

Chapter 20 Questions: Land-Use Controls & Property Development

1. A subdivision built in 1980 included covenants, conditions, and restrictions (CC&Rs) in the deeds for all properties. One covenant bans “all outdoor structures designed for the storage of equipment or as habitations for any animals.” In 2008, a resident built a tool shed and a doghouse. The neighbors took no action for six years, but in 2014 they want the shed and doghouse destroyed. Do the neighbors have any recourse?
 - a. Yes, they can go to court and sue for monetary damages for violating the covenant.
 - b. Yes, they can go to court and be awarded injunctive relief.
 - c. No, under the doctrine of laches, the neighbors lost the right to enforce the restriction due to their delay in asserting it.
 - d. No, covenants such as this are usually considered to be unenforceable restrictions on the free transfer of property.
2. A state delegates zoning powers to a municipality through
 - a. the Interstate Land Sales Full Disclosure Act.
 - b. eminent domain.
 - c. a comprehensive plan.
 - d. an enabling act.
3. All of these could be included in a zoning ordinance *EXCEPT*
 - a. objectives for future development of the area.
 - b. permissible height and style of new construction.
 - c. style and appearance of structures.
 - d. the maximum allowable ratio of land area to structural area.
4. A plat map is *BEST* described as
 - a. a detailed map that illustrates aesthetic preferences.
 - b. a detailed map that illustrates the geographic boundaries of individual lots.
 - c. a detailed map that illustrates where a variance might be allowed.
 - d. none of these.
5. A city passed a zoning ordinance that prohibits all commercial structures over 30 feet high. A man wants to build an office building that will be 45 feet high. In order to obtain permission for the building, the man may apply for a
 - a. nonconforming use permit.
 - b. zoning permit.
 - c. conditional-use permit.
 - d. variance or zoning change.
6. A woman would like to operate a business in her home, but she lives in an area zoned for residential use only. What should she do?
 - a. Request that the zoning board declare her home to be a nonconforming use
 - b. Ask a court to grant an injunction against the zoning board
 - c. Seek a conditional-use permit from the zoning board, if it is defined as allowable
 - d. Apply to the zoning board for a variance

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7. A man goes all over the country buying large tracts of vacant land, splitting them into smaller parcels, and building identical communities of single-family ranch-style homes surrounding a central shopping center. He sells the homes to residents and leases space in the shopping center to merchants. The man is
 - a. a developer only.
 - b. a subdivider only.
 - c. both a developer and a subdivider.
 - d. an assembler.
8. Which of these *BEST* defines density zoning?
 - a. The mandatory use of clustering
 - b. The average number of units in a development
 - c. A restriction on the average number of houses per acre
 - d. A restriction on the average number of acres per parcel
9. Before granting a zoning variance, a zoning board of appeals must
 - a. hold a public hearing where neighbors of a proposed use may voice their opinions.
 - b. conduct a door-to-door opinion survey of property owners adjacent to the proposed use.
 - c. check whether the landowner has been granted previous variances.
 - d. determine whether the proposed use will result in higher property taxes.
10. All of these are common tests of a valid zoning ordinance *EXCEPT*
 - a. clear and specific provisions.
 - b. anticipation of future housing needs.
 - c. a nondiscriminatory effect.
 - d. all property owners being affected in a similar manner.
11. A man owns a 2,000-acre tract of undeveloped woodland surrounding a scenic lake. He has divided the tract into 106 individual lots, ranging in size from 15 acres to 100 acres. He has also hired telemarketers to sell the lots to residents of the state and the three states with which it shares a common border. Based on these facts, how does the Interstate Land Sales Full Disclosure Act apply to the project?
 - a. The man must file a disclosure statement with HUD.
 - b. Because the man's project is not fraudulent, it is exempt from the requirements of the law.
 - c. This development project is exempt from the law because of the lot size exemption.
 - d. The man's project is exempt from the law because it is not being marketed outside a contiguous multistate region.
12. Zoning ordinances affect all of these *EXCEPT*
 - a. lot sizes.
 - b. building heights.
 - c. style and appearance of buildings.
 - d. racial composition of neighborhood.
13. A developer has included a playground and running trails between the commercial properties facing a busy street and the houses further back in the subdivision. The recreational area is considered
 - a. aesthetic zoning.
 - b. a buffer zone.
 - c. a taking.

- d. a nonconforming use.
- 14. When an area was rezoned as residential, a store was grandfathered in and allowed to continue business. This is an example of
 - a. a variance.
 - b. nonconforming use.
 - c. a conditional-use permit.
 - d. an amendment.
- 15. A new structure has been completed to the satisfaction of the inspecting city engineer. What documentation *must* be issued before anyone can move in?
 - a. Appraisal report
 - b. Certificate of occupancy
 - c. Certificate of reasonable value
 - d. Conditional-use permit

Chapter 3 Questions: Fair Housing

- 1. Which of these laws extended housing discrimination protections to families with children and persons with disabilities?
 - a. Civil Rights Act of 1866
 - b. Fair Housing Amendments Act of 1988
 - c. Housing and Community Development Act of 1974
 - d. Civil Rights Act of 1968
- 2. The Fair Housing Act is administered by the
 - a. Office of Equal Opportunity.
 - b. Department of Housing and Urban Development.
 - c. Department of Justice.
 - d. federal court system.
- 3. The Fair Housing Act does *NOT* prohibit discrimination on the basis of
 - a. familial status.
 - b. national origin.
 - c. religious preference.
 - d. sexual preference.
- 4. Which of these are exempt from the federal Fair Housing Act?
 - a. Owner-occupied buildings with no more than four units
 - b. Buildings subject to the *ADA Standards for Accessible Design*
 - c. Buildings that are not publicly advertised as being for sale or for rent
 - d. None of these
- 5. Real estate professionals may have a legal obligation to comply with the ADA because they
 - a. often have clients with disabilities.
 - b. frequently own their own homes.
 - c. may be employers.
 - d. may need to require reasonable accommodation in a home they have listed.

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6. A real estate broker sends a bright yellow flyer to all the homeowners in a neighborhood. The flyer contains a reprinted article from a local newspaper describing the future relocation plans of various employers in the region and this statement, printed in bold red letters: "Warning! The failure to sell your property within the next six months could cost you a bundle!" At the bottom of the page was printed the broker's name, photo, office address, and phone number. Based on these facts, the broker
 - a. is guilty of steering.
 - b. is guilty of blockbusting.
 - c. has committed no offense.
 - d. has violated the HUD advertising guidelines.
7. A newspaper advertisement states, "One-bedroom apartment immediately available. Good neighborhood. Only able-bodied individuals should apply." Which of these is *TRUE*?
 - a. The ad is not permitted under HUD's advertising guidelines because it discriminates on the basis of disability.
 - b. The ad is acceptable under HUD's advertising guidelines.
 - c. The ad is not permitted under HUD's advertising guidelines due to the remark, "Good neighborhood."
 - d. Newspapers are inherently discriminatory because not everyone can afford to buy them.
8. Under what conditions can someone refuse to rent to an African-American on the basis of race?
 - a. Never
 - b. If the owner is also living in one of the apartments of a small apartment building
 - c. If the owner is handling the leasing without the aid of a real estate professional
 - d. If the owner is a small investor and is selling one of the three houses
9. Under the Fair Housing Act, what is HUD's first action on receiving a complaint of illegal discrimination?
 - a. Investigates for reasonable cause to bring a charge
 - b. Holds an administrative hearing
 - c. Issues an injunction against the offender
 - d. Files a civil action in federal district court
10. One of the provisions of the Fair Housing Amendments Act of 1988 is
 - a. a repeal of the facilities and services requirements designed to help older persons with physical and social needs.
 - b. the addition of sex to the list of protected classes.
 - c. a change that made the penalties for violations more severe, and it also added additional damages.
 - d. the addition of religion to the list of protected classes.
11. Under the Civil Rights Act of 1968, what is the time limit to file a housing discrimination complaint with HUD?
 - a. 100 days
 - b. 1 year
 - c. 2 years
 - d. The same as the statute of limitations for torts committed in the state in which the alleged discriminatory act occurred

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12. Complaints of discriminatory housing practices filed with HUD will be referred to a local enforcement agency if
 - a. the federal law is substantially more inclusive than the state or municipal law.
 - b. HUD determines that an administrative law judge should decide the case.
 - c. the state or municipal law is substantially equivalent to the federal law.
 - d. the complaint involves a real estate professional who is the victim of a threat or act of violence because the professional has complied with the fair housing laws.
13. In the context of a dispute before HUD, the term *conciliation* is *BEST* defined as the
 - a. equivalent of paying a fine.
 - b. informal resolution of a dispute by obtaining assurances that the person responding to the complaint will remedy the violation.
 - c. referral of the matter to a local agency.
 - d. formal process under which the aggrieved party files a civil action in federal court.
14. All of these people are considered members of protected classes *EXCEPT*
 - a. a member of Alcoholics Anonymous.
 - b. a visually disabled person with a seeing-eye dog.
 - c. an person diagnosed with AIDs.
 - d. a person convicted of the manufacture or distribution of illegal drugs.
15. A homeowner decides to rent a spare bedroom in her single-family house to a tenant for \$50 per month. When a 24-year-old man asks to see the room, the homeowner refuses, telling him that she will only rent to women over the age of 50. The prospective tenant threatens to sue for a violation of the Fair Housing Act on the basis of age. Should the homeowner be concerned?
 - a. Yes, because the amount of rent being charged is immaterial for purposes of the Fair Housing Act.
 - b. Yes, because while the homeowner is permitted to exclude individuals on the basis of age or sex, she cannot exclude on the basis of both.
 - c. No, because the rental of rooms in an owner-occupied single-family home is exempt from the Fair Housing Act.
 - d. No, because there was no real estate professional involved in this transaction, the homeowner is free to discriminate on the basis of any of the normally protected classes.
16. A seller tells a real estate professional “don’t show my house to anybody not born in the United States.” In this circumstance, the professional
 - a. must show the house to anyone who wants to see it.
 - b. must decline to take the listing with this requirement.
 - c. may take the listing and ignore the instruction.
 - d. may take the listing and hope that no foreigners ask to see the property.
17. A neighborhood has a large Asian population. When a Chinese couple came to a broker to look for a home to buy, he suggested they look at listings only in this neighborhood. The broker violated the Fair Housing Act because his actions constitute
 - a. stereotyping.
 - b. blockbusting.
 - c. redlining.
 - d. steering.

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18. A woman met with a landlord to view a two bedroom apartment. She has two children and is also pregnant. The landlord told her that the rules of the building allow only two children per two-bedroom apartment, so he cannot rent to her. Is this a violation of the Fair Housing Act?
 - a. No, rental standards can include a restriction on the number of occupants in an apartment.
 - b. No, the Fair Housing Act allows property owners to limit the number of children in a development.
 - c. Yes, indicating a preference for a certain number of children as occupants is illegal discrimination on the basis of familial status.
 - d. Yes, until the third child is born, the woman meets the standards for the number of children in the family.
19. A landlord rented an apartment to a person with a wheelchair. He allowed the tenant to install bath rails and replace the bathroom sink vanity with a pedestal sink with lever faucet handles. However, the landlord required the tenant to sign a restoration agreement that the accommodations would be restored to the former condition at the end of the lease because the vanity provided desirable storage space in the bathroom. In addition, he required the tenant to pay sufficient funds (over a period of time) into an escrow account to restore the bathroom. Has the landlord violated the Fair Housing Act?
 - a. No, the landlord can require a restoration agreement and the escrow account.
 - b. No, the landlord does not have to allow the tenant to make any of these modifications.
 - c. Yes, the landlord cannot require restoration of the modifications.
 - d. Yes, the landlord cannot require the escrow account.
20. An occupancy requirement is exempt from familial status protection under the Fair Housing Act if the housing is intended to be occupied by
 - a. at least one person in each unit who is 50 years of age or older.
 - b. persons 62 years of age or older.
 - c. persons 55 years of age or older.
 - d. at least one person age 60 or older in 80% of the units.
21. For fair housing purposes, what is the definition of the term *disability*?
 - a. An impairment of mobility that prevents a person from using stairs
 - b. A physical impairment that requires a caregiver's assistance
 - c. An impairment that prevents a person from holding a job
 - d. An impairment that substantially limits one or more of an individual's major life activities
22. A landlord refuses to rent a vacant apartment to a couple with two small children because he is concerned the children will disturb the sick and elderly woman in the apartment next door. Which of these is most likely *TRUE*?
 - a. Because the landlord has good intentions, there is no violation of the Fair Housing Act.
 - b. If the sick and elderly woman is over the age of 80, there is no violation of the Fair Housing Act.
 - c. The refusal constitutes a violation of the Fair Housing Act if the family and the elderly woman have different national origins.
 - d. The refusal constitutes a violation of the Fair Housing Act because it discriminates on the basis of familial status.
23. The provisions of the ADA apply to any employer with at least
 - a. 5 or more employees.

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- b. 10 or more employees.
 - c. 12 or more employees.
 - d. 15 or more employees.
24. What is one negative result of redlining?
- a. Appraisers have a difficult time evaluating properties in the area.
 - b. It is often a major contributor to the deterioration of older neighborhoods.
 - c. The effects test must be applied to determine whether to file a lawsuit.
 - d. Real estate professionals are not able to advertise in local newspapers.
25. The resolution of a fair housing complaint by obtaining assurance that the respondent will remedy the violation is called
- a. conciliation.
 - b. administrative proceedings.
 - c. civil action.
 - d. a judgment.