

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

State Content Outline Delaware Laws, Rules and Regulations

Effective July 15, 2010

Salesperson: 30 scored, 10 pretest; Broker: 40 scored, 10 pretest

I. Duties and powers of the Real Estate Commission (3 questions)

- A. Purpose, powers, and composition
- B. Investigations, hearings and appeals
- C. Sanctions
 - 1. Reprimand, suspension and revocation

II. Licensing requirements (3 questions)

- A. Activities requiring a license
- B. Types of licenses
- C. Eligibility for licensing
- D. License renewal
- E. Continuing education
- F. Change in license

III. Statutory requirements governing the activities of licensees (12 questions)

- A. Advertising
- B. Delaware Uniform Common Interest Ownership Act (DUCIOA)
 - 1. Resale certification form
- C. Broker/salesperson relationship
- D. Disclosures
 - 1. Seller's Disclosure of Condition of Real Property form
 - 2. Radon disclosure
 - 3. Other
- E. Handling of documents
- F. Handling of monies
- G. Public responsibility
 - 1. Unfair inducements
 - 2. Unauthorized practice of law
 - 3. Unauthorized appraisals

H. Agency relationships and issues

- 1. Consumer Information Statement
- 2. Confidentiality
- 3. Permitted actions
- 4. Statutory duties

IV. Additional state topics (12 questions)

- A. Unit Property Act (condos)
- B. Landlord-Tenant code
- C. Transfer taxes
- D. Ownership and deeds
 - 1. Title
 - 2. Unimproved land
- E. Delaware Fair Housing Act
- F. Survey, site evaluation, and soil analysis
- G. Guaranty Fund
- H. Sign requirements
 - I. Seller financing
 - 1. Purchase money mortgages
 - 2. Conditional sales agreements
 - J. Tax ditch
- K. Manufactured housing right of first offer/refusal

V. Broker only (10 questions)

- A. Escrow accounts
- B. Examination of records
- C. Eligibility for licensing
- D. Place of business
 - 1. Supervision
- E. Foreclosure consultants
- F. Manufactured homes/department of motor vehicles (DMV)

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