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Q&A

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Exam : RePA_Sales_S

Title : PA Salesperson State Exam

Version : DEMO

1.What MUST a salesperson licensee convicted of a felony do?

- A. Immediately turn in the real estate license to the Real Estate Commission
- B. Discuss the matter with the employing broker to decide what to do
- C. Provide the Real Estate Commission with information about the conviction
- D. Terminate all real estate activities

Answer: C

Explanation:

According to 49 Pa. Code § 35.288 under "Reporting of Crimes and Disciplinary Actions", all licensees in Pennsylvania are required to notify the Pennsylvania Real Estate Commission in writing within 30 days of any felony or misdemeanor conviction.

A licensee does not automatically lose their license upon conviction, but the Commission will review the case and may take disciplinary action such as suspension or revocation of the license.

Failing to report the conviction within the required time may result in additional penalties.

Immediate license surrender (Option A) is not required.

Discussing with the broker (Option B) is not a sufficient step since the official duty is to inform the Commission.

Terminating all activities (Option D) is not an automatic requirement unless the Commission suspends or revokes the license.

Reference: 49 Pa. Code § 35.288 – Reporting of Crimes and Disciplinary Actions

Real Estate Licensing and Registration Act (RELRA) – 63 P.S. § 455.303 (Criminal Background)

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

Answer: B

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: 49 Pa. Code § 35.284 – Disclosure of Business Relationships

3.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. No address is given.

- B. The salesperson's name appears in the ad.
- C. The broker's name does not appear in the ad.
- D. The MLS number is not included in the ad.

Answer: C

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

4.A real estate licensee may be disciplined by the Pennsylvania Real Estate Commission for which of the following reasons?

- A. Inability to obtain automobile liability insurance
- B. Habitual intoxication or drug addiction
- C. Nonpayment of Federal income taxes
- D. Any felony conviction

Answer: B

Explanation:

Under 49 Pa. Code § 35.291 (Reporting of Crimes and Disciplinary Actions), a real estate licensee may face disciplinary action for engaging in unethical conduct, fraud, or incompetence. One of the reasons listed is habitual intoxication or drug addiction, as this impairs the licensee's ability to properly conduct real estate activities.

A felony conviction (Option D - Incorrect) does not automatically result in discipline but is reviewed by the Commission.

Failure to pay taxes (Option C - Incorrect) is a federal issue, not a licensing violation.

Car insurance (Option A - Incorrect) is unrelated to a real estate license.

Reference: 49 Pa. Code § 35.291 – Reporting of Crimes and Disciplinary Actions

5.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 cannot legally accept the \$1,000.
- 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 may only accept the \$1,000 with the broker's consent.

Answer: A

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