



# Utah Real Estate Candidate Handbook

January 2023

# QUICK REFERENCE

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## STATE LICENSING INFORMATION

Candidates may contact the Utah Division of Real Estate with questions about obtaining or maintaining a license after the examination has been passed.

**Utah Division of Real Estate**  
Heber Wells Building  
160 East 300 South (second floor)  
PO Box 146711  
Salt Lake City, UT 84114-6711

**Phone**  
(801) 530-6747

**Website**  
[www.realestate.utah.gov](http://www.realestate.utah.gov)

## EXAMINATION INFORMATION

Candidates may contact Pearson VUE with questions about this handbook or about an upcoming examination.

**Pearson VUE Utah Real Estate**  
5601 Green Valley Drive  
Bloomington, MN 55437

**Phone**  
(800) 359-9333

**Email**  
[pearsonvuecustomerservice@pearson.com](mailto:pearsonvuecustomerservice@pearson.com)

**Website**  
[www.pearsonvue.com](http://www.pearsonvue.com)

## RESERVATIONS

### Before making an exam reservation

Candidates should thoroughly review this handbook, which contains examination content outlines and important information regarding eligibility and the examination and licensing application process.

### Making an exam reservation

Candidates may make a reservation by either **visiting** [www.pearsonvue.com](http://www.pearsonvue.com) or calling Pearson VUE.

Candidates should make a reservation online at least twenty-four (24) hours before the desired examination date. **Walk-in examinations are not available.**

Candidates that qualify for an exemption from taking the GENERAL part of the Utah Real Estate exam must receive an exam waiver from the Utah Division of Real Estate (contact information in left column of this page).

## SCHEDULES & FEES

### Test centers

A list of test centers appears on the back cover of this handbook. Candidates should contact Pearson VUE to confirm specific locations and schedules.

### Exam fees

The examination fee (\$59) must be paid at the time of reservation by credit card, debit card, or voucher. **Payment will not be accepted at the test center. Examination fees are non-refundable and non-transferable.**

## EXAM DAY

### What to bring to the exam

Candidates should bring to the examination proper identification and other materials as dictated by the state licensing agency. A complete list appears in *What to Bring* (page 5).

### Exam procedures

Candidates should report to the test center at least thirty (30) minutes before the examination begins. Each candidate will have four (4) hours to complete the examination, and will leave the test center with an official score report in hand.

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# OVERVIEW

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## **The candidate handbook is a useful tool in preparing for an examination.**

It is highly recommended that the Utah Real Estate handbook be reviewed, with special attention given to the [content outlines](#), before taking the examination.

### **Individuals who wish to obtain a real estate license in the state of Utah must:**

#### **1. Complete Prelicensing Education.**

Before taking an examination, candidates must complete all prelicensing education. (*See page 2 for additional details.*)

#### **2. Make a reservation and pay the examination fee.**

Make a reservation (by phone or online) with Pearson VUE for the examination. (*See pages 3-4.*)

#### **3. Go to the test center.**

Go to the test center on the day of the examination, bringing along all required materials. (*See page 5.*)

#### **4. Apply for a license.**

Within ninety (90) days of passing both examination components (general and state) and within twelve (12) months of the date on which the individual completed the prelicensing education, candidates must submit the proper application forms and fees, as set forth on the Score Report issued at the test center, to the Utah Division of Real Estate.

# INTRODUCTION

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## CONTACT INFORMATION

Candidates may contact Pearson VUE with questions about this handbook or about an upcoming examination.

<b>Pearson VUE/Utah Real Estate</b> 5601 Green Valley Dr., Bloomington, MN 55437		
<b>Phone:</b> (800) 359-9333	<b>Website:</b> <a href="http://www.pearsonvue.com">www.pearsonvue.com</a>	<b>Email:</b> <a href="mailto:pearsonvuecustomerservice@pearson.com">pearsonvuecustomerservice@pearson.com</a>

Live Chat is available to address your support inquiries and is the quickest way to reach a customer service agent. It's available from 8:00 AM through 5:00 PM Central Time, Monday through Friday, subject to change during locally designated holidays.

Please visit <http://www.pearsonvue.com/ut/realestate/contact/> for further information.

Candidates may contact the Utah Division of Real Estate with questions about obtaining or maintaining a license.

<b>Utah Division of Real Estate</b> Heber Wells Building 160 East 300 South (second floor) P.O. Box 146711 Salt Lake City, UT 84114-6711	
<b>Phone:</b> (801) 530-6747	<b>Website:</b> <a href="http://www.realestate.utah.gov">www.realestate.utah.gov</a>

## THE LICENSURE PROCESS

Licensure is the process by which an agency of state government or other jurisdiction grants permission to individuals to engage in the practice of, and prohibits all others from legally practicing, a particular profession, vocation, or occupation. By ensuring a minimum level of competence, the licensure process protects the general public. The state regulatory agency is responsible for establishing the acceptable level of safe practice and for determining whether an individual meets that standard.

The State of Utah has retained the services of Pearson VUE to develop and administer its real estate examination program. Pearson VUE is a leading provider of assessment services to regulatory agencies and national associations.

## PRACTICE TESTS – GENERAL (NATIONAL) PORTION ONLY

General-portion practice tests are offered exclusively online at [www.pearsonvue.com](http://www.pearsonvue.com), giving candidates even more opportunity to succeed on real estate examinations. The general-portion practice tests will not only help prepare candidates for the types of questions they will see on the general portion of the licensure examination but also familiarize them with taking computer-based examinations.

Pearson VUE offers a practice test for real estate that contains questions developed by subject matter experts using concepts found in the general portion of the licensure examination. The test closely reflects the format of the general portion of the licensure examination, can be scored instantly, and provides immediate feedback to help candidates identify correct and incorrect answers. Candidates can purchase general-portion practice tests anytime by visiting [www.pearsonvue.com/practicetests/realestate](http://www.pearsonvue.com/practicetests/realestate).

# STATE LICENSING REQUIREMENTS

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The Utah Division of Real Estate has established the requirements for qualification for a salesperson or broker license. Applicants should read this candidate handbook, the enclosed forms, and any other information provided by the Division of Real Estate before making a reservation for any licensing examination. Applicants must meet all education requirements before they make an examination reservation.

## LICENSING REQUIREMENTS

### A. Age:

All applicants must be at least eighteen (18) years of age when they apply for licensure.

### B. Formal Education:

All applicants shall have at least a high school diploma, GED, or equivalent as determined by the Utah Real Estate Commission.

### C. Prelicensing Education:

Applicants must meet all education requirements before they apply for the examination. Education requirements must be successfully completed within the year prior to licensing. Salesperson candidates must complete one hundred twenty (120) classroom hours of salesperson prelicensing education. Broker candidates must complete one hundred twenty (120) classroom hours of broker prelicensing education. When applicants arrive at the test center to take the examination, they must present the *Candidate Education Certifying Document* (in the back of this handbook) completed by a certified real estate school verifying completion of the prelicensing education requirements and/or completed by the Division of Real Estate waiving all or part of the requirement. This *Candidate Education Certifying Document* must be presented each time the examination is taken.

### D. Education Waiver:

Applicants who are requesting an education waiver from the Division of Real Estate for courses taken in another state or jurisdiction must submit valid documentation of their education to the Utah Division of Real Estate. The Division will review the document(s). If the courses taken satisfy all or a portion of the prelicensing education classroom hours requirement, the applicant will be issued evidence on the *Candidate Education Certifying Document*. Active members of the Utah State Bar Association may have education waved by providing proof of membership status. The number of hours waived will be indicated on the document. Applicants must allow at least thirty (30) days for the Division of Real Estate to review and respond to the information submitted.

### E. Licensure Examination:

All applicants must pass the licensure examination administered by Pearson VUE.

### F. Examination Fee:

All applicants must pay the examination fee to Pearson VUE.

### G. Applying for a License and Licensing Deadlines:

After they pass the examination, all applicants must submit, to the Utah Division of Real Estate (*see address on page 1*), the proper forms and fees as set forth on the Score Report issued by Pearson VUE.

All applicants must apply for a license within ninety (90) days of passing both examination components (general and state) and within twelve (12) months of the date on which the individual completes the prelicensing education. Those who fail to meet the examination deadline must retake the examination. If the 90th day following the examination falls on a weekend or national holiday, the next business day shall be the latest applicants may apply for a license. Those who fail to meet the education deadline must retake the prelicense education. Those who fail both the examination and the education deadlines must retake the examination and the prelicense education.

### H. Broker Applicant Requirements:

Applicants applying for a broker license must submit the required documentation to the Utah Division of Real Estate. Detailed information and necessary forms are available at [www.realestate.utah.gov](http://www.realestate.utah.gov).

### I. Fingerprinting Requirement:

Digital fingerprinting services are available for **Sales** candidates at the Bountiful, Draper, Ogden, and Orem test centers in Utah. You must schedule and pay for a fingerprint appointment through Pearson VUE before being fingerprinted. The \$12 fee is separate from the fingerprint fee paid to the Utah Division of Real Estate. Log in to your Pearson VUE account and select UTFP-Utah Fingerprint Appointment (Sales only) from the exam list.

Candidates having digital fingerprints taken will receive a fingerprint receipt from the test center verifying that the fingerprints have both been taken and been sent electronically. This fingerprint receipt **must** be submitted with the license application to the Utah Division of Real Estate.

Candidates taking examinations in test centers that don't offer digital fingerprint service will receive two (2) fingerprints cards (Blue FD-258) and a signed fingerprint waiver (issued at the test center) and must use the fingerprint services of a local law enforcement agency or local third party fingerprinting vendor to be fingerprinted. Candidates must submit the completed fingerprint cards, along with the license application, to the Utah Division of Real Estate (*see address on page 1*).

# EXAM RESERVATIONS

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## MAKING A RESERVATION

**Walk-in examinations are not available.** Online reservations are the most efficient way for candidates to schedule their examination. Candidates **must** go to [www.pearsonvue.com/ut/realestate](http://www.pearsonvue.com/ut/realestate) to make an online reservation for an examination. First-time users are required to create an account. The candidate will need to fill in all required fields, which are preceded by an asterisk (\*), on the online form in order to create an ID and be assigned a password. Step-by-step instructions will lead the candidate through the rest of the examination reservation process.

Candidates **must** make an online reservation at least twenty-four (24) hours before the desired examination date. Candidates who wish to make a phone reservation at (800) 359-9333 must do so at least twenty-four (24) hours before the desired examination date.

### **Before making a reservation, candidates should have the following:**

- Legal name; physical address; Social Security number, I-94, or Alien Registration Number; daytime telephone number; and date of birth
- The name of the examination(s)
- The preferred examination date and test center location (a list appears on the back cover of this handbook)

## EXAM FEES

The examination fee (\$59) must be paid at the time of reservation by credit card, debit card, or voucher. **Payment will not be accepted at the test center, nor will a single payment that covers more than one candidate be accepted.**

Candidates are responsible for knowing all regulations regarding fees and examination scheduling as presented here. Examination fees are non-refundable and non-transferable, except as detailed in *Change/Cancel Policy*.

## Vouchers

Vouchers offer another convenient way to pay for tests. Vouchers can be purchased online at [www.pearsonvue.com/vouchers/pricelist](http://www.pearsonvue.com/vouchers/pricelist) by credit card either singly or in volume. To redeem a voucher as payment when scheduling a test, simply indicate voucher as the payment method and provide the voucher number. **All vouchers are pre-paid. Vouchers are non-refundable and non-returnable.**

Vouchers expire twelve (12) months from the date they are issued. Voucher expiration dates cannot be extended. The exam must be taken by the expiration date printed on the voucher.

## CHANGE/CANCEL POLICY

Candidates should call Pearson VUE at (800) 359-9333 at least forty-eight (48) hours before the examination to change or cancel a reservation. Candidates who change or cancel a reservation with proper notice may either transfer their fees to a new reservation or request a refund. **Candidates who change or cancel their reservations without proper notice will forfeit the examination fee.** Refunds for credit/debit cards are immediate, while refunds for vouchers will be processed in two to three (2-3) weeks.

Candidates are individually liable for the full amount of the examination fee once a reservation has been made, whether individually or by a third party.



## **ABSENCE/LATENESS POLICY**

Candidates who are late or absent from an exam may call Pearson VUE within 14 days of the exam date to request an excused absence for the following reasons:

- Illness of the candidate or of the candidate's immediate family member
- Death in their immediate family
- Disabling traffic accident
- Court appearance or jury duty
- Military duty
- Weather emergency

A case number will be assigned and instructions provided for emailing supporting documentation. **Candidates absent from or late to an exam who have not changed or canceled the reservation according to the *Change/Cancel Policy* will not be admitted to the exam and will forfeit the exam fee.**

## **WEATHER DELAYS AND CANCELLATIONS**

If severe weather or a natural disaster makes the test center inaccessible or unsafe, the examination may be delayed or canceled. Pearson VUE will notify and reschedule candidates in the case of severe weather.

## **ACCOMMODATIONS**

Pearson VUE complies with the provisions of the Americans with Disabilities Act as amended. The purpose of accommodations is to provide candidates with full access to the test. Accommodations are not a guarantee of improved performance or test completion. Pearson VUE provides reasonable and appropriate accommodations to individuals with documented disabilities who demonstrate a need for accommodations.

Test accommodations may include things such as:

- A separate testing room
- Extra testing time
- A Reader or Recorder, for individuals with mobility or vision impairments and cannot read or write on their own

Test accommodations are individualized and considered on a case-by-case basis. All candidates who are requesting accommodations because of a disability must provide appropriate documentation of their condition and how it is expected to affect their ability to take the test under standard conditions. This may include:

- Supporting documentation from the professional who diagnosed the condition, including the credentials that qualify the professional to make this diagnosis
- A description of past accommodations the candidate has received

The steps to follow when requesting test accommodations vary, depending on your test program sponsor. To begin, go to <http://pearsonvue.com/accommodations>, and then select your test program sponsor from the alphabetized list. Candidates who have additional questions concerning test accommodations may contact the ADA Coordinator at [accommodationspearsonvue@pearson.com](mailto:accommodationspearsonvue@pearson.com).

# EXAM DAY

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## REQUIRED ITEMS

Candidates who do not present the required items will be denied admission to the examination, will be considered absent, and will forfeit the examination fee.

## WHAT TO BRING

### Required Materials

- Identification that is deemed acceptable, as listed under *Acceptable Forms of Candidate Identification*  
**Note: Candidates will receive with their passing Score Reports, a Declaration page asking for either their SSN, I-94 or Alien Registration Number. This page is considered part of the License Application and must be filled out and sent to the Utah Division of Real Estate.**
- *Candidate Education Certifying Document* (found in the back of this handbook) stamped and signed by a school official and/or the Utah Division of Real Estate.  
**Note: If you have a Waiver from the Utah Division of Real Estate stating that you are exempt from taking the GENERAL part of the Real Estate exam, you must submit a waiver request to Pearson Vue prior to scheduling to have the waiver placed in your exam. Please visit [www.pearsonvue.com](http://www.pearsonvue.com) and click on "view program information", follow the instructions on the webpage for Utah Real Estate. Failure to do this will result in your having to take the General part of the exam on your administration date, or rescheduling to allow this request to be processed.**

### Acceptable Forms of Candidate Identification

Candidates must present **two (2)** forms of current signature identification. The name on the identification must exactly match the name on the registration. The primary identification must be government issued and photo-bearing with a signature, and the secondary identification must contain a valid signature. Identification must be in English.

#### Primary ID (photograph and signature, not expired)

- Government-issued Driver's License
- U.S. Department of State Driver's License
- U.S. Learner's Permit (plastic card only with photo and signature)
- National/State/Country Identification Card
- Passport
- Passport card
- Military ID
- Military ID for spouses and dependents
- Alien Registration Card (Green Card, Permanent Resident Visa)

#### Secondary ID (signature, not expired)

- U.S. Social Security Card
- Debit (ATM) or Credit Card
- Any form of ID on the Primary ID list

If the ID presented has an embedded signature that is not visible (microchip), or is difficult or impossible to read, the candidate must present another form of identification from the Primary ID or Secondary ID list that contains a visible signature.

Pearson VUE does not recognize grace periods. For example, if a candidate's driver's license expired yesterday and the state allows a 30-day grace period for renewing the ID, the ID is considered to be expired.

## EXAM PROCEDURES

Candidates should report to the test center thirty (30) minutes before the examination and check in with the test center administrator. The candidate's identification and other documentation will be reviewed and he or she will be photographed for the score report.

Candidates are required to review and sign a **Candidate Rules Agreement** form. If the **Candidate Rules Agreement** is not followed and/or cheating or tampering with the examination is suspected, the incident will be reported as such and the appropriate action will be taken. The examination fee will not be refunded, the exam may be determined invalid, and/or the state may take further action such as decertification.

Candidates will have an opportunity to take a tutorial on the computer on which the examination will be administered. The time spent on this tutorial will not reduce the examination time. The examination administrators will answer questions, but candidates should be aware that the administrators are not familiar with the content of the examinations or with the state's licensing requirements. Examination administrators have been instructed not to advise candidates on requirements for licensure.

Candidates may begin the examination once they are familiar with the computer. The examination begins the moment a candidate looks at the first examination question. Candidates will be given four (4) hours to complete the examination. The examination will end automatically after the examination time has expired, and candidates will leave the test center with their official scores in hand.

## QUALIFYING QUESTIONS

On examination day, candidates will be required to answer a series of licensure questions regarding identity. Candidates will need to have either their Social Security number and be a U.S. citizen, or have a working social security number and an alien registration number.

The sample questions listed below are representative of the questions candidates will be asked when taking the examination. **There may be some variation between the sample questions presented below and the actual questions that will be provided during the exam.**

Carefully and accurately answer the questions on the exam. **False or inaccurate answers to the exam questions may result in license denial, revocation, or other disciplinary action.** After the candidate has completed the prelicensing requirements, the Utah Division of Real Estate will review the information provided and make a decision on the candidate's qualifications.

1. Are you at least 18 years of age?
2. Do you attest that you have a high school diploma or GED?
3. Have you EVER had a professional or occupational credential (license, registration, certification, or similar authorization to work in a professional or occupational capacity) denied, revoked, or suspended?
4. Have you EVER had a professional or occupational credential (license, registration, certification, or similar authorization to work in a professional or occupational capacity) sanctioned? Sanctions include, but are not limited to, having a credential restricted, limited, placed on probation, being required to pay a fine or penalty, take education, or comply with any other condition?
5. Have you EVER been sanctioned or banned from engaging in any activity by Freddie Mac, Fannie Mae, FHA (HUD), VA, or similar organization for any period of time or for any reason?
6. Have you EVER been ordered to cease and desist from any conduct related to a professional or occupational credential (license, registration, certification, or similar authorization to work in a professional or occupational capacity)?
7. Have you EVER allowed a professional or occupational credential (license, registration, certification, or similar authorization to work in a professional or occupational capacity) to expire or lapse while you were under investigation by a regulatory or licensing body, or while a regulatory action was pending against you?
8. Do you have knowledge of any complaint, investigation, or disciplinary action CURRENTLY ongoing or pending against you by a regulatory or licensing body?

9. Have you EVER been convicted of, or pled guilty or nolo contendere to a felony, class A misdemeanor, class B misdemeanor, or comparable criminal offense? A traffic offense can be prosecuted as a felony, class A misdemeanor, class B misdemeanor, or comparable criminal offense. Where this is the case disclosure is required.
10. Have you EVER resolved a felony, class A misdemeanor, class B misdemeanor, or comparable criminal offense through a plea in abeyance, diversion agreement, withheld judgment, or other method whereby a charge was held in suspense during a period of time in which you were on probation or were obligated to comply with conditions outlined by a court? A traffic offense can be prosecuted as a felony, class A misdemeanor, class B misdemeanor, or comparable criminal offense. Where this is the case disclosure is required.
11. Currently, are you aware of any investigation(s), indictment(s), or criminal charge(s) for any crime in any jurisdiction which are pending against you?
12. Have you EVER been courts martial or discharged other than honorably from any branch of the armed services?
13. Have you EVER been required to register as a sex offender?
14. Have you EVER had a judgment entered against you in a civil court or in a bankruptcy court on the basis of fraud, misrepresentation, or deceit, or in any matter related to the purchase, sale, management, finance, loan origination, or valuation of real estate?
15. Have you EVER been found in contempt of court?

After the candidate has completed his/her prelicensing education and passed the examination, he/she must submit to the Utah Division of Real Estate the judgment or any court documents which define the conviction, the sentence, and whether all conditions of probation have been satisfied. The Utah Division and Real Estate Commission will then review the application and make a decision on the candidate's qualification. Candidates will be asked to attest to the truthfulness of these same questions at the time they take the examination.

## SCORE REPORTING

When candidates complete the examination, they will receive a score report marked "pass" or "fail." Candidates who pass the examination will receive a score report that includes information on how to apply for a license.

Candidates who pass the examination are also required to complete the fingerprinting process. Digital fingerprinting services are available for **Sales** candidates at the Bountiful, Draper, Ogden, and Orem test centers in Utah. You must schedule and pay for a fingerprint appointment through Pearson VUE before being fingerprinted. The \$12 fee is separate from the fingerprint fee paid to the Utah Division of Real Estate. Log in to your Pearson VUE account and select UTFP-Utah Fingerprint Appointment (Sales only) from the exam list. Candidates having digital fingerprints taken will receive a fingerprint receipt from the test center verifying that the fingerprints have both been taken and been sent electronically. This fingerprint receipt **must** be submitted with the license application to the Utah Division of Real Estate.

Candidates taking examinations in test centers that don't offer digital fingerprint service will receive two (2) fingerprints cards (Blue FD-258) and a signed fingerprint waiver (issued at the test center) and must use the fingerprint services of a local law enforcement agency or local third party fingerprinting vendor to be fingerprinted. Candidates must submit the completed fingerprint cards, along with the license application, to the Utah Division of Real Estate (*see address on page 1*).

Candidates who fail the examination will receive a score report that includes a numeric score and diagnostic information relating to the general portion of the examination, as well as information about reexamination.

## RETAKING THE EXAM

The examination is divided into two parts: general and state law. Candidates who pass one section of the examination and fail the other need retake only the failed section within six (6) months. If, after six (6) months, both sections have not been passed, the candidate must retake the entire examination. To retake an examination, candidates should follow regular reservation procedures.

Reservations for reexamination may not be made at the test center, and **candidates must wait twenty-four (24) hours after failing an examination before making a reservation to retake it.**

## REVIEW OF EXAMS

For security reasons, examination material is not available to candidates for review.

## SCORE EXPLANATION

### Scaled Score

There are multiple versions of each of the licensing examinations. These versions are known as forms. Although all forms of an examination are developed based on the content outlines, the difficulty of the forms of an examination may vary slightly because different questions appear on each form. To ensure that no candidate is put at an unfair advantage or disadvantage due to the particular form of an examination that he or she is given, a statistical procedure known as equating is used to correct for differences in form difficulty.

The passing score of an examination was set by the Utah Division of Real Estate (in conjunction with Pearson VUE) after a comprehensive study was completed for each examination. Raw scores are converted into scaled scores that can range from 0 to 100. To avoid misuse of score information, numeric scores are only reported to failing candidates. The scaled score that is reported to you is neither the number of questions you answered correctly nor the percentage of questions you answered correctly. The passing score is 70 for the salesperson examination, and 75 for the broker examination. With a passing score of 70 or 75, any score below 70 or 75 indicates how close the candidate came to passing, rather than the actual number or percentage of questions the candidates answered correctly.

PASSING SCALED SCORES	GENERAL	STATE
Salesperson	70	70
Broker	75	75

## DUPLICATE SCORE REPORTS

As of January 06, 2023, candidates may obtain a copy of their score report by logging into their Pearson VUE account. For candidates who tested prior to January 06, 2023, a duplicate score report can be requested by emailing Pearson VUE at [pearsonvuecustomerservice@pearson.com](mailto:pearsonvuecustomerservice@pearson.com).

## PEARSON VUE TEST CENTER POLICIES

The following policies are observed at each test center. **Candidates who violate any of these policies will not be permitted to finish the examination and will be dismissed from the test center, forfeiting the examination fee.**

- **No personal items are allowed in the testing room.** Personal items include but are not limited to cellular phones, hand-held computers or other electronic devices, pagers, watches, wallets, purses, firearms or other weapons, hats, bags, coats, books, and/or notes, pens, or pencils.
- Calculators are not required; however, they are recommended. Acceptable calculators include hand-held, battery, or solar-powered financial calculators used in real estate, finance, accounting, and business. The acceptable financial calculator may have storage capabilities but **must not** contain alpha characters. Alpha characters are considered to be ABC, DEF similar to a cell phone. Exceptions are mathematical symbols such as "cos" or "sin." Calculator malfunctions are not grounds for challenging examination results or requesting additional examination time.
- Candidates must store all personal items in a secure area as indicated by the administrator, or return items to their vehicles. All electronic devices must be turned off before storing them in a locker. **The test center is not responsible for lost, stolen, or misplaced personal items.**
- Studying **is not** allowed in the test center. Visitors, children, family, or friends **are not** allowed in the test center.
- Dictionaries, books, papers (including scratch paper), and reference materials are not permitted in the examination room (unless permitted by the exam sponsor), and candidates are strongly urged not to bring such materials to the test center. When the candidate enters and is seated in the testing room, the

test administrator will provide the candidate with materials to make notes or calculations and any other items specified by the exam sponsor. **The candidate may not write on these items before the exam begins or remove these items from the testing room.**

- Eating, drinking, chewing gum, smoking, and/or making noise that creates a disturbance for other candidates is prohibited during the exam.
- Break policies are established by the exam sponsor. Most sponsors allow unscheduled breaks. To request an unscheduled break, the candidate **must** raise his or her hand to get the administrator's attention. **The exam clock will not stop while the candidate is taking a break.**
- Candidates must leave the testing room for all breaks. However, candidates **are not permitted to leave the floor or building for any reason during this time, unless specified by the administrator and the exam sponsor.** If a candidate is discovered to have left the floor or building, he or she will not be permitted to proceed with the examination and may forfeit the exam fees.
- While taking a break, candidates are permitted to access personal items that are being stored during the exam only if necessary—for example, personal medication that must be taken at a specific time. **However, a candidate must receive permission from the administrator prior to accessing personal items that have been stored.** Candidates are **not** allowed access to other items, including but not limited to cellular phones, exam notes, and study guides, unless the exam sponsor specifically permits this.
- Any candidate discovered causing a disturbance of any kind or engaging in any kind of misconduct—giving or receiving help; using notes, books, or other aids; taking part in an act of impersonation; or removing examination materials or notes from the examination room—will be summarily dismissed from the examination and will be reported to the state licensing agency. Decisions regarding disciplinary measures are the responsibility of the state licensing agency.

# PREPARING FOR THE EXAM

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## EXAM CONTENT

The content of the general section of the examination is based upon information obtained from a job analysis performed by Pearson VUE. Responses from real estate professionals were analyzed to determine the nature and scope of tasks they perform, and the knowledge and skills needed to perform them. This information is the basis upon which examination questions are written and ensures that the examination reflects the actual practice of real estate. Questions on the general section are also reviewed and approved by nationally recognized real estate professionals.

The state law section of the examination has been developed to reflect the laws, regulations, and practice of real estate in Utah, and has been reviewed and approved by real estate professionals in Utah.

## MATH CALCULATIONS

**The information below is NOT available at the test center and should be memorized.**

Candidates may use the following information in making mathematical calculations on the general section of the real estate examinations unless otherwise stated in the text of the question:

- 43,560 square feet/acre
- 5,280 feet/mile
- Round off calculations (where applicable)

**The information below, if needed, will be contained within the test itself:**

*If a question requires the calculation of prorated amounts, the question will specify: a) whether the calculation should be made on the basis of 360 or 365 days a year; and b) whether the day of closing belongs to the buyer or seller.*

## PRETEST QUESTIONS

Many of the examinations will contain “pretest” questions. Pretest questions are questions on which statistical information is being collected for use in constructing future examinations. Responses to pretest questions do not affect a candidate’s score. Pretest questions are mixed in with the scored questions and are not identified.

**The number of pretest questions are listed in the content outline heading of each examination for which they are available. If a number is not present then there are no pretest questions for that particular examination.**



# General Exam Content Outline for Salespersons and Brokers

Effective: June 01, 2020

The general portion of the real estate exam is made up of eighty (80) scored items, which are distributed as noted in the following content outline. The general examination also contains five (5) pretest items that are not counted toward the score. These items are used to gather statistics on performance and to help assess appropriateness for use on future examinations. Because pretest items look exactly like items that are scored, candidates should answer all the items on the examination.

## **I. REAL PROPERTY CHARACTERISTICS, LEGAL DESCRIPTIONS, AND PROPERTY USE (SALES 9; BROKER 9)**

### **A. Real property vs. personal property**

1. Fixtures, trade fixtures, emblements
2. Attachment, severance, and bill of sale

### **B. Characteristics of real property**

1. Economic characteristics
2. Physical characteristics

### **C. Legal descriptions**

1. Methods used to describe real property
2. Survey

### **D. Public and private land use controls – encumbrances**

1. Public controls – governmental powers
  - a. Police power, eminent domain, taxation, escheat
  - b. Zoning ordinances
2. Private controls, restrictions, and encroachments
  - a. Covenants, conditions, and restrictions (CC&Rs), HOAs
  - b. Easements
  - c. Licenses and encroachments

## **II. FORMS OF OWNERSHIP, TRANSFER, AND RECORDING OF TITLE (SALES 8; BROKER 8)**

### **A. Ownership, estates, rights, and interests**

1. Forms of ownership
2. Freehold estate
  - a. Fee simple absolute
  - b. Fee simple defeasible, determinable, and condition subsequent
  - c. Life estate
  - d. Bundle of rights
3. Leasehold estates and types of leases
  - a. Estate for years and from period to period (periodic estate)
  - b. Estate at will and estate at sufferance
  - c. Gross, net, and percentage leases
4. Liens and lien priority
5. Surface and sub-surface rights

### **B. Deed, title, transfer of title, and recording of title**

1. Elements of a valid deed

2. Types of deeds
3. Title transfer
  - a. Voluntary alienation
  - b. Involuntary alienation
4. Recording the title
  - a. Constructive and actual notice
  - b. Title abstract and chain of title
  - c. Marketable title and cloud on title
  - d. Attorney title opinion, quiet title lawsuit, and title insurance

## **III. PROPERTY VALUE AND APPRAISAL (SALES 11; BROKER 10)**

### **A. Concept of value**

1. Market value vs. market price
2. Characteristics of value
3. Principles of value

### **B. Appraisal process**

1. Purpose and steps to an appraisal
2. Federal oversight of the appraisal process

### **C. Methods of estimating value and Broker Price Opinions (BPO)**

1. Sales comparison approach (market data)
2. Cost approach
  - a. Improvements and depreciation
  - b. Physical deterioration, functional, and economic obsolescence
  - c. Reproduction or replacement costs
3. Income approach
4. Gross rent and gross income multipliers
5. Comparative Market Analysis (CMA)
6. Broker Price Opinion (BPO)
7. Assessed value and tax implications

## **IV. REAL ESTATE CONTRACTS AND AGENCY (SALES 16; BROKER 17)**

### **A. Types of contracts**

1. Express vs. implied
2. Unilateral vs. bilateral

### **B. Required elements of a valid contract**

### **C. Contract performance**

1. Executed vs. executory
2. Valid vs. void



3. Voidable vs. unenforceable
4. Breach of contract, rescission, and termination
5. Liquidated, punitive, or compensatory damages
6. Statute of Frauds
7. Time is of the essence

**D. Sales contract**

1. Offer and counteroffer
2. Earnest money and liquidated damages
3. Equitable title
4. Contingencies
5. Disputes and breach of contract
6. Option contract and installment sales contract

**E. Types of agency and licensee-client relationships**

**F. Creation and termination of agency**

**G. Licensee obligations to parties of a transaction**

**V. REAL ESTATE PRACTICE (SALES 14; BROKER 13)**

**A. Responsibilities of broker**

1. Practicing within scope of expertise
2. Unauthorized practice of law

**B. Brokerage agreements between the broker and principal (seller, buyer, landlord, or tenant)**

1. Seller representation – Types of listing agreements
  - a. Exclusive right-to-sell and exclusive agency listing
  - b. Non-exclusive or open listing
  - c. Net listing (conflict of interest)
  - d. Multiple listing service (MLS)
2. Buyer representation
3. Property management agreement
  - a. Accounting for funds
  - b. Property maintenance
  - c. Leasing property
  - d. Collecting rents and security deposits
4. Termination of agreements
5. Services, fees, and compensation

**C. Fair Housing**

1. Equal opportunity in housing
2. Protected classes
3. Fair housing laws
4. Illegal practices, enforcement, and penalties
5. Prohibited advertising
6. Housing and Urban Development (HUD)
7. Americans with Disabilities Act (ADA)

**D. Risk management**

1. Supervision
2. Compliance with federal regulations; including Privacy and Do Not Contact
3. Vicarious liability
4. Antitrust laws
5. Fraud and misrepresentation
6. Types of insurance
  - a. Errors and Omissions
  - b. General Liability

**VI. PROPERTY DISCLOSURES AND ENVIRONMENTAL ISSUES (SALES 8; BROKER 8)**

**A. Property conditions and environmental issues**

1. Hazardous substances
  - a. Lead-based paint
  - b. Asbestos, radon, and mold
  - c. Groundwater contamination and underground storage tanks
  - d. Waste disposal sites and brownfields
  - e. Flood plains, flood zones, and flood insurance
2. Clean Air and Water Acts
3. Environmental Protection Agency (EPA)
  - a. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
  - b. Superfund Amendment and Reauthorization Act (SARA)
  - c. Environmental site assessments (including Phase I and II studies) and impact statements
  - d. Wetlands protection

**B. Disclosure obligations and liability**

**VII. FINANCING AND SETTLEMENT (SALES 7; BROKER 7)**

**A. Financing concepts and components**

1. Methods of financing
  - a. Mortgage financing – conventional and non-conventional loans
  - b. Seller financing – land contract/contract for deed
2. Lien theory vs. title theory and deed of trust
3. Sources of financing (primary and secondary mortgage markets, and seller financing)
4. Types of loans and loan programs
5. Mortgage clauses

**B. Lender Requirements**

1. FHA requirements
2. VA requirements
3. Buyer qualification and Loan to Value (LTV)
4. Hazard and flood insurance
5. Private mortgage insurance (PMI) and mortgage insurance premium (MIP)

**C. Federal Financing Regulations and Regulatory Bodies**

1. Truth-in-Lending and Regulation Z
2. TILA-RESPA Integrated Disclosures (TRID)
  - a. Consumer Financial Protection Bureau (CFPB)
  - b. Loan Estimate (LE)
  - c. Closing Disclosure (CD)
3. Real Estate Settlement Procedures Act (RESPA)
  - a. Referrals
  - b. Rebates
4. Equal Credit Opportunity Act (ECOA)
5. Mortgage fraud and predatory lending

**D. Settlement and closing the transaction**

## **E. REAL ESTATE MATH CALCULATIONS (SALES 7; BROKER 8)**

### **F. Property area calculations**

1. Square footage
2. Acreage total

### **G. Property valuation**

1. Comparative Market Analysis (CMA)
2. Net Operating Income (NOI)
3. Capitalization rate
4. Gross rent multiplier- **Broker Only**
5. Gross income multiplier- **Broker Only**
6. Equity in property
7. Establishing a listing price
8. Assessed value and property taxes

### **H. Commission/compensation**

#### **I. Loan financing costs**

1. Interest
2. Loan to Value (LTV)
3. Fees
4. Amortization, discount points, and prepayment penalties

#### **J. Settlement and closing costs**

1. Purchase price and down payment
2. Monthly mortgage calculations- principal, interest, taxes, and insurance (PITI)
3. Net to the seller
4. Cost to the buyer
5. Prorated items
6. Debits and credits
7. Transfer tax and recording fee

#### **K. Investment**

1. Return on investment
2. Appreciation
3. Depreciation
4. Tax implications on investment

#### **L. Property management calculations**

1. Property management and budget calculations
2. Tenancy and rental calculations

## **Real Estate General/National Resources**

- Mastering Real Estate Principles, Gerald R. Cortesi, 7th Edition, Dearborn
- Modern Real Estate Practice, Fillmore W. Galaty, Wellington J. Allaway, Robert C. Kyle, etc., 20th edition, Dearborn
- Principles of Real Estate Practice, Stephen Mettling, 6th Edition, Performance Programs Company
- Property Management, Robert C. Kyle, 10th Edition, Dearborn
- Real Estate Finance, J. Keith Baker and John P Wiedemer, 10th Edition, OnCourse Learning Publishing
- Real Estate Fundamentals, Wade E. Gaddy, 10th Edition Dearborn
- Real Estate Law, Charles J. Jacobus, 3rd Edition, OnCourse Learning Publishing
- Real Estate Law, Elliot Klayman, 10th Edition, Dearborn
- The Language of Real Estate, John W. Reilly, 8th Edition, Dearborn

**Pearson VUE does not endorse any particular prelicensing provider or study materials.**

# Utah Real Estate State Salesperson Licensing Examination Content Outline Utah Law, Rules, and Regulations

*Effective Date: July 15, 2016*

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

**50 scored items, 5-10 pretest (unscored) items**

## **I. DEFINITIONS (3 ITEMS)**

- A. Real Estate Commission
- B. Division and Commission vs. Association of REALTORS®
- C. Principal broker, associate broker, sales agent
- D. Miscellaneous

## **II. LICENSING (8 ITEMS)**

- A. When a license is required
- B. Who is exempt from licensing
- C. Minimum qualifications for license
- D. License maintenance
  - 1. Real Estate License Management System (RELMS)
    - a. Renewals
    - b. Transfers
    - c. Terminations
    - d. Activation/inactivation
    - e. Continuing education
- E. Reporting Requirements
  - 1. Initial Licensing
  - 2. Renewals
  - 3. Event Occurrence
    - a. Criminal Conviction
    - b. Contact Information
    - c. Other

### **F. Who can sue for a commission**

## **III. REAL ESTATE OFFICE PROCEDURES (4-5 ITEMS)**

- A. Records and documents
- B. Trust accounts
- C. Branch offices

## **IV. PROPERTY MANAGEMENT (3 ITEMS)**

## **V. LICENSEE PRACTICE (15-17 ITEMS)**

- A. Advertising
- B. Handling of money
  - 1. Earnest money
  - 2. Commissions
  - 3. Referral issues
  - 4. Other
- C. Property disclosures
- D. Improper practices
- E. Agency (Buyer, Seller, Limited)
  - 1. Duties
  - 2. Disclosure
  - 3. Exclusive Brokerage Agreements
- F. Use of approved forms
  - 1. Real Estate Purchase Contract (REPC)
  - 2. Other standardized forms
  - 3. Rights and privileges of licensees to fill out forms or documents
- G. Unauthorized practice of law and other professional advice

## **VI. ENFORCEMENT (4-5 ITEMS)**

- A. Filing and notice of complaint, investigation
- B. Audits
- C. Administrative action

## **VII. REAL ESTATE EDUCATION, RESEARCH AND RECOVERY FUND (1-2 ITEMS)**

- A. Purpose
- B. Payments from the fund/revocation of license

## **VIII. ADDITIONAL STATE TOPICS (1-3 ITEMS)**

- A. Utah water rights
  - 1. Water history
  - 2. Water appropriation

- B. Adverse possession
- C. Statute of Frauds
- D. Lien Recovery Act

## **IX. CLOSING STATEMENTS (6-8 ITEMS)**

# Utah Real Estate State Broker Licensing Examination Content Outline Utah Law, Rules, and Regulations

Effective Date: July 15, 2016

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

## 90 scored items, 5-10 pretest (unscored) items

### I. DEFINITIONS (5-7 ITEMS)

- A. Basic terms and definitions
- B. Division of Real Estate
- C. One act for compensation

### II. LICENSING (15-17 ITEMS)

- A. License required to practice real estate
- B. Licensing and examination procedures and requirements
- C. License maintenance
  - 1. Real Estate License Management System (RELMS)
    - a. Renewals
    - b. Transfers
    - c. Terminations
    - d. Activation/inactivation
    - e. Continuing education
- D. Reporting Requirements
  - 1. Initial Licensing
  - 2. Renewals
  - 3. Event Occurrence
    - a. Criminal conviction
    - b. Contact information
    - c. Other
- E. Forms and display of license

### III. LICENSEE PRACTICE (33-35 ITEMS)

- A. Licensee conduct (Standards of practice and improper practice)
- B. Commissions, affiliation and designations of agents or brokers
- C. Discharge of associated broker or sales agent, Notice
- D. Administrative procedures
- E. Use of approved forms
  - 1. State approved forms
    - a. Real Estate Purchase Contract (REPC)
  - 2. Other standardized forms
  - 3. Rights and privileges of licensees to fill out forms or documents

### F. Role of the broker

- 1. Supervision
- 2. Trust accounts

### G. Managing the company

### H. Agency

- 1. Types of Agency: Buyer, Seller, Limited
- 2. Exclusive Brokerage Agreements

### IV. DISCIPLINARY ACTION (9-11 ITEMS)

- A. Grounds for disciplinary action
- B. Enforcement and administrative procedures
- C. Disciplinary action – Judicial review
- D. Actions for recovery of compensation restricted
- E. Statute of Frauds

### V. REAL ESTATE RECOVERY FUND (2-3 ITEMS)

### VI. ADDITIONAL UTAH STATE TOPICS (8-10 ITEMS)

- A. Offer or sale of undivided fractionalized long-term estates
- B. Timeshare and Camp Resort Act
- C. Water rights
- D. Mechanic's lien/Construction lien
- E. Utah Residence Restriction and Lien Recovery Fund
- F. Property taxes
- G. Foreclosure
- H. Sex Offender Registry Act
  - I. Stigmatized property laws

### VII. PROPERTY MANAGEMENT (4-6 ITEMS)

### VIII. CLOSING STATEMENTS (6-8 ITEM)



## Utah Division of Real Estate CANDIDATE EDUCATION CERTIFYING DOCUMENT

All candidates will be required to bring this completed document to the test center on the day of the examination. Do not leave the certificate at the test center as it must also be submitted with the license application to the Utah Division of Real Estate. It is also advisable that you make a copy of this document for your records.

First Name:				
Last Name:				
<input type="checkbox"/> Social Security #: <input type="checkbox"/> U.S. Citizen		<input type="checkbox"/> I-94:		<input type="checkbox"/> Alien Registration #:
<b>SECTION A AGENT: 120 HOURS TOTAL</b>				
	Waived	Required	Hours Completed	Date
Principles & Practices				
Utah License Law				
Total				
Examination Required	<input type="checkbox"/> State Only	<input type="checkbox"/> State & General		
School Signature			Division Signature	
School Stamp			Division Stamp	
<b>SECTION B BROKER: 120 HOURS TOTAL</b>				
	Waived	Required	Hours Completed	Date
Broker Principles — 45 hours				
Broker Practices — 45 hours				
Utah Law — 30 hours				
Total				
Examination Required	<input type="checkbox"/> State Only	<input type="checkbox"/> State & General		
School Signature			Division Signature	
School Stamp			Division Stamp	
Prelicensing education is good for one (1) year. You must complete the examination <b>and the licensing process</b> within one (1) year of the education completion date on this certificate. For an education waiver, see below.				
Waiver Expires:			License History Received From	

Prior licensure in another state or jurisdiction requires submission of a certified license history (education, examination and licensure) directly to the Utah Division of Real Estate from each state in which you have been licensed.

If a waiver has been granted on education and/or testing, you must **complete the entire licensing process** prior to the expiration date of the waiver. A one time extension of a waiver will be granted but not without first providing to the Utah Division of Real Estate a new license history that is less than 30 days old.

# GENERAL INFORMATION

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TEST CENTERS	
LOCATION	SCHEDULE
Bountiful, UT	2-3 days per week
Cedar City, UT	varies
Draper, UT	Tuesday through Saturday
Logan, UT	varies
Moab, UT	varies
Ogden, UT	2-3 days per week
Orem, UT	1 day per week
Richfield, UT	varies
Roosevelt, UT	varies
St. George, UT	varies
Grand Junction, CO	Wednesday, Thursday, and Saturday
Las Vegas, NV	Tuesday through Saturday

*Locations and schedules are subject to change.*

*Candidates may test at any Pearson VUE Test Center nationally.*

### PEARSON VUE HOLIDAY SCHEDULE

No exams on the following holidays or holiday weekends:

New Year's Day

Martin Luther King, Jr. Day

Memorial Day

Independence Day

Labor Day

Thanksgiving

Christmas Day