

Practice Questions Review #1:

**Real Estate Property Ownership and Land Use
Controls and Regulations**



Question #1

Which of the following is NOT a test to determine whether an item is a fixture?

- a. Relationship of the parties
- b. Method of attachment
- c. Value of the item
- d. Intent of the parties

Question #2

"Appurtenant" means the ownership of the item:

- a. is personal.
- b. is movable.
- c. is a crop.
- d. runs with the land.

Question #3

"Emblements" are usually:

- a. growing crops.
- b. Cultivated annually
- c. on leased land by tenant farmers.
- d. all of the answers are correct.

Question #4

Minerals, oil, and gas, once extracted, are considered:

- a. real property.
- b. immovable property.
- c. personal property.
- d. deed transfer.

Question #5

Trade fixtures are:

- a. removable.
- b. forms of business furniture.
- c. personal property.
- d. all of the answers are correct.

Question #6

What differentiates an estate for years from an estate from period-to-period is that an estate for years:

- a. is a renewable agreement.
- b. is for a fixed period of time.
- c. can be terminated at any time.
- d. is from year-to-year.

Question #7

Through the process of escheat, the deceased's property passes to:

- a. his or her heirs.
- b. his or her creditors.
- c. the state.
- d. the local county.

Question #8

Someone using another person's land continuously and notoriously, without paying any property taxes, might qualify to obtain an easement, or legal right to use the land, according to:

- a. accession.
- b. prescription.
- c. adverse possession.
- d. Murphy's Law.

Question #9

Time, title, interest, and possession are the four essential unities of a:

- a. tenancy in common.
- b. joint tenancy.
- c. partnership.
- d. corporation.

Question #10

Grantor C conveys a large house and land to his daughter and son-in-law to be theirs as long as they are married. One year later they divorced. What happens to the property?

- a. The daughter acquires it
- b. The son-in-law acquires it
- c. It reverts back to C
- d. The couple must sell it

Question #11

In California, a notice to vacate an “estate at will” (rental agreement) requires how many days notice?

- a. 15
- b. 1
- c. 29
- d. 30

Question #12

Which of the following is not a lien?

- a. Mortgage
- b. Deficiency judgment
- c. Private restrictions
- d. Trust deed

Question #13

Which of the following is an example of an appurtenance?

- a. Light bulbs
- b. Sofa
- c. Refrigerator
- d. Parking space

Question #14

Fixture is considered _____.

- a. Hypothecation
- b. An agreement between the two parties
- c. Items that are removable by the tenant before the expiration date of the lease
- d. Real property

Question #15

“The right to use/occupy a property for a specific period of time” describes a:

- a. Life estate.
- b. Less-than-freehold estate.
- c. freehold estate.
- d. all of the answers are correct.

Question #16

A person CANNOT receive title to real property by:

- a. a gift deed.
- b. a patent.
- c. adverse possession.
- d. escheat.

Question #17

If I have a permanent right to cross your land to get to my house, my property is/has:

- a. an easement in gross.
- b. an injunction.
- c. a servient tenement.
- d. a dominant tenement.

Question #18

Smith sold Blackacre Estate to Willis. Before he sold it, Blackacre had an appurtenant easement across Whiteacre Estate, owned by Johnson. When Willis tried to use the easement, Johnson protested. Which is true?

- a. Whiteacre is the dominant tenement.
- b. An appurtenant easement always passes when the property is sold.
- c. Smith owns the servient tenement and can give it to anyone.
- d. Johnson owns the dominant tenement and his consent must be obtained.

Question #19

A utility company obtains an easement in gross to run power lines over your property. As a result, your property would become a:

- a. dominant tenement.
- b. servient tenement.
- c. tenement appurtenant.
- d. none of the answers are correct.

Question #20

Which of the following is NOT a lien?

- a. Trust deeds
- b. Mechanic's liens
- c. Easements
- d. Taxes and special assessments

Question #21

A written notice that should be given within 20 days of supplying labor or services, and before filing a mechanic's lien, is known as a:

- a. notice of nonresponsibility.
- b. preliminary notice.
- c. mechanic's notice.
- d. construction notice.

Question #22

If Bob places improvements and permanent fixtures on property that he does not own, Bob has created a(n):

- a. adverse possession.
- b. encroachment.
- c. avulsion.
- d. hostile occupancy.

Question #23

James and Peter co-own a property where they both have equal undivided interests and right of survivorship. What co-ownership agreement do they have?

- a. Tenancy in entirety
- b. Joint tenancy
- c. Tenancy in common
- d. Tenancy at will

Question #24

A _____ is a law that defines how property in a specific geographic area can be used.

- a. National Association of Realtors
- b. Federal Reserve Board
- c. Zoning Ordinance
- d. Fair Housing Act

Question #25

When one joint tenant sells their shared interest in a property, what type of tenancy does the new owner hold?

- a. Periodic tenancy agreement
- b. Fixed-term agreement
- c. Tenancy in common
- d. Tenancy at sufferance

Question #26

_____ is the state government's ability to govern zoning, city planning, building codes, and health standards.

- a. Real estate law
- b. Police power
- c. Zoning laws
- d. Eminent domain

Question #27

How much is the California homestead exemption?

- a. \$75,000 for single
- b. \$100,000 for couple
- c. \$150,000
- d. Both A & B

Question #28

What is a "homestead" right?

- a. The right to acquire government land through a bidding or other process.
- b. A form of title or ownership.
- c. The right to have certain protections to any equity one has in one's principal residence.
- d. The right to use water that is adjacent to or under one's own property.

Question #29

Oscar and Susan are next-door neighbors. Susan tells Oscar that he can store his camper in her yard for a few weeks until she needs the space. Susan did not charge Oscar rent for the use of her yard. Susan has given Oscar a(n) what?

- a. easement by necessity
- b. estate in land
- c. license
- d. easement appurtenant

Question #30

Randolph is renting property from Tyrone on a month to month lease agreement. This past month he didn't pay rent because of a disagreement with Tyrone, but he refused to move out. Randolph's interest would be classified as an:

- a. estate at sufferance
- b. estate at will
- c. estate of periodic tenancy
- d. estate for years.

Question #31

For the past 30 years, the Seddon's have operated a neighborhood grocery store. Last week the city council passed a zoning ordinance that prohibits packaged food sales in the area where the Seddon's grocery store is located. The store is now an example of a/an:

- a. violation of eminent domain
- b. variance of the zoning laws
- c. illegal enterprise
- d. nonconforming use

Question #32

A subdivision is defined under the California Real Estate Law as land which is:

- a. Surveyed
- b. Planned for residential purposes
- c. Divided for purposes of sale, lease or financing into five or more parcels
- d. Improved

Question #33

Which of the following could be considered real property?

- a. Chattel
- b. Riparian Rights
- c. Leases
- d. Leasehold estates

Question #34

The right of eminent domain refers to:

- a. an organization's right to condemn property pending an improvement that is for the good of the community.
- b. the government's right to acquire or authorize others to acquire title to property for public use.
- c. the right of every American citizen to own property.
- d. an institution or individual acquiring land by grant from the government.

Question #35

The process under eminent domain by which property is taken for public use is

- a. lis pendens.
- b. abstract of judgment.
- c. judgment.
- d. condemnation.

Question #36

If a person leased a store for only six months, that person would have an:

- a. Estate for years
- b. Estate from period to period
- c. Estate at sufferance.
- d. Estate at will

Question #37

Following proper action by the authorities, the zoning on a vacant lot was changed from "commercial" to "residential." Such an action is called:

- a. Retroactive zoning
- b. Down zoning
- c. Spot zoning
- d. Blended zoning

Question #38

The owner of a single lot is trying to show that exceptional circumstances concerning an intended use of the property are applicable to his property. The owner is also trying to show that the exception is not detrimental to the public. The owner would probably petition the planning commission for:

- a. Re-Zoning
- b. A novation
- c. A permit
- d. A variance

Question #39

Which of the following is not a characteristic of a fee simple title?

- a. It is always free of encumbrances.
- b. It is transferable by will or intestate.
- c. It is of indefinite duration.
- d. It is transferable with or without consideration.

Question #40

An easement is:

- a. an encumbrance, but not a lien
- b. both the lien and an encumbrance.
- c. a lien.
- d. an estate in land.

Question #41

Ingress and egress apply to:

- a. Zoning.
- b. deed restrictions.
- c. Easements
- d. Homesteads.

Question #42

The four unities of joint tenancy are:

- a. Time, Interest, Possession, and Liability
- b. Time, Possession, Liability, and Interest
- c. Title, Interest, Possession, and Ability
- d. Time, Title, Interest, and Possession

Question #43

"Of indefinite duration" is a characteristic which is particularly descriptive of an:

- a. Estate for years
- b. Estate of inheritance
- c. Estate from period-to-period
- d. Estate less-than-freehold.

Question #44

_____ is the disclosure associated with property being subject to regular assessments that fund community improvements and services.

- a. Megan's law
- b. Mello-roos
- c. Buyer's contract
- d. Listing contract

Question #45

Which entity performs the percolation test?

- a. Department of State
- b. Building inspector
- c. Homeowners Association
- d. Department of Health

Question #46

Which of the following "run with the land"?

- a. Covenants
- b. Easements appurtenant
- c. All of the other options are correct
- d. Stock in mutual water company

Question #47

Which of the following is the most accurately described as personal property?

- a. A Fixture
- b. A Chattel
- c. An improvement
- d. Realty

Question #48

As used in real estate practices, the land of a riparian owner borders on:

- a. A river
- b. A stream
- c. A moving watercourse
- d. Any of the above

Question #49

A person holding title to real property in severalty would most likely have:

- a. A life estate
- b. An estate for years
- c. Ownership in common with others
- d. Sole ownership

Question #50

Upon marriage in community property states, real property previously owned individually by each party:

- a. Becomes jointly owned
- b. Doesn't change
- c. Becomes community property
- d. Is held by a tenancy in common