

**Answer Key**

1. D. If both parties agree in writing to limited dual agency, then the brokerage can represent both parties. Agency is based on relationships; payment of the agent is a separate issue.
2. B. Confidential information must remain confidential forever, such as the terms of previous offers. Agents must always disclose information about the physical condition of the property. The original listing agent is now free to represent the buyer since the original agent no longer has an agency relationship with the seller.
3. D. A salesperson working with a customer must give the buyer the blue agency disclosure brochure at the first substantial business contact and explain the contents of the brochure. The Idaho Real Estate Brokerage Representation Act (I.D. 54-2082 to 54-2094) requires such disclosure and explanation of duties to a customer or client, as well as details pertaining to limited disclosed dual agency. The agent can provide information on other properties and mortgage terms and rates if requested to do so, but is not obligated to conduct an independent inspection of the property.
4. C. The salesperson must disclose his or her relationship to the buyer. This is a customer relationship since the buyer does not want representation.
5. A. The buyer representation agreement form is an employment contract and must be in writing to be enforceable.
6. B. The seller representation agreement does not have to be accompanied by a qualified expert's report of the property's condition.
7. C. Idaho Code 54-2084 to 54-2089 recognizes the following types of agency: seller representation, buyer representation, and limited disclosed dual agency.
8. C. Both parties must give their informed consent to the dual compensation.
9. C. The buyer representation agreement does not require a price and terms, although, it should contain a price range to guide the agent. Actual price and terms will be included in the purchase agreement.
10. B. The street address alone is too vague. The seller representation agreement requires a legally enforceable description of the property, such as the government rectangular survey, platted subdivision, or metes and bounds.
11. B. Brokerage representation agreements with a buyer or seller may be electronically generated or transmitted, faxed, or delivered by any other method as long as the representation agreement specifically allows for such transmission. The parties to the representation agreement must agree in writing to accept such copies or documents as true and correct and enforceable as originals.

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12. D. In a customer relationship with either the buyer or the seller, the agent does not have any duty to maintain the confidentiality of specific customer information. That confidentiality is required in the client relationship, not the customer relationship. Idaho Code Section 54-2086 permits the non-agent to perform ministerial acts, and requires the agent to properly account for money or property placed in the care of the brokerage. All acts must be performed with honesty, in good faith, and with reasonable skill and care.
13. B. The blue brochure assists in aiding the understanding of agency relationships and must be provided to the prospective buyer so that the buyer understands who is being represented in the transaction. Buyers do not have to obtain representation to work with the seller's agent; they could maintain a customer relationship only. Disclosure concerning the discussed agency relationship must be made in writing.
14. D. The salesperson will have to inform the owner in writing that the salesperson holds an active real estate license if the licensee directly sells or purchases an interest in real property for personal use or any other purpose. This situation will create a need to establish limited dual agency disclosure with the seller. The salesperson does not have to resign or notify the real estate commission.
15. B. Each actively licensed person buying or selling real property or any interest therein, in a regulated real estate transaction, must conduct the transaction through an actively licensed responsible broker, whether or not the property is listed with his or her own broker.
16. C. Seller property condition disclosure forms are required in the transfer of one- to-four-dwelling units. This disclosure is required even if the seller has not recently lived in the property or if the buyer has lived on the property as a tenant. The disclosure is also required in for-sale-by-owner transactions. State law does not mandate such a disclosure in commercial or industrial sales.
17. D. If a seller's property disclosure form is required by Title 55, Chapter 25 Idaho Code, the seller shall, within ten days after execution of the agreement to purchase, provide the buyer with a "seller's property disclosure form" or another acceptable form.
18. B. The seller should respond "working" since she has no knowledge at the present time of any conditions of the plumbing system that are problematic.
19. D. In Idaho, the disclosure is required of anyone who intends to transfer any residential real property by sale, exchange, installment sale contract, lease option to purchase (or any other option to purchase), or ground lease coupled with improvements. Disclosure must be made for the sale of all one- to-four-family dwelling units, whether or not a real estate agent is used. The disclosure form states that the transferor (seller) does not possess any greater knowledge than that which could be obtained by a careful inspection of the property. The statement is not a warranty of any kind, nor is it a substitute for inspections. An agent should encourage the seller to be honest.

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20. C. In Idaho, no cause of action shall arise against an owner or an owner's representative for failure to disclose that a property is or was psychologically impacted. Idaho Code Title 55, Chapter 27, "Psychologically Impacted Real Property," defines psychologically impacted as having the effect of certain circumstances surrounding real property which include the fact or suspicion that real property might or has been impacted as a result of the following: a murder, an AIDS - related death, or a registered sex offender near the property.
21. A. The buyer can sue the broker for nondisclosure of a material fact since such disclosure is required by license law. The broker or salesperson is required by law to disclose all adverse material facts actually known, or which reasonably should have been known, that could affect the buyer's decision to make an offer. The fact that the buyer did not ask is not relevant. The buyer cannot sue the seller under license law.
22. C. The broker must disclose the cracked foundation, but discussing the suicide could constitute a breach of duty to the client.
23. D. At the first substantial business contact, a licensee shall give to a prospective buyer or seller the agency disclosure brochure established by the Idaho Real Estate Commission. A brokerage's relationship with a buyer as an agent, non-agent, or limited disclosed dual agent must be determined, and all necessary agreements should be executed, no later than just prior to the preparation of a purchase and sale agreement.
24. D. The seller property disclosure applies to the transfer of all one- to-four-family dwelling units. It does not apply to a foreclosure sale, a transfer between family members, or a conveyance from one former spouse to another under a divorce settlement agreement.
25. B. In Idaho, the broker who takes the buyer to see another company's listing and has a buyer representation agreement is working as a buyer's agent.
26. A. Legally, the salesperson may provide comparable market data to the seller, after the buyer requests and receives such data from the salesperson.
27. C. A brokerage must disclose its relationship to both buyer and seller in any transaction no later than the time of the preparation or presentation of a purchase and sale agreement.
28. C. A brokerage may act as a limited disclosed dual agent only with the express written consent of all parties to the transaction. Such consent shall contain separate signatures of all parties to the transaction. All duties and obligations owed to a buyer or a seller client apply to limited disclosed dual agency relationships to the extent that they do not unreasonably conflict with duties and obligations owed to the other client.
29. B. The Idaho Real Estate Commission administers the Idaho Real Estate License Law and Rules. The Council on Housing Matters handles fair housing complaints. The Idaho Association of REALTORS<sup>®</sup> is a trade association. HUD is a federal government agency that supervises housing issues.
30. A. The governor makes the appointments, but the senate must ratify the appointments.

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31. A. The Idaho Real Estate Commission is made up of four members, appointed by the governor as follows: one from the northern district; one from the southeastern district; one from the south central district; and one from the southwestern district.
32. C. There are six members on the Education Council with four appointed by the Idaho Real Estate Commission, plus one commissioner and the commission's executive director.
33. A. The Idaho Real Estate Commission is charged with administering and enforcing all provisions of the Idaho Real Estate License Law and Rules. The exam questions are written by an independent testing service and reviewed by the Idaho Real Estate Commission. An independent testing service also administers the exams. The legislature enacts the laws.
34. D. The Idaho Real Estate Commission is not required to investigate oral complaints. It may investigate the action of any person engaged in the business or acting in the capacity of a real estate broker or salesperson. The commission may also initiate an investigation at its own discretion or upon receipt of a written complaint from anyone who claims to have been injured or defrauded as a result of such action.
35. D. Usury indicates an exorbitant interest rate. Idaho does not limit a maximum rate for usury when the rate of interest is expressly agreed to between parties in writing. With no expressed contract, a rate of up to 12 percent is allowed.
36. D. Commission rates are always negotiable between the seller and the broker and therefore the acceptance of a higher rate than normal would not be grounds for license revocation.
37. D. Depositing a buyer's down payment in the salesperson's own bank account would be commingling of personal and client funds, a prohibited practice. A salesperson may be licensed with and represent only one broker at a time. Buyers may be represented in today's marketplace. Most real estate brokers prefer an exclusive-listing agreement.
38. B. Depositing earnest money into the firm's escrow account is proper conduct.
39. B. The Idaho Real Estate Commission is specifically required to suspend or revoke a licensee's license if the commission is directed by a court to pay out money from the real estate recovery fund. Although it is not required, the real estate commission may suspend or revoke a license for not performing under a guaranteed sales plan, commingling moneys, and failing to provide information requested by the commission.
40. C. The broker could lose his or her license and be fined and imprisoned.
41. B. A broker must always have permission before erecting a "For Sale" sign. A broker may not encourage a decision based on religious grounds, as this would constitute dishonest or dishonorable dealings and is a violation of fair housing laws; a broker must make full disclosures of all conditions of a promotion; and brokers are not permitted to act as a real estate broker or salesperson under an assumed name.

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- 42. D. All advertising must contain the broker's licensed business name as required by Idaho Code 54-2053. The salesperson can, if she desires, add her license number and street number, and even the expiration date of her license.
- 43. A. After obtaining permission from the property owner, the broker may erect a "For Sale" sign on the property. The licensee does not have to get approval from the neighbors.
- 44. C. All advertising must be made in the name of the employing broker. The ad does not have to list a box number, street address, telephone number, or the identification of the property owner.
- 45. B. A salesperson needs to disclose his or her license status in any advertising. Each actively licensed person selling his or her own property must conduct the transaction through an actively licensed responsible broker, whether or not the property is listed.
- 46. A. The broker's licensed business name must be mentioned. There are no special advertising guidelines for Web pages, as the same rules for Web advertising apply to all types of advertising.
- 47. B. Each screen of the Web site must include the broker's licensed business name. The rules for advertising apply to all types of advertising.
- 48. B. Idaho law does not prohibit net listings as long as the seller agrees. They are, however, discouraged.
- 49. C. The broker accepted a net listing. The Idaho Real Estate License Law and Rules requires that a listing state the amount of the fee or commission. In this example, the listing did not state a definite amount and is therefore in violation of the Idaho Real Estate License Law and Rules. This is a good example of the conflict of interest that a net listing provides. The broker was not working in the best interest of his client.
- 50. D. Commissions are always negotiable between the principal and the agent.
- 51. A. Commissions are always negotiable between the principal and the agent and are not determined by custom or law. The commission may not be deducted from the earnest money deposit nor shared with an unlicensed party.
- 52. C. The commission can be given to the broker and then given to the agent. No sales associate shall accept any commission, compensation, or fee for the performance of any act requiring a real estate license from any person except the real estate broker with whom the sales associate is licensed.
- 53. D. A broker may pay a former sales associate for services performed while the sales associate was actively licensed with that broker, regardless of the former sales associate's license status at the time the commission or fee is actually paid.

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54. C. A broker can pay a referral fee to an out-of-state broker as long as the out-of-state broker is actively licensed at the time of the referral. Idaho Real Estate License Law and Rules prohibits fee-splitting with unlicensed persons, paying a finder's fee to an unlicensed person, and interfering with a real estate brokerage agreement.
55. D. All monies received by a broker in a real estate transaction are to be deposited in a trust account by the first banking day immediately following the receipt of such funds, unless written instructions signed by the party or parties involved direct the broker to do otherwise.
56. B. If the earnest money contract does not instruct the broker to hold the money until acceptance by all parties, then it must be deposited by the first banking day immediately following the receipt of such funds. The broker must deposit this buyer's funds into an escrow account containing money from other customers and clients. Detailed record keeping is required.
57. D. The broker may deposit funds in a separate, interest-bearing trust account for a single transaction if directed in writing by both parties to the transaction. The written agreement must also state who is to receive the interest accrued from the deposit.
58. A. All real estate trust accounts must have the words "Real Estate Trust Account" imprinted on checks, deposit slips, and bank statements. A broker does not have to open a new account for each earnest money deposit received. He or she can open one trust account for all trust funds, but must keep careful records to accurately account for all funds.
59. C. The broker is in violation of regulations for improperly handling trust account funds by using funds from one property to make repairs on another property.
60. B. State law requires that brokers keep records for at least three years. There is no requirement that a broker must employ a salesperson, display signage, or open a trust account in the event a broker does not receive any earnest money to hold for someone else. This might occur when an appraiser is also a broker and never holds money for anyone.
61. B. The blanks may be filled in at the direction of the consumers who make final decisions and sign the contract. Real estate licensees who are not lawyers must be careful to avoid any appearance of the unauthorized practice of law. The broker and salespeople are special agents, hired for a very narrow purpose, which does not ordinarily include signing the name of the principal.
62. D. There is no requirement for approval by the real estate commission, state legislature, or state bar association. The Ada County Association of REALTORS® and the Idaho Association of REALTORS® have prepared most of the forms currently being used.
63. A. The seller representation agreement will not include information about the buyer.
64. B. Idaho law does not permit automatic extensions in a seller representation agreement. It must contain a definite termination date.

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65. A. The Idaho Real Estate License Law and Rules does not require specific details even though it may be good business practice. A buyer representation agreement must have specific beginning and expiration dates, signatures with dates, and the manner of the fee or commission payment.
66. A. A person who helps a friend in the purchase or sale of any interest in real property for compensation must be licensed as a real estate broker or salesperson.
67. B. Fees or commissions earned from matching and assisting individuals who want to exchange properties requires a real estate license.
68. A. If the partnership, corporation, or association is a licensed real estate entity (all listings are made in the name of the brokerage firm) and has a designated real estate broker, then all owners of the partnership, corporation or association do not have to be licensed in real estate, but are treated as stockholders. They cannot perform real estate activities with customers or clients but can function as bookkeepers or office managers. Also, they can perform various business functions not involving customers or clients. If the license for the business is held in the name of the designated broker, then all members of a partnership, association, or corporation actively participating in the business must have a license, one of which is a broker's license.
69. D. A resident manager collecting rent does not have to be licensed.
70. A. Attorneys at law are exempt from having a license when engaged in real estate activities.
71. D. The office manager is performing non-real estate activities and is therefore exempt from licensing requirements.
72. B. In Idaho, each person seeking a primary Idaho real estate license as a salesperson, associate broker, or designated broker must be 18 years of age or older, furnish satisfactory proof that the applicant graduated from high school (GED), is an individual, and has completed all preclicensing requirements.
73. A. In Idaho, the applicant for a broker's exam must have completed 90 hours of approved real estate courses. Additionally, the candidate must be actively engaged as a licensed salesperson for two years, be at least 20 years of age, and must provide errors and omissions insurance coverage.
74. C. The applicant has five years to use the educational requirements to apply for a real estate license. In this example, the applicant has until October 31, 2005.
75. D. An applicant for a license has 12 months from the date of passing the real estate license exam to apply for a license without having to take the exam again.
76. D. The agent cannot sue the seller because the injured party must have had an active license at the time the agreement was reached.

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- 77. B. One does not need a real estate license to sell personal property, i.e., stock equipment, but does need a license to sell the building.
- 78. C. An applicant for a real estate license in Idaho must not have been convicted of a felony within five years before applying. No college is required as a prerequisite to real estate licensing; a person must be 18 years of age to apply for a real estate license; and the license exam scores are valid for one year.
- 79. C. The Idaho Real Estate Commission may impose a civil penalty in an amount not to exceed \$5,000. It may also assess fines for attorney fees or any other administrative costs incurred during the investigation. Before any fines can be levied, the accused must be found guilty through a court or administrative proceeding and found to have acted in violation of Idaho Code Section 54-2002.
- 80. C. Each license shall be renewable for a period of two years. It must be renewed on or before 5 p.m. of the last day of the birth month of the licensee.
- 81. D. To renew a license in Idaho, a salesperson or broker must complete 12 hours of continuing education within the last two years.
- 82. A. The license expires and there is no "free" time in which to renew without a \$25 late license renewal fee.
- 83. D. Each new license granted shall be for a period of one year from receipt of license plus the months up to and including the next birth date of the licensee, not to exceed a period of two years. It expires on a date coinciding with the last day of the month of the birth date of the licensee. The first year is from February 14, 2001 to April 30, 2001 (a total of two and one-half months) plus one year from April 30, 2001 to April 30, 2002.
- 84. A. Required classes include eight hours of mandated topics and four hours of electives.
- 85. C. Ministerial acts are defined by Idaho Statute as "reasonably necessary and customary acts typically performed by real estate licensees in assisting a transaction to its closing or conclusion." Only a licensee may perform services that are transactional, such as routine brokerage and customer service.
- 86. C. Reciting published information, such as price and location of a specific property, is considered ministerial as it is an act that can be performed without creating an agency relationship. By definition, ministerial acts performed for the customer that do not involve judgment, discretion, or advice.
- 87. C. Only a licensed person may explain simple contract documents to prospective buyers.

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88. B. Administrative work, such as inserting factual information into form contracts under the employing broker's supervision and approval, does not require licensing since it is done under the supervision of the broker. Personal assistants may be licensed in order to perform more services for the licensee who hired them, but they do not have to be licensed to work as an assistant.
89. C. The broker and assistant are both in violation of Idaho Broker Law regarding unlicensed assistants. Unlicensed assistants are not permitted to make phone calls to the buyer encouraging them to accept the seller's counteroffer. Idaho Code 54-2039 strictly prohibits "payment of any part or share of a commission or compensation received by a real estate licensee to any person who is not a licensed real estate broker, associate broker, or salesperson."
90. D. The Idaho Real Estate Commission may issue a reciprocal Idaho real estate license to a qualified person who holds an active primary license in another state if a written reciprocal licensing agreement exists between Idaho and the other state.
91. B. An applicant for a reciprocal Idaho license must file an irrevocable consent to service as described in section 54-2012(1)(i), Idaho Code, on the form approved and furnished by the Idaho Real Estate Commission.
92. D. The licensee is obligated to give the seller signing the listing a legible, signed, true, and correct copy.
93. B. The seller representation agreement or listing agreement may be canceled but the seller may be responsible for some expenses incurred by the broker during his marketing efforts. The Idaho Real Estate Commission will not be involved.
94. D. In Idaho, Fair housing complaints are generally directed to HUD or may be filed with the Commission on Human Rights.
95. B. A person has one year to file a complaint with the Commission on Human Rights.
96. B. Only a licensed attorney may prepare specialized clauses for inclusion in the sales contract. Salespeople should be careful to avoid the unlawful practice of law by writing such a clause themselves.
97. D. The street address is not required but a legal description of the property is required.
98. C. Once an offer has been made and the seller accepts the offer, the agent or broker must deliver true and legible copies of the accepted offer to both the buyer and the seller. Good business practice is to call the buyer. The agent will eventually send a copy of the agreement to the lender and title company, but this is not required. Assigning a transaction number will occur when the buyer made the offer, whether it is accepted or not.
99. B. A salesperson may collect compensation only from the real estate broker with whom the sales associate is licensed.

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100. D. Any sales associate who terminates his or her association with a broker and licenses with another broker shall immediately return his or her wall license to the Idaho Real Estate Commission, along with the completed forms and fees necessary for relicensing.
101. A. A salesperson may be licensed with only one broker.
102. D. If the broker's license is suspended or revoked, all the salespersons' and associate brokers' licenses are on inactive status until hired by a new broker.
103. D. Each office must designate a branch manager, who can be a licensed real estate agent with two years of experience or an associate broker. Brokers must have licensed branch offices if the branch maintains a trust account. However, if the branch does not maintain a trust account or original transaction records, no separate branch office license or manager is required for business locations other than the main office.
104. D. An associate broker who terminates his or her association with a broker and licenses with another broker shall immediately return his or her wall license to the Idaho Real Estate Commission along with completed forms and fees necessary for relicensing. The new broker must receive the new license before the salesperson can start selling.
105. B. The Idaho Real Estate Commission must be notified within three working days or the broker's license is subject to revocation.
106. D. State law requires that documents involved in the transaction be retained for three years after the year the transaction was closed. The broker may not offer a title opinion, which could be construed as an authorized practice of law. Under Idaho Real Estate License Law and Rules, the broker, not the buyer, is responsible for the accuracy of the closing statement and should ensure that all terms have been included.
107. C. A salesperson may not accept a fee from anyone other than his or her employing broker.
108. D. The broker may say "thank you" to the airline pilot. A broker may pay a referral fee only to someone who holds an active real estate license.
109. B. The Idaho Real Estate Commission must be notified immediately of a conviction. Both the felony conviction and the broker's failure to notify the real estate commission are violations of the Idaho Real Estate License Law and Rules.
110. A. After negotiated between the broker and seller, the brokerage commission must be stated in the seller representation agreement.
111. A. The listing agreement says "after 90 days" so the broker is not obligated to buy the property until the 90-day expiration. The broker must indicate all terms and special considerations so that the seller is fully informed, and the broker must also be able to substantiate his offer to purchase.

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112. C. The broker must immediately provide the buyers with a copy of the agreement as a receipt for their deposit. Other people's money must not be placed in a personal bank account; completing a false, second purchase agreement for the purposes of obtaining a larger loan is called double contracting and is prohibited under any circumstances; and all written offers must be presented to the seller immediately.
113. A. The legal age of competence is 18 in the state of Idaho. A married minor may, however, enter into contractual agreements and can sue or be sued. A contract entered into by such a person, however, could be ruled invalid by the courts if it is contested.
114. A. Unclaimed estates escheat to the state after a period of 1,827 days.
115. D. If the property offered as security is 40 acres or less or is within an incorporated city, a deed of trust may be made.
116. A. A real estate broker may not serve as a trustee of a deed of trust loan.
117. B. When a deed of trust loan has been completely paid off, the beneficiary certifies this fact by completing the request for reconveyance form, located on the reverse side of the deed of trust, and by delivering it to the trustee along with the paid promissory note. After receiving the request, the trustee executes and delivers a deed of reconveyance to the grantor.
118. C. In order for the trustee to advertise and sell the property, the trustee or the beneficiary must file a notice of default with the county recorder. The notice must identify the specific deed of trust involved, the nature of the breach, and express the trustee's intention to sell the property to satisfy the obligation.
119. C. The time period from notice of default and the foreclosure sale is 120 days.
120. D. The notice of default and the notice of sale are sent out within the first 60 days of the 120-day period.
121. B. At least three good-faith attempts must be made to personally serve a copy of the notice of default to any adult occupant of the property. A copy of the notice must be conspicuously posted on the property each time an attempt at service is made.
122. D. A copy of the notice of sale must be published in a newspaper of general circulation in each county in which a section of the property is located. This advertisement of the sale must be published once each week for four successive weeks, with the last publication at least 30 days before the sale.
123. B. The statutory redemption period to foreclose a mortgage for property consisting of more than 20 acres is one year after a sheriff's sale.
124. B. After a sheriff's sale to foreclosure a mortgage for property consisting of 20 acres or less, the statutory redemption period is six months.

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125. C. The action for reinstatement of the loan must be taken within 115 days from the date that the formal notice of default was recorded.
126. C. The broker receives the commission check when the deed of trust is recorded and funded, in this example, June 15.
127. A. Under Idaho Real Estate License Law and Rules, the real estate broker is still responsible for the closing, although the title company and the lender typically prepare all the documents for the closing and also handle other closing procedures.
128. C. The surviving spouse receives all of the community property (\$50,000) and \$100,000 of the separate property. Under Idaho Code # 15-2-102, the disbursement of the \$150,000 is calculated as follows: the first fifty thousand dollars (\$50,000), plus one-half (1/2) of the balance of the intestate estate goes to the surviving spouse. This means that \$50,000 out of the \$150,000 of separate funds goes to the surviving spouse as well as half of the remaining \$100,000. The remaining balance, \$50,000, goes to the daughters, who share this equally (\$25,000 each).
129. D. Idaho Code 15-2-505(b) states “a will or any provision thereof is not invalid because the will is signed by an interested witness.”
130. A. Idaho is a community property state. Because there was no stated situation of separate property, one-half of the community property belongs to the surviving spouse and the one-half of community property that belonged to the decedent also passes to the surviving spouse (Idaho Code 15-2-102). The children don't receive any part of the estate, as they would only receive part of the estate if there was separate property.
131. A. The daughter and remaining son each take \$400,000. Idaho Code 15-2-103(a) states that “to the issue of the decedent, if they are all of the same degree of kinship to the decedent they take equally.” For an heir to receive any of the estate, Idaho Code 15-2-104 requires that the heir survive the decedent by 120 hours. The property will not escheat to the state since there are living heirs.
132. B. Any emancipated minor or any person who is at least 18 years of age and of sound mind may make a will.
133. B. A will shall be signed by at least two persons each of who witnessed either the signing or the testator's acknowledgment of the signature or of the will.
134. A. Under Idaho Code, the amount of the homestead exemption is \$50,000. This amount is after payment of mortgages, deeds of trust, and real estate taxes. There is no money leftover for unpaid credit card debts.
135. B. An individual is entitled to a \$50,000 homestead exemption in Idaho.
136. C. The purpose of homestead is to protect a person's equity in his or her personal residence.

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137. A. The homeowner's homestead exemption is automatically protected from, and after, the time the property is occupied as a principal residence by the owner.
138. B. A homestead is presumed abandoned if the property is vacant for at least six months.
139. D. The primary method of describing property in Idaho is government rectangular survey system.
140. D. Most cities will have an established local official datum that will be used by most surveyors.
141. B. The Boise Principal Meridian is a line that runs north and south and would end on the south at the Nevada border and at the Canadian border on the north.
142. A. The property would be located northwest of the initial point.
143. B. 6510 Robertson Drive, Boise, Idaho is an inadequate legal description. References to sections, lot and blocks, and metes and bounds are indicative of legal descriptions.
144. A. T65N indicates the township near the Canadian border in northern Idaho.
145. D. R46E is a range number along the eastern border of Idaho.
146. A. All measurements in Idaho are made from an initial point, which is south of the city of Meridian and east of the Kuna Caves.
147. A. A mechanic's lien can be filed up to 90 days after work was performed, which is effective as of the date construction was completed. Thus, the mechanic is first, then the mortgage companies as recorded.
148. C. When a landowner knows of work being done on his or her property and does not object or disclaim responsibility with a notice of nonresponsibility, a mechanic's lien may be created.
149. A. The mechanic may file a lien within 90 days after the material is supplied.
150. B. To enforce the lien, the mechanic must file suit within six months.
151. C. The judgment lien remains a lien against the property for a five-year period. The lien can then be extended for successive five-year periods until action has been taken to collect or enforce the lien.
152. B. The legal age without exceptions is 18. Some exceptions may be made for minor who are not under the care of a parent or guardian.
153. D. A minor's contract is not void, but it is voidable. The minor may disaffirm any such contract within a reasonable time after reaching majority.

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154. A. Continuous, open, and notorious use must be established for five years to establish an easement by prescription in Idaho.
155. A. Continuous use, hostile to the owner, must be established for at least five years to acquire title by adverse possession.
156. B. Since the new use is a hostile expansion of the original, authorized use, J can stop the use.
157. D. The landlord may record a notice of lease.
158. C. In Idaho, the statute of frauds requires all leases of more than one year be in writing in order to be enforceable in a court of law.
159. D. The manufactured home park rules are enforceable only if they have been made part of the lease agreement signed by the tenant.
160. A. The landlord must give the tenant written notice of the violation and provide three days in which the tenant can remedy the problem.
161. C. The landlord must give 15 days' written notice on all periodic tenancies.
162. D. When the lease agreement, either oral or written, specifies the amount of the rent for a set time period, the rent cannot be increased during the period.
163. A. In Idaho, security deposits cannot be used for rent unless specified in the lease agreement.
164. B. The landlord may sue the tenant for the back rent.
165. D. Idaho law does not provide for a landlord's lien on property that belongs to a tenant. If a tenant leaves property of value behind after vacating the premises, the landlord has no legal right to immediately dispose of the property. Rather, the landlord has an obligation to reasonably safeguard the property and can dispose of it in accordance with the abandoned or unclaimed property laws of Idaho.
166. D. Unless there have been damages, the landlord must return the security deposit to the tenant within 20 days of the end of the lease.
167. B. If the tenant does not pay past-due rent after the three day notice, the landlord would have to institute formal legal proceedings.
168. C. When the landlord pursues formal legal eviction solely for the purpose of evicting a tenant due to nonpayment of rent, the legal proceedings are referred to as a quick eviction.
169. A. To be valid, the written lease agreement must be signed by the landlord or lessor. The tenant or lessee does not need to sign the lease agreement, even though it is highly advisable. Acceptance by the tenant will be implied by his or her action, such as paying rent or taking possession of the property.

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- 170. C. The lease agreement may provide for rent increases or decreases upon 90 days' notice.
- 171. C. The tenant must notify the landlord and supply instructions and passwords.
- 172. C. The landlord must give the tenant 90 day written notice of intent not to renew the lease.
- 173. B. The security deposit must be returned within 20 days.
- 174. D. The county recorder records all documents and maintains the grantor/grantee index.
- 175. C. The document must be acknowledged and notarized to be able to be recorded. Idaho law makes no special provisions for documents written in a foreign language, so any document in a foreign language can be recorded.
- 176. C. If property taxes are delinquent for three years, the county will deed the property to itself and sell at a public auction.
- 177. A. When mortgagors default, lenders must institute foreclosure proceedings under the one-action rule.
- 178. B. The homeowner has the right of equity of redemption which allows him to redeem the property before the sheriff's sale.
- 179. C. By statute, the sale is set a minimum of 120 days after the formal notice of default is recorded. The trustor may stop foreclosure and reinstate the loan if done within 115 days from the date the formal notice of default is recorded.
- 180. D. There is no redemption period after a foreclosure sale.
- 181. B. The appraiser must appraise all properties during a five-year period. In order to promote uniform assessment of all properties, taxable property shall be either appraised or indexed annually to reflect current market value. In order to achieve this goal at a reasonable cost to taxpayers, a minimum of 20 percent of the taxable properties in the county shall be included in each year's appraisals, with the other 80% being indexed.
- 182. C. A disabled veteran would have to pay tax on his or her house.
- 183. A. Taxes become a lien on the property on January 1 of each year.
- 184. B. Taxes must be paid by December 20 of the current year to avoid penalties and interest on the taxes.
- 185. D. The second half payment must be made by June 20 of the following year or penalties will be incurred.
- 186. C. If unpaid, property taxes become delinquent on December 21 and June 21.

187. D. A property may be sold when taxes have been delinquent for more than three years.
188. B. Single parents are not entitled to a reduction in real property taxes on a personal residence.
189. B. The first \$50,000 or 50 percent, whichever is less, of the market value of the residential improvements (not including the land) is exempt from property taxation.
190. B. Idaho's occupancy tax [I.C. 63-317] provides for a tax on all newly constructed and occupied residential and commercial buildings.
191. D. The conservation easement is not intended to preserve private views and aspects of real property. Idaho statutes allow for conservation easements to do the following: retain and protect natural, scenic, or open-space values; ensure availability of land for agricultural, forest, and recreational uses; protect natural resources; maintain or enhance air or water quality; and preserve the historical, architectural, archaeological, or cultural aspects of real property.
192. D. The damaged party has the right to a \$10,000 maximum recovery per year from the recovery fund until the judgment amount has been paid, plus limited court costs and attorney's fees. The licensee's license will be suspended until the amount is paid back to the recovery fund.
193. B. The injured party may file a lawsuit up to two years after the alleged violation occurred.
194. B. The purpose of the Idaho Real Estate Recovery Fund is to provide a means of compensation for actual monetary losses suffered by individuals as a result of the acts of a licensee in violating the license law or committing other illegal acts related to a real estate transaction.
195. B. A seller who paid a broker under false pretenses may receive compensation from the real estate recovery fund. Brokers are not entitled to monies from the real estate recovery fund.
196. B. The licensee must repay the full amount plus interest to the account in order to have his or her license reinstated.
197. B. The minimum balance of \$20,000 must be maintained in the Idaho Real Estate Recovery Fund.
198. A. As soon as a payment is made from the real estate recovery fund, the licensee is automatically suspended.
199. C. Dower and curtesy are not recognized under Idaho law.
200. A. In Idaho, tenancy by the entireties is extinguished upon the divorce and converts to tenancy in common.
201. D. Typically, a normal title search in Idaho goes back to the original patents.

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202. C. In Idaho, unless stated to the contrary in a deed, ownership of land by a married couple is assumed to be community property.
203. C. A married couple's community property includes wages earned by either spouse.
204. C. Neither spouse may sell any real estate owned as part of their community property unless both spouses sign the sales contract and deed.
205. B. Only the husband must sign the deed, since the property is separate and not the residence of the wife. As long as the husband does not use community property funds to maintain and operate the rental property, then it can be kept as separate property. As soon as the husband starts to use community funds to operate the property, however, then it slowly becomes community property. Because of these types of situations, a title company will require the wife to sign a quit claim deed to reduce any potential claim of community property.
206. A. A declaration that the well is of no beneficial use is not a requirement for the abandonment of a well in Idaho.
207. B. In Idaho, the right to continue water use can be denied for failure on the part of the user to apply the water to a beneficial use for a period of five consecutive years.
208. C. Under Idaho statute, geothermal resources are considered sui generis: that is, unique, being neither a mineral resource nor a water resource.