



# **REAL ESTATE SALESPERSON (RES) EXAMINATION SYLLABUS 2017**

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**TABLE OF CONTENTS**

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REAL ESTATE SALESPERSON EXAMINATION SYLLABUS ..... 2  
(covering Introduction, Objectives, Expectation of Cognitive Levels and RES Examination  
Format)

SYLLABUS STRUCTURE ..... 4

SYLLABUS CONTENT ..... 6

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# **REAL ESTATE SALESPERSON EXAMINATION SYLLABUS**

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## **Introduction**

All real estate salespersons who carry out estate agency work in the sale or leasing transactions of residential (HDB and private housing), commercial and industrial properties must be registered with the Council for Estate Agencies (CEA). CEA is the regulatory body for the real estate agency industry and administers the Estate Agents Act and Regulations.

Prior to applying for registration as a salesperson, one must pass the Real Estate Salesperson (RES) Examination, which is one of the registration criteria stipulated under the Estate Agents (Licensing and Registration) Regulations 2010. The RES Examination consists of two Papers which test on the knowledge that is essential for practice as a real estate salesperson.

The RES Examination Syllabus is prepared in the context of local laws, rules and regulations governing estate agency work and practices, and the buying/selling/leasing of HDB flats and private residential, commercial and industrial properties in Singapore.

## **Objectives**

The objectives of the RES Examination are to ensure that new entrants meet the following requirements before they practise as real estate salespersons. The objectives are:

1. Possess the fundamental knowledge of real estate concepts, real estate market, law of contract, law of agency, planning and development control, and principles of marketing so as to be professionally knowledgeable when performing estate agency work.
2. Able to apply knowledge required for estate agency services, in particular knowledge on the handling of sale and lease of residential, commercial and industrial properties and including but not limited to title searches, immigration checks and financial calculations.
3. Understand and apply good ethics, relevant laws and regulations, and best practices in estate agency work so as to uphold the professional standing of salespersons.
4. Be knowledgeable about prevailing market information and government policies and regulations.

## REAL ESTATE SALESPERSON EXAMINATION SYLLABUS

### **Expectation of Cognitive Levels**

The RES examination syllabus provides the desired learning outcomes for each topic of study, and the cognitive levels examination candidates are expected to acquire in each section of the syllabus. The following are indications to assist candidates to understand the depth of knowledge expected of them:

**LEVEL 1 – REMEMBERING:** Candidates are aware of the basic terminology and concepts of the laws/rules/regulatory requirements/procedures. They should be able to recognise, list, define, describe or name the term or concept.

**LEVEL 2 – UNDERSTANDING:** Candidates are able to interpret, infer, classify, paraphrase or explain a term or concept in a scenario or case study.

**LEVEL 3 – APPLYING:** Candidates are able to make use of the knowledge and apply in practical situations. This is exhibited through analysis of their client's situations and being able to offer professional and accurate advice to their clients.

Level 1 is the lowest cognitive level. To reach the next level, the candidate has to attain the prerequisite knowledge and skills at lower levels first, i.e. attaining Level 3 implies that one has acquired the thinking skills at Levels 1 and 2. For the purpose of testing attainment of Level 3 in the RES examination, questions could be asked in a direct manner or based on practical scenarios or case studies.

Prior to taking the RES examination, candidates must complete the RES Course (of at least 50 hours of classroom learning) provided by any of the Approved Course Providers (ACPs). ACPs are encouraged to create learning opportunities for the RES course participants to acquire the requisite knowledge and skill sets during the lessons.

### **RES Examination Format**

The RES Examination consists of two papers, each with exam duration of 2.5 hours. Both papers are of the same format as follows:

Format of RES Examination Paper 1 and Paper 2	
Section A: 50 Multiple Choice Questions (MCQs)	1 mark each
Section B: 15 MCQs with reference to one or two Case Studies*	2 marks each
Section C: 10 Short Answer Questions (SAQs)	2 marks each

\*The objective is to test candidates' ability to interpret and analyse the questions in a practice-oriented context.

**SYLLABUS STRUCTURE**

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**Paper 1**

**Competency Unit 1: Real Estate Agency Industry Overview & Basic Land Law Concepts .....6**

Real Estate Agency Industry Overview

1.1 Real estate market and submarkets.....6

1.2 Real estate market players and government intervention .....6

Basic Land Law Concepts

1.3 Introduction .....7

1.4 Land .....7

1.5 Estates in land.....7

1.6 State Lands Act .....7

1.7 Rights in another’s land .....7

1.8 Registration of titles .....8

**Competency Unit 2: Dealings with Interests in Land ..... 9**

2.1 Law of contract ..... 9

2.2. Law of agency ..... 10

2.3 Landlord and tenant law .....10

2.4 Negligence ..... 10

2.5 Conveyance *inter vivos* ..... 11

2.6 Mortgage .....11

2.7 Gift .....11

2.8 Trust.....11

2.9 Succession .....11

2.10 Future interests .....11

2.11 Co-ownership.....11

2.12 Restrictions on capacity to hold land .....12

2.13 Planning and development of land .....12



## REAL ESTATE SALESPERSON EXAMINATION

<b>SYLLABUS CONTENT</b>			
<b>PAPER 1 tests on Competency Units 1 and 2</b>			
<b>Competency Unit 1 - Real Estate Agency Industry Overview &amp; Basic Land Law Concepts</b>			
<p><b>Overview</b></p> <p>This unit introduces the real estate market with its characteristics, its constituent elements/parts and the players. Economic factors affecting supply, demand and property prices, the property cycles and the effect of government policies, provide the basis for understanding how the market functions as a whole and as submarkets, in Singapore.</p> <p>Real estate salespersons who represent their clients in dealing with their property transactions must be equipped with the basic understanding of the law concepts and principles on real estate property in Singapore.</p>			
<b>Unit No.</b>	<b>Topic / Content</b>	<b>Learning Outcomes</b> Candidates should be able to:	<b>Cognitive Level *</b>
1.1	<p><u>Real Estate Agency Industry Overview</u></p> <p>Real estate market and submarkets</p>	<ul style="list-style-type: none"> <li>▪ Identify the characteristics of real estate vs. real estate investment trusts (REITS) and property stocks.</li> <li>▪ Understand the characteristics of real estate market as a whole.</li> <li>▪ Categorise properties into residential, commercial and industrial according to title (land, lease or strata), form and planning parameters.               <ul style="list-style-type: none"> <li>– Identify title/tenure of property, zoning, use and classification of property.</li> <li>– Identify types of commercial properties (i.e. strata-titled shop/office units), industrial and residential properties.</li> </ul> </li> <li>▪ Understand the micro- and macro-factors affecting supply, demand and prices of properties.</li> <li>▪ Understand the functioning of each submarket (by property types, locations, and socioeconomic characteristics, etc.).</li> <li>▪ Understand the relationship between property cycle and business cycle.</li> <li>▪ Source and interpret property supply, transaction statistics/data and other market information.</li> <li>▪ Convert a 6-digit postal code to its old district number.</li> </ul>	<p>2</p> <p>2</p> <p>2</p> <p>2</p> <p>2</p> <p>2</p> <p>3</p> <p>3</p>
1.2	Real estate market players and government intervention	<ul style="list-style-type: none"> <li>▪ Identify market players in the various property sectors, e.g. developers, investors and users.</li> <li>▪ Interpret the effect of government control and intervention in the real estate market, e.g. introduction of cooling measures.</li> </ul>	<p>2</p> <p>3</p>

**REAL ESTATE SALESPERSON EXAMINATION SYLLABUS**

<b>SYLLABUS CONTENT</b>			
<b>Unit No.</b>	<b>Topic / Content</b>	<b>Learning Outcomes</b> Candidates should be able to:	<b>Cognitive Level *</b>
1.2	Real estate market players and government intervention (continued)	<ul style="list-style-type: none"> <li>▪ Understand the role and functions of various relevant government agencies, e.g. BCA, JTC, HDB, IRAS, LTA, MAS, SLA, URA, etc. relating to property transactions.</li> </ul>	2
1.3	<b>Basic Land Law Concepts</b> Introduction	<ul style="list-style-type: none"> <li>▪ Distinguish real property from personal property, proprietary right from personal right, ownership (the largest form of proprietary interest) from lesser interests, and legal interest from equitable interest.</li> </ul>	2
1.4	Land	<ul style="list-style-type: none"> <li>• Infer the legal meaning of land.</li> <li>• Understand the legal definition of fixture and the two tests of determining whether a chattel is/has become a fixture, and ascertain to whom (buyer or seller, landlord or tenant) a fixture belongs. Understand the common usage of the term “fitting” by the industry and how it relates to “fixture”.</li> <li>• Identify the legal description of land lot, strata lot and accessory lot, and the documents from which to obtain such information.</li> </ul>	2 3 3
1.5	Estates in land	<ul style="list-style-type: none"> <li>• Understand tenure and estate, and the various types of freehold and leasehold estates.</li> </ul>	2
1.6	State Lands Act	<ul style="list-style-type: none"> <li>• Explain the implied covenants and conditions in the grant in perpetuity and State lease.</li> <li>• Understand when differential premium is payable.</li> <li>• Understand the nature of temporary occupation licence (TOL) issued by the State.</li> <li>• Describe the State’s reversionary interest in State leases and the power to acquire land compulsorily under Land Acquisition Act.</li> </ul>	2 2 2 1
1.7	Rights in another’s land: - licence  - easement    - covenant	<ul style="list-style-type: none"> <li>▪ Explain the term “encumbrances” on land title.</li> <li>• Explain the nature of a licence.</li> <li>• Distinguish a licence from a lease.</li> <li>• Explain the nature and characteristics of an easement.</li> <li>• Understand how an easement may be acquired and extinguished at common law, and under the Land Titles Act (LTA) and Land Titles (Strata) Act (LTSA).</li> <li>• Explain the easements implied under LTA and LTSA.</li> <li>• Understand the extent to which covenants affecting adjacent land owners bind their respective successors in title.</li> <li>• Ascertain the existence of a restrictive covenant in a land title.</li> <li>▪ Explain how a restrictive covenant may be discharged at common law and under the Land Titles Act.</li> </ul>	2 2 2 2 2 2 3 2



**REAL ESTATE SALESPERSON EXAMINATION SYLLABUS**

<b>SYLLABUS CONTENT</b>			
<b>Unit No.</b>	<b>Topic / Content</b>	<b>Learning Outcomes</b> Candidates should be able to:	<b>Cognitive Level *</b>
1.8	Registration of titles	• Associate a property type with a property title: certificate of title, subsidiary strata certificate of title, or lease title.	3
		• Interpret dealings that are notified in the title document, e.g. transfers, mortgages, charges, and leases exceeding 7 years.	2
		• Understand the effect of registration and the priority of registered interests.	2
		• Understand the function of a caveat and the period of its effectiveness.	2

**REAL ESTATE SALESPERSON EXAMINATION SYLLABUS**

**SYLLABUS CONTENT**

**PAPER 1 tests on Competency Units 1 and 2**

**Competency Unit 2 - Dealings with Interests in Land**

**Overview**

To be able to advise clients on property matters and to deal with property transactions on behalf of buyers/sellers or landlords/tenants, real estate salespersons need to understand when a contract is entered and the consequences, if the obligations are not fulfilled. They should be mindful that they owe a fiduciary duty to their principals and the duty of care to others.

Real estate salespersons should also understand an important concept of land, whereby “land” refers not so much to the physical land but an “interest” or a “bundle of rights” in land. One of the characteristics is the right of the owner to deal with the land. An interest is usually acquired through a sale and purchase, but it may also be vested in a person by way of gift, trust or succession. Other than alienation of the entire interest, an owner may carve out a lesser interest such as a lease, mortgage or an easement to co-exist with his proprietary interest. If the right to possession is vested only in the future, it is a future interest.

Unit No.	Topic / Content	Learning Outcomes Candidates should be able to:	Cognitive Level *
2.1	Law of contract	<ul style="list-style-type: none"> <li>▪ Understand the essential elements that constitute a valid contract with reference to letter of intent, tenancy agreement, option to purchase (OTP) and sale &amp; purchase (S&amp;P) agreement:                             <ul style="list-style-type: none"> <li>– Offer and acceptance (including the 3Ps: Parties, Property, Price)</li> <li>– Form (i.e. deed) or consideration</li> <li>– Capacity of parties (cross-refer to Paper 1, Unit 2.12)</li> <li>– Legality of object</li> </ul> </li> <li>▪ Illustrate the legal effects of valid, void, voidable and unenforceable contracts.</li> <li>▪ Differentiate between warranty and condition in a contract.</li> <li>▪ Explain misrepresentation vis-à-vis duty of disclosure (vs. caveat emptor) and its effect on contract.</li> <li>▪ Name and describe how a contract may be discharged and the remedies available for breach of contract.</li> <li>▪ Relate the above principles to real estate contracts in respect of (cross-refer to Paper 2, Units 4.2 and 4.3):                             <ul style="list-style-type: none"> <li>– When a contract for sale and purchase or for lease is formed</li> <li>– Assignment of contract</li> <li>– What constitutes a breach of condition</li> <li>– What facts/defects ought to be disclosed</li> <li>– What constitutes misrepresentation</li> <li>– When a contract is completed, rescinded or repudiated</li> <li>– When to seek assistance from a solicitor</li> </ul> </li> </ul>	<p style="text-align: center;">2</p> <p style="text-align: center;">2</p> <p style="text-align: center;">2</p> <p style="text-align: center;">2</p> <p style="text-align: center;">2</p> <p style="text-align: center;">2</p>

**REAL ESTATE SALESPERSON EXAMINATION SYLLABUS**

<b>SYLLABUS CONTENT</b>			
<b>Unit No.</b>	<b>Topic / Content</b>	<b>Learning Outcomes</b> Candidates should be able to:	<b>Cognitive Level *</b>
2.2	Law of agency	<p>Apply the fundamental knowledge of the following in the context of real estate agency:</p> <ul style="list-style-type: none"> <li>▪ Meaning and creation of agency relationships (including the use of prescribed Estate Agency Agreements).</li> <li>▪ Differences between exclusive and non-exclusive agency.</li> <li>▪ Agency as a contract uberrimae fidei, i.e. contract of the utmost good faith.</li> <li>▪ Agent’s authorities as viewed by principal and third party.</li> <li>▪ Rights and duties between principal and agent (e.g. right to commission and duty to transmit all offers) and to third party.</li> <li>▪ Termination of agency relationships.</li> <li>▪ Remedies for breach of duties by principal, agent or third party.</li> </ul>	<p>3</p> <p>3</p> <p>3</p> <p>3</p> <p>3</p> <p>3</p> <p>3</p>
2.3	Landlord and tenant law	<ul style="list-style-type: none"> <li>▪ Understand a lease as an interest in land and its implications (cross-refer to Paper 1, Unit 1.3).</li> <li>▪ Explain the dual relationship between landlord and tenant: privity of contract and privity of estate, and the implications on the binding effect of their covenants on assignees.</li> <li>▪ Distinguish fixed term lease, periodic lease, tenancy at sufferance and tenancy at will.</li> <li>▪ Understand the essential elements of a lease and the formalities required.</li> <li>▪ Understand the effect of dealing with a lease by assignment, subletting or novation.</li> <li>▪ Understand option to renew and circumstances leading to the determination of a lease.</li> <li>▪ Understand what rights and duties are implied by law on the part of the landlord and tenant respectively.</li> <li>▪ Explain commonly expressed terms/ covenants.</li> <li>▪ Understand the remedies available for breach of term/covenant.</li> </ul>	<p>2</p> <p>2</p> <p>2</p> <p>2</p> <p>2</p> <p>2</p> <p>2</p> <p>2</p> <p>2</p>
2.4	Negligence	<ul style="list-style-type: none"> <li>▪ Distinguish the tort of negligence from negligent misrepresentation.</li> <li>▪ Appreciate when a duty of care exists and whether it can be varied expressly.</li> <li>▪ Assess the standard of care required in estate agency work.</li> <li>▪ List and explain the remedies for breach of duty of care.</li> </ul>	<p>2</p> <p>3</p> <p>3</p> <p>2</p>

**REAL ESTATE SALESPERSON EXAMINATION SYLLABUS**

<b>SYLLABUS CONTENT</b>			
<b>Unit No.</b>	<b>Topic / Content</b>	<b>Learning Outcomes</b> Candidates should be able to:	<b>Cognitive Level *</b>
2.5	Conveyance <i>inter vivos</i>	This topic is pertinent to estate agents and salespersons and the scope is extensive. It will be dealt with in detail in Paper 2, Competency Unit 4.	
2.6	Mortgage	<ul style="list-style-type: none"> <li>▪ Understand the nature of mortgage as a security.</li> <li>▪ Ascertain the existence of a legal mortgage on a property title.</li> <li>▪ Explain the mortgagor's right to redeem and to lease the property, and the actions that the mortgagee may take on the mortgagor's default.</li> <li>▪ Understand the priority of mortgages and charges e.g. a charge by CPF Board.</li> <li>▪ Explain fixed rate and floating rate mortgages.</li> </ul>	<p>2</p> <p>3</p> <p>2</p> <p>2</p> <p>2</p>
2.7	Gift	<ul style="list-style-type: none"> <li>• Explain the formalities and the effect of a gift of property.</li> <li>• Explain the effect of bankruptcy on a gift of property under the Bankruptcy Act.</li> </ul>	<p>2</p> <p>2</p>
2.8	Trust	<ul style="list-style-type: none"> <li>• Explain trust, and alienation by way of trust <i>inter vivos</i> or by succession.</li> <li>• Understand the implications of buying property held on trust.</li> </ul>	<p>2</p> <p>2</p>
2.9	Succession	<ul style="list-style-type: none"> <li>• Explain how an estate devolves by will and by intestate succession.</li> <li>• Assess whether the right of a beneficiary to dispose of an inherited property has arisen, e.g. obtaining the grant of probate or letter of administration, registration of transmission on death of proprietor.</li> <li>• Appreciate the difference between the Civil law and Syariah law on inheritance.</li> </ul>	<p>2</p> <p>2</p> <p>2</p>
2.10	Future interests	<ul style="list-style-type: none"> <li>• Explain what constitutes a future interest.</li> <li>• Distinguish reversionary interest from remainder interest of a life estate.</li> </ul>	<p>2</p> <p>2</p>
2.11	Co-ownership	<ul style="list-style-type: none"> <li>• Distinguish between the two forms of co-ownership: joint tenancy and tenancy in common.</li> <li>• Explain how tenancy in common may be created at law and in equity.</li> </ul>	<p>2</p> <p>2</p>

**REAL ESTATE SALESPERSON EXAMINATION SYLLABUS**

<b>SYLLABUS CONTENT</b>			
<b>Unit No.</b>	<b>Topic / Content</b>	<b>Learning Outcomes</b> Candidates should be able to:	<b>Cognitive Level *</b>
2.12	Restrictions on capacity to hold land	<ul style="list-style-type: none"> <li>• Determine the restrictions on the capacity of companies, societies, partnerships, infants, and mentally handicapped persons to hold land.</li> <li>• Be conversant with the Mental Capacity Act and the Lasting Power of Attorney (LPA) when advising customers and/or performing estate agency work.</li> <li>• Ascertain the extent to which foreign persons are restricted from acquiring or holding residential restricted properties under the Residential Property Act.</li> </ul>	3  3  3
2.13	Planning and development of land	<ul style="list-style-type: none"> <li>▪ Identify, interpret and extract information that describes site uses and development parameters for a specific property (e.g. the master plan).</li> <li>▪ Explain the terms "zoning", "plot ratio", gross floor area", "net lettable area", "street block plan", "void" and others.</li> <li>▪ Describe the planning concept and development control on designated landed housing area, condominium, non-residential properties (e.g. 60:40 rule, approved use) and conservation areas.</li> <li>▪ Identify the need to apply for permission for change of use, building works or redevelopment.</li> <li>▪ Keep abreast of regulations and news releases from the following statutory authorities involved in development of land:               <ul style="list-style-type: none"> <li>- Housing and Development Board</li> <li>- JTC Corporation</li> <li>- Urban Redevelopment Authority</li> </ul> </li> </ul>	3  2  2  2  2

