

Hawaii Real Estate State Practice Exam (Sample)

Study Guide



Everything you need from our exam experts!

This is a sample study guide. To access the full version with hundreds of questions,

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Table of Contents

Copyright	1
Table of Contents	2
Introduction	3
How to Use This Guide	4
Questions	6
Answers	9
Explanations	11
Next Steps	17

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Introduction

Preparing for a certification exam can feel overwhelming, but with the right tools, it becomes an opportunity to build confidence, sharpen your skills, and move one step closer to your goals. At Examzify, we believe that effective exam preparation isn't just about memorization, it's about understanding the material, identifying knowledge gaps, and building the test-taking strategies that lead to success.

This guide was designed to help you do exactly that.

Whether you're preparing for a licensing exam, professional certification, or entry-level qualification, this book offers structured practice to reinforce key concepts. You'll find a wide range of multiple-choice questions, each followed by clear explanations to help you understand not just the right answer, but why it's correct.

The content in this guide is based on real-world exam objectives and aligned with the types of questions and topics commonly found on official tests. It's ideal for learners who want to:

- Practice answering questions under realistic conditions,
- Improve accuracy and speed,
- Review explanations to strengthen weak areas, and
- Approach the exam with greater confidence.

We recommend using this book not as a stand-alone study tool, but alongside other resources like flashcards, textbooks, or hands-on training. For best results, we recommend working through each question, reflecting on the explanation provided, and revisiting the topics that challenge you most.

Remember: successful test preparation isn't about getting every question right the first time, it's about learning from your mistakes and improving over time. Stay focused, trust the process, and know that every page you turn brings you closer to success.

Let's begin.

How to Use This Guide

This guide is designed to help you study more effectively and approach your exam with confidence. Whether you're reviewing for the first time or doing a final refresh, here's how to get the most out of your Examzify study guide:

1. Start with a Diagnostic Review

Skim through the questions to get a sense of what you know and what you need to focus on. Don't worry about getting everything right, your goal is to identify knowledge gaps early.

2. Study in Short, Focused Sessions

Break your study time into manageable blocks (e.g. 30 - 45 minutes). Review a handful of questions, reflect on the explanations, and take breaks to retain information better.

3. Learn from the Explanations

After answering a question, always read the explanation, even if you got it right. It reinforces key points, corrects misunderstandings, and teaches subtle distinctions between similar answers.

4. Track Your Progress

Use bookmarks or notes (if reading digitally) to mark difficult questions. Revisit these regularly and track improvements over time.

5. Simulate the Real Exam

Once you're comfortable, try taking a full set of questions without pausing. Set a timer and simulate test-day conditions to build confidence and time management skills.

6. Repeat and Review

Don't just study once, repetition builds retention. Re-attempt questions after a few days and revisit explanations to reinforce learning.

7. Use Other Tools

Pair this guide with other Examzify tools like flashcards, and digital practice tests to strengthen your preparation across formats.

There's no single right way to study, but consistent, thoughtful effort always wins. Use this guide flexibly — adapt the tips above to fit your pace and learning style. You've got this!

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Questions

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- 1. Under what legal framework may a spouse claim a 1/3 elective share of the other's estate in Hawaii?**
 - A. Hawaii's Family Code**
 - B. Hawaii's Uniform Probate Code for properties sold after July 1, 1977**
 - C. Hawaii's Real Estate Code**
 - D. Hawaii's Estate Planning Code**
- 2. Which action is NOT part of a general agent's responsibilities?**
 - A. Managing trust accounts**
 - B. Sign contracts on behalf of the principal**
 - C. Performing specific tasks assigned by the principal**
 - D. Negotiating transactions**
- 3. What is the status of using HAR standard forms in real estate transactions?**
 - A. Requires a licensed attorney for review.**
 - B. Recommended but not required.**
 - C. Required for every residential real estate transaction.**
 - D. Required only when one or more licensees are involved.**
- 4. Which type of foreclosure does not come with a statutory redemption period in Hawaii?**
 - A. Tax foreclosure**
 - B. Mortgages**
 - C. Judgment liens**
 - D. Easement foreclosures**
- 5. Unless stated otherwise, are common profits retained by the condominium board?**
 - A. Yes, for projected expenses**
 - B. No, they are distributed to owners**
 - C. Yes, unless voted otherwise**
 - D. No, only maintenance costs are held**

6. True or False: Placing real property in a land trust can avoid ancillary probate for non-residents.

A. True
B. False
C. Depends on the property type
D. Only for foreign-owned properties

7. To what does the term "limited common element" typically refer in a condominium setting?

A. Shared facilities for all owners
B. Infrastructural components like plumbing
C. Elements assigned for exclusive use by specific units
D. Common areas accessible to all residents

8. What characterizes the ownership of land created by natural processes such as lava flow?

A. Belongs to the original owner
B. Legally belongs to the state
C. Can be claimed by previous landowners
D. Is owned by the neighboring landowners

9. Is permission from the landowner necessary to establish a prescriptive easement in Hawaii?

A. Yes
B. No
C. Only for partial use
D. Only if it's documented

10. In a real estate transaction, who typically prepares the title report?

A. Seller's agent
B. Buyer's agent
C. Title company
D. Escrow officer

Answers

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1. B
2. C
3. B
4. B
5. B
6. A
7. C
8. B
9. B
10. C

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Explanations

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1. Under what legal framework may a spouse claim a 1/3 elective share of the other's estate in Hawaii?

- A. Hawaii's Family Code**
- B. Hawaii's Uniform Probate Code for properties sold after July 1, 1977**
- C. Hawaii's Real Estate Code**
- D. Hawaii's Estate Planning Code**

In Hawaii, the legal framework that allows a spouse to claim a 1/3 elective share of the other's estate is rooted in the Hawaii Uniform Probate Code. This specific provision applies to properties that have been sold or transferred after July 1, 1977. The elective share is a legal right that enables a surviving spouse to elect to receive a set portion of the deceased spouse's estate, rather than what is provided for them in the will, if they feel it is inadequate. Understanding the significance of this code is crucial as it governs the distribution of a deceased person's assets and ensures that a surviving spouse has a financial stake in the estate, recognizing their contribution to the marriage and the mutual support during the spouse's lifetime. The other choices, while they pertain to family law and real estate in Hawaii, do not specifically focus on the right of a spouse to claim an elective share of the estate, which is a clear and established provision under the Uniform Probate Code. This highlights the distinction between various legal frameworks and their applicability in estate matters.

2. Which action is NOT part of a general agent's responsibilities?

- A. Managing trust accounts**
- B. Sign contracts on behalf of the principal**
- C. Performing specific tasks assigned by the principal**
- D. Negotiating transactions**

The responsibilities of a general agent primarily revolve around managing a range of tasks on behalf of a principal, which typically includes performing specific duties, negotiating transactions, and signing contracts. A general agent has the authority to represent the principal in various business transactions and often manages real estate assets or interests. However, the nature of their role means that every action taken must align with the broader powers delegated to them by the principal. In this case, the selected option involves performing specific tasks assigned by the principal, suggesting a more limited scope of authority characteristic of a special agent. A special agent operates with limited powers, focusing on one specific act or transaction rather than general representation over a range of activities. Therefore, the actions encapsulated in the other options are indeed typical responsibilities of a general agent, while the chosen option does not fully reflect the breadth of authority and responsibility that defines a general agency relationship.

3. What is the status of using HAR standard forms in real estate transactions?

- A. Requires a licensed attorney for review.**
- B. Recommended but not required.**
- C. Required for every residential real estate transaction.**
- D. Required only when one or more licensees are involved.**

The status of using HAR (Hawaii Association of Realtors) standard forms in real estate transactions is that they are recommended but not required. This means that while using these standardized forms can provide consistency, clarity, and legal protection in real estate contracts, agents and parties are not obligated to use them. The HAR forms are designed to be comprehensive and in accordance with state laws, which can make transactions smoother and ensure that all necessary legal terms are included. While it's advisable for agents to use these forms to minimize legal risks and provide a clear framework for the transaction, they have the flexibility to draft their own agreements or use different forms if they choose to do so. Therefore, the recommendation stands as a best practice rather than a strict requirement, emphasizing the importance of proper documentation while allowing for individual preferences and circumstances in real estate dealings.

4. Which type of foreclosure does not come with a statutory redemption period in Hawaii?

- A. Tax foreclosure**
- B. Mortgages**
- C. Judgment liens**
- D. Easement foreclosures**

In Hawaii, the type of foreclosure that does not come with a statutory redemption period is associated with mortgages. When a property is foreclosed upon due to a mortgage default, the legal process does not provide the borrower with the option to redeem the property after the sale has taken place. This lack of a redemption period means that once the property is auctioned off, the former owner cannot reclaim it by paying off the amount owed. In contrast, other forms of foreclosure, such as tax foreclosures and those related to judgment liens, may allow for a redemption period, providing the former owner an opportunity to reclaim their property by paying off the necessary debts within a designated timeframe. Understanding this distinction is important for administrators and participants in real estate transactions within Hawaii, as it affects property rights and obligations after a foreclosure event.

5. Unless stated otherwise, are common profits retained by the condominium board?

- A. Yes, for projected expenses**
- B. No, they are distributed to owners**
- C. Yes, unless voted otherwise**
- D. No, only maintenance costs are held**

In a condominium setting, common profits typically refer to any excess income generated by the condominium association after covering its operational expenses. By default, these profits are typically retained by the condominium association rather than being distributed to unit owners. This retention is essential for the maintenance and improvement of the property, allowing the board to ensure that there are sufficient funds available for future repairs, upgrades, emergencies, and ongoing operational costs. When profits are retained, they contribute to the reserves and budgets that are necessary for the overall management of the condominium. This financial strategy helps maintain property values and supports the long-term financial health of the association. While unit owners may be permitted to vote on specific financial matters, including the distribution of profits, the standard practice is not to distribute profits directly to them unless there is explicit provision or a decision made by the board indicating otherwise. This understanding clarifies why the choice indicating that common profits are distributed to owners is not aligned with typical condominium practices. Instead, they are retained for the collective benefit and management of the condominium community.

6. True or False: Placing real property in a land trust can avoid ancillary probate for non-residents.

- A. True**
- B. False**
- C. Depends on the property type**
- D. Only for foreign-owned properties**

Placing real property in a land trust can indeed help avoid ancillary probate for non-residents, making the answer true. When a non-resident property owner passes away, the property is typically subject to the probate laws of the state where the property is located. Ancillary probate is the legal process required to manage and distribute property located in a different jurisdiction from where the deceased person resided. By transferring the property into a land trust before death, the property is owned by the trust rather than the individual. Upon the owner's death, the assets held in the land trust can be transferred directly to the beneficiaries according to the terms of the trust, thereby bypassing the probate process entirely. This can save time and expenses associated with probate proceedings, which can be especially beneficial for non-residents owning property in Hawaii. This process illustrates why the true statement regarding the benefits of using a land trust is accurate in the context of avoiding ancillary probate for non-residents.

7. To what does the term "limited common element" typically refer in a condominium setting?

- A. Shared facilities for all owners**
- B. Infrastructural components like plumbing**
- C. Elements assigned for exclusive use by specific units**
- D. Common areas accessible to all residents**

In a condominium setting, the term "limited common element" specifically refers to those components or areas that are designated for the exclusive use of certain unit owners, yet remain part of the overall condominium property. This can include features such as balconies, patios, or parking spaces that are not available to all residents but are assigned to particular units. This distinction is important because it sets clear boundaries on ownership and responsibilities related to maintenance and usage, ensuring that while these elements are part of the common property, they serve the needs and rights of specific unit owners. Shared facilities for all owners and common areas accessible to all residents fall under the category of common elements, which differ from limited common elements as they are available for use by anyone in the condominium community. Infrastructural components like plumbing are typically part of the common elements as well and are generally maintained by the condominium association. Therefore, recognizing the specific implications of limited common elements is crucial for understanding ownership rights and responsibilities within a condominium.

8. What characterizes the ownership of land created by natural processes such as lava flow?

- A. Belongs to the original owner**
- B. Legally belongs to the state**
- C. Can be claimed by previous landowners**
- D. Is owned by the neighboring landowners**

The ownership of land created by natural processes, such as lava flow, is characterized by being legally owned by the state. In Hawaii, when land is formed or expanded naturally—like through volcanic activity—it becomes part of the state's land. This principle is grounded in the idea that the state holds the title to land that is created through such natural phenomena. As a result, previous landowners do not retain any claim to the new land formed by natural processes, which distinguishes this situation from typical property transactions or claims. The state has the right to regulate and manage this newly formed land, ensuring it is used appropriately and in accordance with Hawaii's land use and environmental laws. This reflects the broader understanding of land ownership rights in relation to natural changes, particularly in a geologically active state like Hawaii.

9. Is permission from the landowner necessary to establish a prescriptive easement in Hawaii?

- A. Yes
- B. No**
- C. Only for partial use
- D. Only if it's documented

Establishing a prescriptive easement does not require permission from the landowner in Hawaii. A prescriptive easement allows a person to use someone else's land without formal permission, provided that the use meets certain legal criteria. The user must demonstrate that the use has been continuous, open, notorious, and adverse to the interests of the landowner for a prescribed period, typically 20 years in Hawaii. This means that the user treats the land as if they have the right to do so, without the landowner's consent. The nature of a prescriptive easement is that it arises from the user's long-term usage rather than an agreement with the owner. This principle is rooted in the encouragement of productive use of land, ensuring that rights established through prolonged usage can protect individuals against the adverse claims of the landowner.

10. In a real estate transaction, who typically prepares the title report?

- A. Seller's agent
- B. Buyer's agent
- C. Title company**
- D. Escrow officer

In a real estate transaction, the title company is responsible for preparing the title report. This report is essential for establishing a clear understanding of the property's title history, including any encumbrances or liens that may exist. The title company conducts a thorough examination of public records to verify the property's ownership and any claims against it. The title report is an important document that helps ensure that the buyer receives clear title to the property, which means they are not assuming any hidden problems or disputes regarding ownership. The involvement of the title company adds an additional layer of professionalism and accuracy to the process, as they specialize in title issues. In contrast, while the seller's agent and buyer's agent play significant roles in the transaction overall, their primary focus is on representing their clients' interests rather than handling the legal aspects of title verification. Similarly, the escrow officer manages the transaction process and ensures that the funds and documents are appropriately exchanged at closing, but they do not prepare the title report. Thus, the title company's role is specifically linked to the creation of the title report in a real estate transaction.

Next Steps

Congratulations on reaching the final section of this guide. You've taken a meaningful step toward passing your certification exam and advancing your career.

As you continue preparing, remember that consistent practice, review, and self-reflection are key to success. Make time to revisit difficult topics, simulate exam conditions, and track your progress along the way.

If you need help, have suggestions, or want to share feedback, we'd love to hear from you. Reach out to our team at hello@examzify.com.

Or visit your dedicated course page for more study tools and resources:

<https://hawaiirealestate.examzify.com>

We wish you the very best on your exam journey. You've got this!

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