

General Exam Content Outlines For Salespersons and Brokers

Effective January 1, 2009

The general portion of the real estate exam is made up of eighty (80) scored questions, which are distributed as noted in the following content outline. Approximately ten percent (10%) of the scored questions on the general examinations will involve mathematical computations.

The salesperson and broker examinations also contain five (5) pretest questions that are not counted toward the score. These questions are used to gather statistics on performance and to help assess appropriateness for use on future examinations. Since pretest questions look exactly like questions that are scored, candidates should answer all the questions on the examination.

The following examination content outline is appropriate for real estate salespersons and real estate brokers.

I. Real property characteristics, definitions, ownership, restrictions, and transfer (Salesperson 16, Broker 12)

- A. Definitions, descriptions, and ways to hold title
 - 1. Elements of real and personal property
 - 2. Property description and area calculations
 - 3. Estates in real property
 - 4. Forms of ownership, rights, interests, and obligations
- B. Land use controls and restrictions
 - 1. Government controls
 - 2. Private controls – non-monetary
 - 3. Private controls – mortgage (deed of trust) and liens
- C. Transfer/alienation of title to real property
 - 1. Voluntary
 - 2. Involuntary
 - 3. Protections
 - 4. Partition/severance (voluntary or involuntary)
 - 5. Deeds and warranties: validity, types, covenants
 - 6. Title and title insurance

II. Property valuation and appraisal (Salesperson 6, Broker 6)

- A. Principles, types, and estimates of property value
 - 1. Valuation definition, purpose, and process
 - 2. Characteristics
 - 3. Valuation principles
 - 4. Approaches to value
 - 5. Depreciation/obsolescence
 - 6. Value
 - 7. Appraisals and list price
 - 8. Math
 - 9. Influences on property value
- B. Investment analysis
 - 1. Application of principles
 - 2. Math calculations

III. Contracts and relationships with buyers and sellers (Salesperson 18, Broker 20)

- A. Contract elements
 - 1. Validity
 - 2. Void/voidable
 - 3. Enforceable/unenforceable (Statute of Frauds)
 - 4. Unilateral/bilateral
 - 5. Executory/executed
- B. Listing contracts
 - 1. General purpose/definition of listing
 - 2. Types
 - 3. Required elements
 - 4. Establishing listing price
 - 5. Responsibilities
- C. Commission agreements
 - 1. Negotiation of commission
 - 2. Who may collect
 - 3. Other compensation arrangements
 - 4. Math: licensee compensation/commission
- D. Sales contracts
 - 1. Terminology
 - 2. Procedures
 - 3. Standard parts
 - 4. Contingencies and misc. provisions
 - 5. Contractual rights and obligation
 - 6. Disputes and dispute resolution terms
- E. Option contracts
- F. Licensee-client relationships and responsibilities
 - 1. Types of relationships – terminology
 - 2. Relationship powers and obligations

IV. Property conditions and disclosures (Salesperson 7, Broker 7)

- A. Federal environmental regulations
 - 1. Lead-based paint
 - 2. CERCLA
 - 3. Asbestos
 - 4. Wetlands and flood plains

- B. Environmental issues
 1. Mold
 2. Radon
 3. Protected species
 4. Other
- C. Material and other property disclosures
- D. Liability considerations

V. Federal laws governing real estate activities (Salesperson 8, Broker 9)

- A. Civil Rights Acts/Fair Housing Acts
 1. Provisions
 2. Violations
 3. Enforcement/penalties
 4. Exceptions
 5. Advertising
 6. Required poster
- B. Americans with Disabilities Act (ADA)
- C. Antitrust – (Sherman Act, etc.)
- D. Marketing and financial controls
 1. Truth in Lending Act (TILA—Regulation Z)
 2. Real Estate Settlement Procedures Act (RESPA)
 3. Equal Credit Opportunity Act (ECOA)
 4. Equal Employment Opportunity Commission (EEOC)
 5. UCC/Interstate/Securities (Broker only)
 6. Do Not Call/Privacy Act

VI. Financing the transaction and settlement (Salesperson 17, Broker 13)

- A. Financing components
 1. Financing instruments
 2. Financing sources (primary and secondary mortgage markets, seller financing)
 3. Types of loans
 4. Financing clauses, terminology, and cost of money (calculation)
 5. Lending issues
- B. Lender requirements and obligations
 1. Private mortgage insurance (PMI)
 2. FHA requirements
 3. VA requirements
 4. Escrow/impound account
 5. Credit report
 6. Assumption requirements
 7. Appraisal requirements
 8. Hazard and flood insurance
 9. Federal financing and credit regulation

- C. Settlement/Closing
 1. Procedures and forms
 2. Closing costs and calculations
 3. Documents, title, and recording

VII. Leases, rents, and property management (Salesperson 5, Broker 6)

- A. Types and elements of leases
 1. Leasehold estates
 2. Types of leases
 3. Lease clauses and provisions
- B. Lessor and lessee rights, responsibilities, liabilities, and recourse
 1. Owned and leased inclusions
 2. Reversionary rights of owners
 3. Rental related discriminatory laws
 4. Unit-related disclosures
 5. Effect of sale/transfer/foreclosure
 6. Evictions
 7. Tenant improvements
 8. Termination of a lease
 9. Breach
- C. Property management contracts and obligations of parties
 1. Contracts and contractual relationships
 2. Manager's obligations, duties, liabilities
 3. Owner's obligations, duties, liabilities
 4. Management/owner math calculations

VIII. Brokerage operations (Salesperson 3, Broker 7)

- A. Broker management of funds
 1. Earnest money
 2. Commingling
 3. Conversion of funds
- B. Broker-salesperson relationship
- C. Advertising
- D. Ethical and legal business practices
 1. Misrepresentation
 2. Implied duty of good faith
 3. Due diligence
 4. Unauthorized practice of law
 5. Marketing practices
- E. Forms of business ownership
 1. Corporation
 2. Partnership (general and limited)
 3. Limited liability company
 4. Sole proprietorship
- F. Independent contractors vs. employee

Massachusetts Real Estate Examinations Salesperson and Broker Examinations Content Outline

Effective: December 1, 2010

Salesperson Examination: 40 Scored Questions – 5-10 Pretest (Unscored) Questions

Brokers Examination: 40 Scored Questions – 5-10 Pretest (Unscored) Questions

The pretest items are not identified and will not affect a candidate's score in any way.

I. Duties and powers of the Board of Registration of Real Estate Brokers and Salespersons (5%) (Salespersons: 2 questions; Brokers: 2 questions)

- A. Examination of records
- B. Hearings and appeals
- C. Sanctions
 - 1. Fines
 - 2. License suspension and revocation

II. Licensing requirements (10%) (Salespersons: 4 questions; Brokers: 4 questions)

- A. Activities requiring a license
- B. Types of licenses
 - 1. Active, inactive, current and expired
- C. Eligibility for licensing
- D. License renewal and continuing education
- E. Board notifications
- F. Surety bonds

III. Requirements governing licensees (35%) (Salespersons: 14 questions; Brokers: 14 questions)

- A. Advertising
- B. Broker/salesperson relationship
- C. Commissions
- D. Disclosures
 - 1. Agency
 - 2. Conflict of interest
- E. Handling of documents
- F. Handling of monies
- G. Maintenance of place of business
- H. Record Keeping
 - I. Rentals
- J. Legal Advice
- K. Marketing out-of-state properties in land developments
- L. Home inspectors--licensee responsibility

IV. Additional topics (50%) (Salespersons: 20 questions; Broker: 20 questions)

- A. Transfer stamps
- B. Massachusetts fair housing law
- C. Property taxes
- D. Landlord/tenant relationships
- E. Zoning and land-use regulation

- 1. State Sanitary Code
- F. Ownership
 - 1. Condominiums, Cooperatives, and Timeshares
 - 2. Easements
 - 3. Adverse Possession
 - 4. Riparian Rights
 - 5. Registered Land
 - 6. Deeds and closings
 - 7. Homestead
- G. Legal descriptions
- H. Contracts
 - 1. Offer to Purchase
 - 2. Purchase and Sale agreement
 - 3. Statute of Frauds
 - 4. Leases
 - 5. Listing and Buyer Agreements
 - 6. Electronic signatures
- I. Finance, foreclosure, and insurance
- J. Massachusetts Consumer Protection Act
 - 1. Property disclosures
 - 2. Misrepresentation
 - 3. Other provisions
 - 4. Sanctions and enforcements
 - 5. Psychologically impacted property
 - 6. Enforcement
- K. Hazardous materials
 - 1. Lead
 - 2. Asbestos
 - 3. Fuel storage
 - 4. Massachusetts Superfund Law 21E
- L. Environmental issues
 - 1. Radon
 - 2. Private sewage disposal
 - 3. Smoke and carbon dioxide detection
 - 4. Wetlands and rivers protection

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