

Maine

Real Estate

CANDIDATE HANDBOOK

December 2022

STATE LICENSING INFORMATION

Candidates may contact the state's real estate commission with questions about obtaining or maintaining a license after the examination has been passed.

Maine Real Estate Commission (Office Address)

*Department of Professional
and Financial Regulation Gardiner Annex*

76 Northern Avenue
Gardiner, ME 04345

Maine Real Estate Commission (Mailing Address)

35 State House Station
Augusta, ME 04333-0035

Phone

(207) 624-8521

Web

www.maine.gov/professionallicensing

EXAMINATION INFORMATION

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

Pearson VUE

Maine Real Estate Attn: Regulatory Program
5601 Green Valley Dr.
Bloomington, MN 55437

Phone

(877) 543-5220

Email

pearsonvuecustomerservice@pearson.com

Web

www.pearsonvue.com

QUICK REFERENCE

RESERVATIONS

Before making an exam reservation

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

Making an exam reservation (details on page 5)

Candidates may make a reservation by either **visiting** our website at <https://home.pearsonvue.com/me/realestate> or calling Pearson VUE.

Candidates should make a reservation online or by phone at least twenty-four (24) hours before the desired examination date.

Walk-in examinations are not available.

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 (\$85) must be paid at the time of reservation by credit card, debit card, or voucher. **Cash will not be accepted. 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 7).

Exam procedures

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

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OVERVIEW

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

It is highly recommended that the State of Maine Real Estate Candidate Handbook be reviewed, with special attention given to the content outlines, before taking the examination.

Individuals who wish to obtain a real estate license 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 online or by phone with Pearson VUE for the examination. *(See page 5.)*

3. Go to the test center.

Go to the test center on the day of the examination, bringing along all required materials. *(See page 7.)*

4. Apply for a license.

After passing the examination, candidates must submit the proper application forms and fees.

Candidates must read state-specific information carefully for important information regarding examination procedures in their jurisdictions.

Please note an online license application cannot be submitted sooner than the day after the exam is passed and scores have been transmitted to the Commission.

INTRODUCTION

CONTACT INFORMATION

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

FOR EXAMINATIONS Pearson VUE/Maine Real Estate <i>Attn: Regulatory Program 5601 Green Valley Dr., Bloomington, MN 55437</i>	
Phone: (877) 543-5220	
Website: https://home.pearsonvue.com/me/realestate	Email: pearsonvuecustomerservice@pearson.com

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 www.pearsonvue.com/me/realestate/contact for further information.

Candidates may contact the Maine Real Estate Commission with questions about obtaining or maintaining a license.

FOR STATE LICENSING	
Maine Real Estate Commission (mailing address) 35 State House Station Augusta, ME 04333-0035 Phone: (207) 624-8521 Fax: (207) 624-8637	Maine Real Estate Commission (office address) <i>Department of Professional and Financial Regulation</i> 76 Northern Avenue Gardiner, ME 04345
Website: www.maine.gov/professionallicensing	
The Licensing Staff	
License qualifications, license renewal, and general information: Elizabeth Moulton	
Phone: (207) 624-8521	Email: elizabeth.moulton@maine.gov
Catherine Pendergast	
Phone: (207) 624-8518	Email: catherine.pendergast@maine.gov

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 Maine Real Estate Commission is responsible for establishing the acceptable level of safe practice and for determining whether an individual meets that standard.

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

PRACTICE TESTS - NATIONAL PORTION ONLY

National-portion practice tests are offered exclusively online at www.pearsonvue.com, giving candidates even more opportunity to succeed on real estate examinations. The national-portion practice tests will not only help prepare candidates for the types of questions they will see on the national 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 national portion of the licensure examination. The test closely reflects the format of the national portion of the licensure examination, can be scored instantly, and provides immediate feedback to help candidates identify correct and incorrect answers. Candidates can purchase national-portion practice tests anytime by visiting www.pearsonvue.com/practicetests/realestate.

STATE LICENSING REQUIREMENTS

All candidates for a Maine real estate license must:

- Be at least 18-years old at the time of license application
- Hold a high-school diploma (or the equivalent)
- Have a reputation for honesty, truthfulness, fair-dealing, and competency

Additional qualifications and requirements are listed under the section for each license type.

SALES AGENT

The Sales Agent license is an entry-level license that allows individuals to acquire on-the-job training and experience while they complete the requirements for an Associate Broker license. Sales Agents may perform all brokerage services specifically authorized by the designated broker of the agency with which the Sales Agent is affiliated. The license is issued for two (2) years and is not renewable. The Sales Agent candidate must have made arrangements to affiliate with a licensed real estate agency before he/she applies for a license.

In order to qualify for a Sales Agent license as defined by §13200 and Rule Chapters 360 Section (4)(3) and 390 Section (1), the candidate must:

- Complete (with a minimum grade of 75%) a Commission-approved prelicense course called “The Sales Agent Course” which covers the required skills and knowledge listed in the content outlines that appear in this handbook. A list of schools is available online at www.maine.gov/professionallicensing.
- After you complete the course, contact Pearson VUE to schedule the Sales Agent exam.
- Pass the Pearson VUE sales agent examination, which covers the required skills and knowledge listed in the content outlines that appear in this handbook.
- Submit to the Commission a fully completed license application, a Pearson VUE examination score report, and an original transcript from “The Sales Agent Course” showing a minimum final grade of 75%, and the license application fee.
- Please note an online application cannot be submitted sooner than the day after the exam is passed and scores have been transmitted to the Commission.

ASSOCIATE BROKER

The Associate Broker license is a permanent license of the next license level above the Sales Agent license. Associate Brokers are authorized to perform all brokerage services on behalf of an agency, but may not serve as designated brokers. The license is issued for a two-year period and is renewable. The Associate Broker license may be held on an inactive status.

In order to achieve licensure as an Associate Broker, as defined by §13199 & Rule Chapter 360 Section (4)(2), a candidate must satisfy the following requirements:

The candidate must:

- Practice as a licensed Sales Agent for two (2) years
- Satisfactorily complete (with a minimum final grade of 75%) “The Associate Broker Course”
- Submit a fully completed license application and an original transcript from “The Associate Broker Course” (with a minimum final grade of 75%). Copies are not acceptable. This application must be submitted no more than thirty (30) days before the day the Sales Agent license expires and within five (5) years of the date of issuance of the original Sales Agent license
- Submit the license application fee

If the candidate has satisfied all requirements and has submitted a complete application, the Commission will issue the Associate Broker license immediately upon the expiration of the Sales Agent license.

BROKER

A Broker license authorizes the licensee to perform all brokerage services on behalf of an agency, including serving as the agency’s designated broker. The broker license is issued for a two-year period and is renewable. This license may be held on an inactive status.

In order to achieve licensure as a Broker, as defined by §13198 & Rule Chapter 360, Section 4(1), a candidate must satisfy the following requirements:

An applicant who has been licensed as an associate broker affiliated with a real estate brokerage agency for two (2) years within the five (5) years immediately preceding the date of application, must submit evidence of satisfactory completion of a qualifying educational program which covers the minimum competencies defined in the Commission-approved model entitled "The Designated Broker Course." The application for licensure must be submitted within one year of completion of this educational program.

LICENSING BY RECIPROCITY

Non-Residents and Maine Residents Licensed in Another State or Jurisdiction

A non-resident, or a Maine resident, who holds an active license in good standing in another state or licensing jurisdiction may qualify for a similar license in Maine by passing the Maine Law examination. Non-resident candidates must be licensed in the state in which they reside to qualify under this provision. The license issued will be at a level comparable to the level of the license held in the other state or jurisdiction. (It should be noted that the Maine Associate Broker is equivalent to a salesperson in other states or jurisdictions.) Candidates who qualify by this method must affiliate with an agency licensed in Maine upon application for a license and may perform all brokerage services on behalf of that agency as outlined in the License Law and Rules Reference Book, 32 M.R.S.A., Chapter 114. The license issued is valid for a period of two (2) years and is renewable.

Candidates licensed in another state or jurisdiction who wish to obtain a comparable license by reciprocity may do so as defined by §13193 & Rule Chapter 390, Section 4. The candidate must:

- Demonstrate knowledge of Maine real estate law by passing the Maine Law examination
- Hold a similar active license in good standing in his/her resident state
- Provide a Certificate of Licensure from each state in which the candidate now holds or has held a real estate license (less than 30 days old when received by Commission).
- Submit a fully completed license application including a Certificate of Licensure from each state as noted above.
- Submit the appropriate license fee

Non-residents who are not licensed in another jurisdiction but wish to become licensed in Maine may qualify for a license by satisfying the education and/or experience requirements as outlined under the specific license categories in this handbook.

IMPORTANT: Candidates qualifying by reciprocity must hold a current and active license in good standing in another state or jurisdiction at the time application is made for the Maine license. Active status is defined as maintaining affiliation with an agency or eligibility to perform real estate brokerage. The only acceptable evidence that the candidate holds an active license in good standing is a Certificate of Licensure issued by the licensing jurisdiction. A copy of a current license is not acceptable.

RENEWING AN EXPIRED LICENSE

An individual who has allowed a Broker or Associate Broker license to expire for more than ninety (90) days may reinstate the license by passing the Maine Law examination. Candidates applying under this provision will qualify for the same type of license as previously held. Individuals who hold an expired Sales Agent license do not have this option.

APPLYING FOR THE LICENSE

After passing the Maine Law examination, a candidate must submit to the Commission the following:

- A fully completed license application and the signed and dated recommendation from the agency's designated broker
- The appropriate license fee
- Pearson VUE Examination Score Report
- Please note an online application cannot be submitted sooner than the day after the exam is passed and scores have been transmitted to the Commission.

PRELICENCE COURSE SPONSORS

Please visit www.maine.gov/professionallicensing for a complete list of approved course sponsors.

Candidates may contact sponsors for information about current or future offerings. Courses must be approved by the Commission to qualify for licensing; therefore, it is recommended that candidates determine that a course has been approved before enrolling.

RECOMMENDED READING

The following is a list of texts and study aids the Commission has determined may be useful in preparing for the examination and a career in real estate. This list is a sample of the information available to potential real estate licensees and is not meant to represent all the information candidates will need to prepare for an examination. Candidates should consult a real estate instructor or experienced real estate professional for suggestions about alternative study materials. Out-of-print texts may be available at public or university libraries.

Introduction to Real Estate Law

Charles, Coit, Dearborn Real Estate Education, Chicago, IL (out of print).

Introduction to a Successful Career in Maine Real Estate, 4th Edition

Coit, Charles, Shipley House Publishers.

Maine Environmental and Land Use Statutes: Deskbook 2015

Pierce Atwood LLP.

Tower Publishing, 588 Saco Road, Standish, ME 04084

Maine Real Estate Law

Creteau, Paul, Castle Publishing, Portland, ME. (out of print)

Maine Planning & Land Use Laws

Michaud, Fredrick L.

P.O. Box 4667

Augusta, ME 04330

Maine Real Estate Law Exam Study Materials

Real Estate Institute of New England, Yarmouth, ME *phone:* (207) 856-1712

(Study materials developed specifically for the Maine Law exam.)

Maine Real Estate Law Exam Study Materials

The Real Estate Learning Group, Scarborough, ME *phone:* (800) 796-5308

(Study materials developed specifically for the Maine Law exam)

Maine Real Estate Principles and Practices, 6th Edition

Richer, Elaine, Thomson/South-Western Educational Publishers, Mason, OH

“Maine Planning & Land Use Laws” and the “Law Exam Study Materials” may be obtained from the publishing school or agency indicated on the list. All other texts are commonly available at college bookstores and libraries.

Laws and rules may be downloaded from the Web (www.maine.gov/professionallicensing).

EXAM RESERVATIONS

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 <https://home.pearsonvue.com/me/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 should use their legal name or name shown on their identification. (see *Acceptable Forms of ID* on page 8.)

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 (877) 543-5220 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, address, 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)
- A failing score report (if retaking an examination)
- Sales Agent Exam Only: Original Course Completion Certificate (completed by school official) Course Completion Certificates are valid for one year.

EXAM FEES

The examination fee (\$85) 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 except as detailed in the *Change/Cancel Policy* (see below)

Vouchers

Vouchers offer another convenient way to pay for tests. Vouchers can be purchased online at www.pearsonvue.com/vouchers/pricelist/merel.asp 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 (877) 543-5220 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 a reservation 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 Pearson VUE 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.

EXAM DAY

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

- All candidates are required to bring identification that is deemed acceptable, listed under *Acceptable Forms of Candidate Identification*, to the test center on the day of examination.
- Sales Agent Candidates must present the original Course Completion Certificate (completed by school official). Course Completion Certificates are valid for one year.

Suggested Materials

- Retake candidates must bring the same materials as first time takers

Acceptable Forms of Candidate Identification

Candidate 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, 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. Dept of State Drivers License
- U.S. Learner's Permit (plastic card only with photo and signature)
- National/State/Country Identification Card
- Passport
- Passport cards
- 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) card or Credit card
- Any form of ID on the Primary 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 must report to the test center thirty (30) minutes before the scheduled examination to complete registration. When candidates arrive at the test center, they must check-in with the test center manager and present identification and any other required documents. The manager will review this documentation and photograph each candidate for his/her score report.

After registration, candidates will have an opportunity to take a tutorial on the computer. The time spent on the tutorial will not reduce the examination time. The examination proctors will answer questions at this time, but candidates should be aware that the proctors are not familiar with the content of the examinations or with the state's licensing requirements. The candidate is responsible for determining which examination he/she needs to take. Examination proctors are instructed not to advise candidates on requirements for licensure.

Once candidates are familiar with the computer, they may begin the examination. The examination begins the moment a candidate looks at the first examination question. Candidates will be given 2.5 hours for the general portion and 1.5 hours for the Maine Law portion of the Sales Agent examination or 1.5 hours for the Maine Law examination; after that time, the examination will automatically end. Candidates will leave the test center with an official score report in hand.

CANDIDATE PHOTOS

Candidate photos will be taken at the test center.

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 applying for a license. Candidates who fail the examination will receive a score report that includes a numeric score and diagnostic information, as well as information about reexamination.

REVIEW OF EXAMS

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

SCORE EXPLANATION

Scaled Score

There are multiple versions, known as forms, of each of the Maine Real Estate licensing examinations. While all of these *forms* are developed from the content outlines printed in this handbook, the levels of difficulty of the forms may vary slightly because different questions appear on different forms. Since it would be unfair to require a candidate taking a slightly more difficult form to answer as many questions correctly (in order to pass) as a person taking an easier form, 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 Maine Real Estate Commission (in conjunction with Pearson VUE) after a comprehensive study was completed for each examination. The examination score is reported as a scaled score on a scale of 0-100. It should not be interpreted as the percentage or number of questions answered correctly on the examination. With a passing score of 75, any score below 75 indicates how close the candidate came to passing, rather than the actual number or percentage of questions the candidates answered correctly.

The entire question pool for both the Sales Agent and Maine Law Exams, each form of the examination, and any materials used to administer the examination are copyrighted by and are the property of Pearson VUE. Any distribution of examination content by oral or written communication or by any material or other reproduction is strictly prohibited and punishable by law.

DUPLICATE SCORE REPORTS

As of December 15, 2022, candidates may obtain a copy of their score report by logging into their Pearson VUE account. For candidates who tested prior to December 15, 2022, a duplicate score report can be requested by emailing Pearson VUE at pearsonvuecustomerservice@pearson.com.

RETAKE THE EXAM

Sales Agent candidates may retake the Sales Agent Exam multiple times as long as they do so before the expiration date of the Course Completion Certificate. Course Completion Certificates are valid for one year.

Sales Agent candidates must schedule to retake the **Sales Agent Exam** regardless of failing one or both portions of that exam. The candidate will automatically be administered the required portion(s) of the exam by Pearson VUE. Reservations for reexamination may not be made at the Pearson VUE Test Center. Candidates must wait 24 hours before making a reservation for reexamination.

RETAKING AN EXAMINATION

Candidates wishing to reschedule an examination may do so 24 hours a day, 7 days a week via the Pearson VUE web application by visiting www.pearsonvue.com/me/realestate. Candidates should have their failing score report available when rescheduling.

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 permitted only if they are silent, hand-held, nonprinting, and without an alphabetic key pad.** Financial calculators are not permitted. Calculator malfunctions are not grounds for challenging examination results or requesting additional examination time. **NOTE: Calculators are NOT provided by the test center staff.**
- Candidates must store all personal items in a secure area as indicated by the administrator, or return items to their vehicle. 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. Upon entering and being 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, or 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, candidates **must** raise their 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, they 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

EXAM CONTENT

Sales Agent Exam:

The Sales Agent exam is divided into two parts; general practice and Maine Law. The general practice portion of the examination is based on 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 practice portion of the exam are also reviewed and approved by nationally recognized real estate professionals. All questions on both the general portion and the state-specific portion of the Sales Agent exam are structured as four-option multiple-choice questions.

Maine Law Exam:

The Maine Law Exam has been developed to reflect the laws, regulations, and practice of real estate in Maine, and has been reviewed and approved by real estate professionals in Maine.

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.

General Exam Content Outline for Sales Agents

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 (9 ITEMS)

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 (8 ITEMS)

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 (11 ITEMS)

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 (16 ITEMS)

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 (14 ITEMS)

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 (8 ITEMS)

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 (7 ITEMS)

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

VIII. REAL ESTATE MATH CALCULATIONS (7 ITEMS)

A. Property area calculations

1. Square footage
2. Acreage total

B. Property valuation

1. Comparative Market Analysis (CMA)
2. Net Operating Income (NOI)
3. Capitalization rate
4. Equity in property
5. Establishing a listing price
6. Assessed value and property taxes

C. Commission/compensation

D. Loan financing costs

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

E. 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

F. Investment

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

G. 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.

Content Outline for Maine Real Estate Law Examinations

Effective Date: November 1, 2016

Sales Agent exam (law portion): 40 scored items, 5-15 pretest items

Maine Law exam (reciprocity/renewal): 50 scored items, 5-15 pretest items

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

Please note – The Maine Law Exam does not satisfy the law portion of the Sales Agent exam.

The items are determined by the content outline that follows. The number of scored items for each topic area on each exam appears in parentheses after the topic heading. See *Recommended Reading* section of this handbook for a list of suggested study materials.

I. MAINE REAL ESTATE COMMISSION (SALES AGENT 2, MAINE LAW 2)

- A. Powers
- B. Investigations, hearings, appeals
- C. Sanctions

II. MAINE LAWS AND RULES GOVERNING ACTIVITIES OF LICENSEES (SALES AGENT 15, MAINE LAW 18)

- A. Activities requiring a license
- B. Licensee and brokerage definitions
- C. Designated broker-sales agent relationship
- D. Listings/brokerage contracts
- E. Offers to purchase/sales contracts
- F. Handling of monies
 - 1. Earnest money
 - 2. Trust accounts
- G. Material disclosures
 - 1. Disclosure requirements
 - 2. Maine-specific mandated property disclosures
 - a. Water supply
 - b. Heating systems
 - c. Waste disposal
 - d. Hazardous materials
- H. Commissions
- I. Market analysis
- J. Advertising
- K. Other

III. LAW OF AGENCY/BROKERAGE (SALES AGENT 10, MAINE LAW 12)

- A. Types of agency relationships (buyer, seller, appointed, disclosed dual, and sub-agency)
- B. Agency/brokerage contracts
- C. Obligations to clients and customers
- D. Creation and termination of agency relationships

- E. Disclosures (incl. Real Estate Brokerage Relationships form) and acting in self-interest

- F. Transaction brokerage

IV. MAINE-SPECIFIC PRINCIPLES AND PRACTICES (SALES AGENT 8, MAINE LAW 13)

- A. Property ownership and transfer
 - 1. Types of ownership
 - 2. Methods of transfer
 - 3. Adverse possession
 - 4. Recording system
 - 5. Transfer tax
 - 6. Nonresident withholding tax

- B. Sources of information in Maine

- C. Maine Landlord-Tenant Act

- D. Condominium law

- E. Closings

V. MAINE LAND-USE LAW (SALES AGENT 5, MAINE LAW 5)

- A. Subdivisions (Title 30-A)

- B. Mandatory Shoreland Zoning (Title 38)

- C. Site Location of Development (Title 38)

- D. Underground Oil Storage Tanks (Title 38)

- E. Other land use topics

- 1. Minimum lot size (Title 12)
- 2. Land Use Planning Commission (Title 12) and Department of Environmental Protection (Title 38)
- 3. Open Space Tax Law and Tree Growth Tax Law (Title 36)
- 4. Protection of Natural Resources (Title 38)
- 5. Transfers of Shoreland Property (Title 30-A)

**MAINE REAL ESTATE QUALIFYING EDUCATION
COURSE COMPLETION CERTIFICATE
SALES AGENT**

To be completed by school officials (*PLEASE PRINT*)

Name of Student: _____

Name of School: _____

Instructor: _____

Course Completion Date: _____ Score: _____
mm/dd/yyyy

I HEREBY CERTIFY THIS CANDIDATE HAS SUCCESSFULLY COMPLETED THE INDICATED COURSE, AND THAT IT WAS CONDUCTED AS PRESCRIBED BY THE STANDARDS OF THE MAINE REAL ESTATE COMMISSION.

**Signature of Instructor or Authorized School Official
(MUST BE SIGNED IN BLUE INK)**

NOTE: All Sales Agent candidates must pass both parts of the examination within one year of the course completion date shown above.

SALES AGENT CANDIDATES MUST BRING THIS ORIGINAL COMPLETED QUALIFYING EDUCATION CERTIFICATE TO THE TEST CENTER ON THE DAY OF THE EXAMINATION AND PRESENT IT TO THE TEST CENTER STAFF.

Your Application for Sales Agent License must be submitted to the Commission within one calendar year of the date you pass the entire exam.

GENERAL INFORMATION

**CANDIDATES MAY VISIT WWW.PEARSONVUE.COM
OR CALL (877) 543-5220 TO MAKE AN EXAM RESERVATION.**

TEST CENTERS	
LOCATION*	SCHEDULE*
Bangor, ME	3-4 days per week
Presque Isle, ME	schedule varies
Westbrook, ME	2-4 days per week
Boston, MA	4-6 days per week
Concord, MA	schedule varies
Woburn, MA	Tuesday - Saturday

**Locations and schedules are subject to change.*

EXAMINATIONS	FEES
Sales Agent Exam	\$85
Maine Law Exam (non-resident/renewal)	\$85

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