's ownership
- C. A property sale that occurs in less than one week
- **D. The sale of a property at an amount less than is owed, not including closing costs**

Answer: D

Explanation:

A short sale occurs when the lender agrees to accept less than the total amount owed on the mortgage to release its lien so that the property can be sold.

The lender must approve the sale before closing.

This typically happens when the market value of the property is less than the outstanding loan balance, but foreclosure is avoided.

In the pre-licensing course, short sales are discussed under Financing and Foreclosure Alternatives, highlighting licensees' duties to disclose the short-sale status to buyers and comply with lender requirements.

Reference (Maryland Source):

- Maryland 60-Hour Principles and Practices Course, Financing and Foreclosure Alternatives section.
- Maryland Real Property Article 7-105.1 (Mortgage Default Remedies).

NEW QUESTION # 48

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