Real Estate Licensing RePA_Sales_S Practice Questions

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Question 1

Question Type: MultipleChoice

When a tenant who has a service or support animal applies to lease an apartment in a building that does not allow pets, which of the following rules may the landlord follow?

Options:

A- Both state and federal laws require the landlord to allow any service or support animal.
B- The landlord must allow the service or support animal but may charge an additional deposit.
C- The landlord may disallow the animal if there are no other animals permitted in the building.
D- The landlord may disallow the animal if it is not federally registered as a support or service animal.

Answer:

A

Explanation:

Under The Fair Housing Act (42 U.S.C. 3604) and The Americans with Disabilities Act (ADA) (42 U.S.C. 12101), both service and emotional support animals must be allowed in rental properties, even in 'no pets' buildings.

Service animals (such as guide dogs) and emotional support animals (ESA) are not considered 'pets' under federal and state law, so landlords cannot prohibit them.

A landlord cannot charge an additional deposit or pet fee for service/support animals.

The tenant must provide documentation from a licensed medical provider if the disability is not obvious, but there is no requirement for a formal 'federal registration' of service animals.

Why the other answers are incorrect:

Option B (Charge Additional Deposit): This is illegal under Fair Housing laws because service animals are not 'pets'.

Option C (No Pets Rule): A no-pets policy does not apply to service animals.

Option D (Federally Registered Service Animal): There is no federal registry for service animals, so this is not a valid requirement.

Fair Housing Act (42 U.S.C. 3604) -- Disability Protections

Americans with Disabilities Act (ADA) (42 U.S.C. 12101) -- Service Animals Protections

Question 2

Question Type: MultipleChoice

A listing agreement must contain all of the following EXCEPT:

Options:

A- A description of the services to be provided.
B- The duration of the listing.
C- The broker's license number.
D- The broker's compensation.

Answer:

C

Explanation:

Under 49 Pa. Code 35.332 (Exclusive Listing Agreements), all listing agreements must specify the services provided, the duration of the agreement, and the compensation of the broker. However, there is no requirement to include the broker's license number.

A listing agreement must clearly state the terms under which the broker will perform services and how they will be compensated.

The duration of the agreement must also be specified to prevent misunderstandings.

Why the other answers are incorrect:

Option A (Description of Services): This is a required component of the listing agreement.

Option B (Duration of Listing): A listing agreement must have a start and end date.

Option D (Broker's Compensation): Compensation must be clearly stated in the listing agreement.

49 Pa. Code 35.332 -- Exclusive Listing Agreements

Question 3

Question Type: MultipleChoice

What is the MINIMUM number of hours of continuing education which a real estate licensee MUST complete within the license renewal period?

Options:

A- 10
B- 12
C- 14
D- 16

Answer:

C

Explanation:

Under 49 Pa. Code 35.382 (Continuing Education Requirements), a Pennsylvania real estate licensee must complete at least 14 hours of continuing education (CE) during each two-year renewal cycle.

These courses must be taken through an approved real estate education provider.

Certain renewal periods may have specific course requirements mandated by the Commission.

Why the other answers are incorrect:

Option A (10 Hours): Too low; Pennsylvania law requires 14 hours.

Option B (12 Hours): Falls short of the required minimum.

Option D (16 Hours): Exceeds the required minimum.

49 Pa. Code 35.382 -- Continuing Education Requirements

Question 4

Question Type: MultipleChoice

According to the Pennsylvania Real Estate Commission, which one of the following actions by a licensee is prohibited conduct?

Options:

A- Taking a listing that has a duration of only 2 months
B- Negotiating a commission that seriously undercuts those of other brokerage firms
C- Failure to disclose the licensee's use of a third party to acquire property listed by the licensee's office
D- Failure to engage legal counsel to respond to a Commission request for information stemming from a complaint about the licensee

Answer:

C

Explanation:

A real estate licensee in Pennsylvania is prohibited from failing to disclose any personal interest in a transaction. This includes using a third party to purchase property listed by the licensee's own office.

49 Pa. Code 35.283 (Disclosure of Interest) requires that a licensee must disclose any financial interest they have in a transaction.

If a licensee arranges for a third party (such as a relative or business associate) to purchase a property without disclosure, this is considered a serious ethical violation.

Why the other answers are incorrect:

Option A (Short Listing Duration): Listings do not have a minimum required time period, so a 2-month duration is permissible.

Option B (Undercutting Commission): Commission fees are negotiable, and the Real Estate Commission does not set a minimum fee.

Option D (Legal Counsel Not Required): Licensees are not required to hire legal counsel to respond to Commission complaints, but they must respond honestly and fully.

49 Pa. Code 35.283 -- Disclosure of Interest

Question 5

Question Type: MultipleChoice

Licensing law in the Commonwealth of Pennsylvania requires that a real estate salesperson be supervised by a licensed real estate broker or a broker-assigned:

Options:

A- Team leader.
B- Salesperson.
C- Associate broker.
D- Transaction coordinator.

Answer:

C

Explanation:

Under 49 Pa. Code 35.241 (Supervision and Operation of Offices), a licensed real estate salesperson must be supervised by a broker or an associate broker designated by the broker.

A broker may assign an associate broker (who has passed the broker exam but does not own the brokerage) to oversee salespersons.

Salespersons cannot work independently; they must work under the direction of a licensed broker or an assigned associate broker.

Why the other answers are incorrect:

Option A (Team Leader): A team leader is not a formal supervisory position under Pennsylvania law unless they are an associate broker or broker.

Option B (Salesperson): A salesperson cannot supervise other salespersons.

Option D (Transaction Coordinator): A transaction coordinator handles paperwork but does not supervise licensees.

49 Pa. Code 35.241 -- Supervision and Operation of Offices

Question 6

Question Type: MultipleChoice

A person is employed by a real estate owner to manage a multifamily residential property. Which of the following activities is the person permitted to perform without a real estate license?

Options:

A- Provide information on rental amounts and building rules and regulations.
B- Enter into leases on behalf of the owner.
C- Negotiate terms and conditions of occupancy.
D- Hold money belonging to tenants other than on behalf of the owner.

Answer:

A

Explanation:

Under 49 Pa. Code 35.201 (Definitions), an unlicensed individual who is directly employed by a property owner can perform certain tasks, such as providing rental information and enforcing building rules, but they cannot engage in leasing or negotiation activities.

Providing information on rental amounts and building rules is considered administrative and does not require a real estate license.

However, negotiating leases, collecting rents on behalf of third parties, or holding security deposits in a non-owner-controlled account would require a real estate license.

Why the other answers are incorrect:

Option B (Entering into Leases): Only a licensed real estate broker or a supervised salesperson can legally execute lease agreements on behalf of a landlord.

Option C (Negotiating Terms): Negotiating lease terms is an activity that requires a real estate license.

Option D (Holding Tenant Funds Independently): Handling tenant funds outside of the owner's direct control is a brokerage activity and requires a real estate license.

49 Pa. Code 35.201 -- Definitions

Question 7

Question Type: MultipleChoice

When representing a seller, which of the following is a TRUE statement regarding the duties a licensee owes to the principal?

Options:

A- A licensee's obligation of confidentiality ends at the conclusion of the listing contract.
B- A licensee is not obligated to disclose the existence of another offer during negotiations on a purchase contract.
C- A licensee is required to keep confidential the price the seller would accept if lower than the list price.
D- A licensee is obligated to disclose to a consumer the minimum commission split between the licensee and the broker.

Answer:

C

Explanation:

A licensee has a fiduciary duty to keep the seller's pricing strategy confidential.

49 Pa. Code 35.292 (Duties of Licensees Generally) states that a licensee must maintain confidentiality of information that could harm their client's negotiating position, including the minimum price the seller would accept.

Confidentiality extends beyond the duration of the listing agreement unless the seller gives explicit permission to disclose information.

Why the other answers are incorrect:

Option A (Confidentiality Ends After Listing): Confidentiality continues even after the contract ends.

Option B (Not Disclosing Another Offer): In multiple-offer situations, disclosure may be required based on seller instructions.

Option D (Commission Disclosure): The broker's commission arrangement is not required to be disclosed to the public.

49 Pa. Code 35.292 -- Duties of Licensees Generally

Question 8

Question Type: MultipleChoice

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?

Options:

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.

The Pennsylvania Landlord and Tenant Act of 1951 (68 P.S. 250.512)

Question 9

Question Type: MultipleChoice

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

Options:

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

Answer:

C

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.

49 Pa. Code 35.284 -- Disclosures of Business Relationships

Question 10

Question Type: MultipleChoice

A licensee meets with a couple to discuss listing their home, and the couple ends the meeting by signing a listing agreement. State law REQUIRES that the couple receive a copy of the agreement:

Options:

A- at the time their signatures are obtained.
B- after the licensee obtains their employing broker's signature.
C- after the cancellation period has expired.
D- within 5 business days from the time the agreement was signed.

Answer:

A

Explanation:

Under 49 Pa. Code 35.331 (Written Agreements Generally), a copy of any written agreement (including listing agreements) must be provided to the parties at the time of signing.

This rule ensures transparency and protects clients from unauthorized changes to agreements.

Failure to provide an immediate copy is a violation of Pennsylvania real estate regulations.

Why the other answers are incorrect:

Option B (Broker Signature First): The broker does not need to sign before providing a copy to the client.

Option C (After Cancellation Period): There is no required waiting period before providing a copy.

Option D (Within 5 Days): The law states it must be immediate, not within 5 days.

49 Pa. Code 35.331 -- Written Agreements Generally

Question 11

Question Type: MultipleChoice

The Real Estate Commission is empowered to take action against a licensee who is found to have engaged in any of the following activities EXCEPT:

Options:

A- Making any substantial misrepresentation.
B- Failing to furnish a copy of a listing contract to an owner after taking a listing.
C- Failing to include the salesperson's name in all advertising.
D- Failing to provide information requested by the Pennsylvania Real Estate Commission in response to a complaint about the licensee engaging in prohibited acts.

Answer:

C

Explanation:

Under 49 Pa. Code 35.305 (Business Name on Advertisements), advertisements must include the broker's name but are not required to include the salesperson's name.

While a salesperson's name may appear in an ad, it is not a required element under Pennsylvania law.

However, failing to disclose key information in an ad, such as the broker's name, could result in disciplinary action.

Why the other answers are incorrect:

Option A (Misrepresentation): Misrepresentation is a serious offense and can lead to suspension or revocation.

Option B (Failing to Provide Listing Contract): A copy of the listing contract must be furnished to the seller at the time of signing.

Option D (Failing to Provide Information to the Commission): Failure to respond to an investigation can result in fines, suspension, or revocation.

49 Pa. Code 35.305 -- Business Name on Advertisements

63 P.S. 455.303 -- Prohibited Acts by Licensees

Question 12

Question Type: MultipleChoice

The provisions of the Real Estate Licensing and Registration Act apply to:

Options:

A- A trustee who participates in real estate transactions under the authority of a court order.
B- An attorney-at-law who participates in real estate transactions on behalf of a client.
C- A real estate licensee selling real estate they own.
D- A licensed auctioneer who is auctioning property.

Answer:

C

Explanation:

Under 63 P.S. 455.304 (Exemptions from Licensing Requirements), most individuals selling their own property are exempt from real estate licensing requirements. However, a real estate licensee selling their own real estate must comply with disclosure laws and ethical obligations.

If a real estate licensee sells their own property, they must disclose in all advertising that they are a licensed real estate professional to avoid misleading the public.

While a non-licensee selling their own property is not covered under real estate licensing laws, a licensed salesperson must adhere to licensing and disclosure laws.

Why the other answers are incorrect:

Option A (Trustee under Court Order): Court-appointed trustees are exempt from real estate licensing requirements.

Option B (Attorney Representing Clients): Attorneys are permitted to handle real estate transactions as part of their legal practice without a real estate license.

Option D (Licensed Auctioneer): Auctioneers selling real estate are regulated under separate auctioneer licensing laws, not real estate licensing laws.

63 P.S. 455.304 -- Exemptions from Licensing Requirements

Question 13

Question Type: MultipleChoice

A salesperson owns a residence and wishes to sell it without listing it. Under Pennsylvania license law, the salesperson MUST:

Options:

A- list the property with their firm
B- disclose in all advertising that the owner of the property is a real estate licensee
C- offer a sales commission or fee to cooperating brokers
D- have an active license

Answer:

B

Explanation:

Under 49 Pa. Code 35.285 (Disclosure of Real Estate Affiliations), a licensee selling their own property MUST disclose that they are a real estate licensee in all advertisements and communications.

The disclosure must be made in a clear and conspicuous manner to inform potential buyers that the seller has professional real estate expertise.

This rule prevents deception and ensures fair dealings in real estate transactions.

Why the other answers are incorrect:

Option A (List Property with Firm): Licensees are NOT required to list their own property with their firm.

Option C (Offer Commission to Brokers): There is no requirement to offer compensation to other brokers.

Option D (Have an Active License): A licensee can still sell their own property even if their license is inactive, but they must disclose their license status.

49 Pa. Code 35.285 -- Disclosure of Real Estate Affiliations

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