

54A:2-1

LEGISLATIVE HISTORY CHECKLIST
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(Gross Income Tax--reduce--
beginning January 1996)

NJSA: 54A:2-1

LAWS OF: 1995 CHAPTER: 165

BILL NO: A100

SPONSOR(S): Haytaian & others

DATE INTRODUCED: April 27, 1995

COMMITTEE: ASSEMBLY: Policy & Rules; Appropriations
SENATE: ---

AMENDED DURING PASSAGE: Yes Amendments during passage
denoted by superscript numbers

DATE OF PASSAGE: ASSEMBLY: June 26, 1995
SENATE: June 26, 1995

DATE OF APPROVAL: July 4, 1995

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes
SENATE: No

FISCAL NOTE: ~~No~~ Yes

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

See newspaper clippings--attached:

"Whitman chooses town where taxes are up...", 7-4-95, Atlantic City Press.

"Milltown called wrong site for bill-signing," 7-4-95, Home News.

"A model town..." 7-4-95, Asbury Park Press.

Hearing on similar bills:

974.90 New Jersey. Legislature. Assembly. Policy & Rules Committee.
T235 Committee meeting on A.1, A.2 & A.3 held 2-2-95, 2-10-04,
1994 Newark & Trenton, 1994.

974.90 Whitman, Christine.
T235 The virtues of tax cuts.
1994c (In creating excellence in government, No. 10, Summer 1994)

KBG:pp

P.L.1995, CHAPTER 165, approved July 4, 1995
1995 Assembly No. 100

1 AN ACT decreasing the rates of taxation under the gross income
2 tax, amending N.J.S.54A:2-1.

3
4 BE IT ENACTED by the Senate and General Assembly of the
5 State of New Jersey:

6 1. N.J.S.54A:2-1 is amended to read as follows:

7 54A:2-1. Imposition of tax. There is hereby imposed a tax for
8 each taxable year (which shall be the same as the taxable year
9 for federal income tax purposes) on the New Jersey gross income
10 as herein defined of every individual, estate or trust (other than a
11 charitable trust or a trust forming part of a pension or
12 profit-sharing plan), subject to the deductions, limitations and
13 modifications hereinafter provided, determined in accordance
14 with the following tables with respect to taxpayers' taxable
15 income:

16 a. For married individuals filing a joint return and individuals
17 filing as head of household or as surviving spouse for federal
18 income tax purposes:

19
20 (1) for taxable years beginning on or after January 1, 1991
21 but before January 1, 1994:

22 If the taxable income is:	The tax is:
23 Not over \$20,000.00.....	24 2% of taxable income
25	
26 Over \$20,000.00 but not	
27 over \$50,000.00.....	28 \$400.00 plus 2.5% of the 29 excess over \$20,000.00
30 Over \$50,000.00 but not	
31 over \$70,000.00.....	32 \$1,150.00 plus 3.5% of the 33 excess over \$50,000.00
34 Over \$70,000.00 but not	
35 over \$80,000.00.....	36 \$1,850.00 plus 5.0% of the 37 excess over \$70,000.00
38 Over \$80,000.00 but not	
39 over \$150,000.00.....	40 \$2,350.00 plus 6.5% of the 41 excess over \$80,000.00
42 Over \$150,000.00.....	43 \$5,900.00 plus 7.0% of the excess over \$150,000.00

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

(4) for taxable years beginning on or after January 1, 1988:

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If the taxable income is:	The tax is:
Not over \$20,000.00.....	1.400% of taxable income
Over \$20,000.00 but not over \$50,000.00.....	\$280.00 plus 1.750% of the excess over \$20,000.00
Over \$50,000.00 but not over \$70,000.00.....	\$805.00 plus 2.450% of the excess over \$50,000.00
Over \$70,000.00 but not over \$80,000.00.....	\$1,205.50 plus 3.500% of the excess over \$70,000.00
Over \$80,000.00 but not over \$150,000.00.....	\$1,845.00 plus 5.525% of the excess over \$80,000.00
Over \$150,000.00	\$5,613.50 plus 6.370% of the excess over \$150,000.00

b. For married individuals filing separately, unmarried individuals other than individuals filing as head of household or as a surviving spouse for federal income tax purposes, and estates and trusts:

(1) for taxable years beginning on or after January 1, 1991 but before January 1, 1994:

If the taxable income is:	The tax is:
Not over \$20,000.00.....	2% of taxable income
Over \$20,000.00 but not over \$35,000.00.....	\$400.00 plus 2.5% of the excess over \$20,000.00
Over \$35,000.00 but not over \$40,000.00.....	\$775.00 plus 5.0% of the excess over \$35,000.00
Over \$40,000.00 but not over \$75,000.00.....	\$1,025.00 plus 6.5% of the excess over \$40,000.00
Over \$75,000.00.....	\$3,300.00 plus 7.0% of the excess over \$75,000.00

1 (2) for taxable years beginning on or after January 1, 1994 but
2 before January 1, 1995:

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4 If the taxable income is: The tax is:
5 Not over \$20,000.00..... 1.900% of taxable income
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7 Over \$20,000.00 but not
8 over \$35,000.00..... \$380.00 plus 2.375% of the
9 excess over \$20,000.00
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11 Over \$35,000.00 but not
12 over \$40,000.00..... \$738.25 plus 4.750% of the
13 excess over \$35,000.00
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15 Over \$40,000.00 but not
16 over \$75,000.00..... \$973.75 plus 6.175% of the
17 excess over \$40,000.00
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19 Over \$75,000.00..... \$3,135.00 plus 6.650% of the
20 excess over \$75,000.00
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22 (3) for taxable years beginning on or after January 1, 1995 but
23 before January 1, 1996:

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25 If the taxable income is: The tax is:
26 Not over \$20,000.00..... 1.700% of taxable income
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28 Over \$20,000.00 but not
29 over \$35,000.00..... \$340.00 plus 2.125% of the
30 excess over \$20,000.00
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32 Over \$35,000.00 but not
33 over \$40,000.00..... \$658.75 plus 4.250% of the
34 excess over \$35,000.00
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36 Over \$40,000.00 but not
37 over \$75,000.00..... \$871.25 plus 6.013% of the
38 excess over \$40,000.00
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40 Over \$75,000.00..... \$2,975.80 plus 6.580% of the
41 excess over \$75,000.00
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43 (4) for taxable years beginning on or after January 1, 1996:

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45 If the taxable income is: The tax is:
46 Not over \$20,000.00..... 1.400% of taxable income
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48 Over \$20,000.00 but not
49 over \$35,000.00..... \$280.00 plus 1.750% of the
50 excess over \$20,000.00
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52 Over \$35,000.00 but not
53 over \$40,000.00..... \$542.50 plus 3.500% of the
54 excess over \$35,000.00

1 Over \$40,000.00 but not
 2 over \$75,000.00..... \$717.50 plus 5.525% of the
 3 excess over \$40,000.00

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 5 Over \$75,000.00..... \$2,651.25 plus 6.370% of the
 6 excess over \$75,000.00

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 8 c. For the purposes of this section, an individual who would be
 9 eligible to file as a head of household for federal income tax
 10 purposes but for the fact that such taxpayer is a nonresident
 11 alien, shall determine tax pursuant to subsection a. of this section.
 12 (cf: P.L.1994, c.69, s.1)

13 2. This act shall take effect immediately.

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 16 STATEMENT

17
 18 This bill reduces gross income tax rates for 1996 and
 19 thereafter. This bill's rate reductions, combined with the rate
 20 reductions enacted as P.L.1994, c.2, and P.L.1994, c.69, the rate
 21 result in cumulative decreases from the 1993 taxable year levels
 22 of 30%, 15% and 9% for certain taxable income levels.

23 Beginning with taxable year 1996, this bill reduces gross
 24 income tax rates by a total of 30% from 1993 rates for married
 25 individuals filing a joint return and individuals filing as head of
 26 household or as surviving spouse for federal income tax purposes
 27 having annual gross income of less than \$80,000 and for married
 28 individuals filing separately, unmarried individuals other than
 29 individuals filing as head of household or as a surviving spouse for
 30 federal income tax purposes, and estates and trusts having annual
 31 income of less than \$40,000.

32 This bill reduces the marginal gross income tax rate between
 33 \$80,000 and \$150,000 for married individuals filing a joint return
 34 and individuals filing as head of household or as surviving spouse
 35 for federal income tax purposes and the marginal rate between
 36 \$40,000 and \$75,000 for married individuals filing separately,
 37 unmarried individuals other than individuals filing as head of
 38 household or as a surviving spouse for federal income tax
 39 purposes, and estates and trusts by a total of 15% from the 1993
 40 rates.

41 This bill also reduces the marginal gross income tax rate above
 42 \$150,000 for married individuals filing a joint return and
 43 individuals filing as head of household or as surviving spouse for
 44 federal income tax purposes and the marginal rate above \$75,000
 45 for married individuals filing separately, unmarried individuals
 46 other than individuals filing as head of household or as a surviving
 47 spouse for federal income tax purposes, and estates and trusts by
 48 a total of 9% from the 1993 rates.

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Decreases gross income tax rates for taxable years 1996 and
 54 thereafter.

ASSEMBLY POLICY AND RULES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 100

STATE OF NEW JERSEY

DATED: JUNE 5, 1995

The Assembly Policy and Rules Committee favorably reports Assembly, No. 100.

Assembly, No. 100 reduces the State gross income tax rates for 1996 and the tax years thereafter.

Coupled with the rate reductions provided under P.L. 1994, c.2 and P.L. 1994, c.69, the rate reductions authorized under this bill will result in cumulative decreases from the 1993 tax year of 30%, 15%, and 9% depending on the taxpayer's income and filing status.

The 30% cumulative rate reduction will be experienced by: (1) married individuals filing a joint return and by individuals filing either as head of household or surviving spouse who have an annual gross income of less than \$80,000, and (2) married individuals filing separately, unmarried individuals (other than those filing as head of household or surviving spouse), and trusts and estates having an annual income of less than \$40,000.

The 15% cumulative rate reduction applies to: (1) married individuals filing a joint return and individuals filing either as head of household or surviving spouse whose annual gross incomes are between \$80,000 and \$150,000, and (2) married individuals filing separately, unmarried individuals (other than those filing as head of household or surviving spouse), and trust and estates having annual incomes between \$40,000 and \$75,000.

The 9% cumulative rate reduction affects: (1) married individuals filing joint returns and unmarried individuals filing as either head of household or surviving spouse who have annual gross incomes above \$150,000, and (2) married individuals filing separately, unmarried individuals (other than those filing as head of household or surviving spouse), and trusts and estates having annual incomes of over \$75,000.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 100

STATE OF NEW JERSEY

DATED: JUNE 15, 1995

The Assembly Appropriations Committee reports favorably Assembly Bill No. 100.

Assembly Bill No. 100 reduces gross income tax rates for 1996 and thereafter. The bill's rate reductions, combined with the rate reductions enacted as P.L.1994, c.2, and P.L.1994, c.69, result in cumulative decreases from the 1993 taxable year levels of 30%, 15% and 9% for certain taxable income levels.

Beginning with taxable year 1996, the bill reduces gross income tax rates by a total of 30% from 1993 rates for married individuals filing a joint return and individuals filing as head of household or as surviving spouse for federal income tax purposes having annual gross income of less than \$80,000 and for married individuals filing separately, unmarried individuals other than individuals filing as head of household or as a surviving spouse for federal income tax purposes, and estates and trusts having annual income of less than \$40,000.

The bill reduces the marginal gross income tax rate between \$80,000 and \$150,000 for married individuals filing a joint return and individuals filing as head of household or as surviving spouse for federal income tax purposes and the marginal rate between \$40,000 and \$75,000 for married individuals filing separately, unmarried individuals other than individuals filing as head of household or as a surviving spouse for federal income tax purposes, and estates and trusts by a total of 15% from the 1993 rates.

The bill also reduces the marginal gross income tax rate above \$150,000 for married individuals filing a joint return and individuals filing as head of household or as surviving spouse for federal income tax purposes and the marginal rate above \$75,000 for married individuals filing separately, unmarried individuals other than individuals filing as head of household or as a surviving spouse for federal income tax purposes, and estates and trusts by a total of 9% from the 1993 rates.

FISCAL IMPACT:

The Department of the Treasury has estimated that the bill will decrease State gross income tax revenues by \$247 million in Fiscal Year 1995-96.

LEGISLATIVE FISCAL ESTIMATE TO
ASSEMBLY, No. 100

STATE OF NEW JERSEY

DATED: June 23, 1995

Assembly Bill No. 100 of 1995 reduces personal gross income tax rates for taxable years 1996 and thereafter. This bill's rate reductions combined with the rate reductions enacted as P.L.1994, c.2, and P.L.1994, c.67, would result in cumulative decreases from taxable year 1993 levels of 30 percent, 15 percent and 9 percent for certain taxable income levels. The 1993 marginal gross income tax rates ranged from 2.0 percent in the lower taxable income brackets to 7.0 percent in the higher taxable income brackets. Under this bill marginal gross income tax rates would range from 1.4 percent to 6.37 percent.

The Division of Taxation and the Office of Management and Budget did not provide a fiscal estimate of this bill. However, the Treasurer indicated in documents released with the FY 1996 Budget that the cumulative decreases in marginal tax rates from taxable year 1993 levels would reduce annual State income tax collections by \$861 million in FY 1996, \$1,246 million in FY 1997, and \$1,358 million in FY 1998. The incremental impact of A-100 was estimated to be \$247 million in FY 1996, \$593 million in FY 1997, and \$652 million in FY 1998.

The Office of Legislative Service's (OLS) estimates of the impact of Assembly Bill No. 100 are presented in the table below. The table displays ranges for both the cumulative revenue losses when P.L.1994, c.2, and P.L.1994, c.69, are combined with Assembly Bill No. 100, and the incremental revenue losses from Assembly Bill No. 100 alone. Estimates are for fiscal years 1996 through 1998.

FISCAL IMPACT OF P.L.1994, c.2, P.L.1994, c.69, AND A-100
(\$ Millions)

<u>FISCAL YEAR</u>	<u>CUMULATIVE REVENUE LOSSES P.L.1994, c.2, c.69, AND A-100</u>	<u>INCREMENTAL REVENUE LOSSES FROM A-100 ONLY</u>
1996	\$866 - 954	\$267 - 287
1997	\$1,300 - 1,367	\$624 - 656
1998	\$1,413 - 1,486	\$678 - 713

The OLS analysis begins with taxable income data from the 1991 and 1992 taxable year Statistics of Income (SOI) as published by the Division of Taxation. The taxable year estimates are based on a model which increases taxable income, separated by filing status and income bracket, by an average of about 6.5 percent annually. The taxable year calculations are converted to fiscal years based on historical records which indicate that about 45 percent of each taxable year's collections affect the fiscal year which begins in July of the prior taxable year, and that the remaining 55 percent of collections affect the fiscal year which begins in July of the taxable year. The differences between the OLS and Treasury estimates are apparently due to differences in how actual SOI data for earlier years are extrapolated forward.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

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OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001
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Release: TUESDAY,
JULY 4, 1995

GOVERNOR WHITMAN SLASHES INCOME TAX AN ADDITIONAL 15 PERCENT

Fulfilling her promise to reduce the tax burden on New Jersey residents one year earlier than expected, Gov. Christine Todd Whitman today signed into law the bill to complete the final step in cutting state income taxes by 30 percent.

The Governor, who signed the legislation in the Borough of Milltown in Middlesex County, said that choosing to sign the bill on the Fourth of July is significant, and in keeping with the observance of this particular holiday.

"On this, America's Birthday, I am proud to present the people of New Jersey with the full tax cut I promised them less than two years ago," Whitman said.

"Not only will this tax cut give all families more control over the money they earn, it will also produce a bigger economic pie for New Jersey. These tax cuts will work for New Jersey.

"First, they will pump more than \$1.2 billion back into the private sector, which is much better at producing jobs and opportunity than the public sector," Whitman said. "Second, our tax cuts are progressive. They favor our middle- and lower-income families. While the wealthy will be paying less in taxes, they will actually pay a greater share of the tax load than they did before."

"Third, our tax cuts are returning our citizen's money back to their pockets. It doesn't belong to the government. It belongs to the taxpayers, they are the ones that earned it," said Whitman.

Specifically, the third phase of the income tax cut will provide 80 percent of New Jersey families a cumulative 30 percent cut in their taxes. "That means a 30 percent tax cut for 4 out of every 5 families, who know better than government how to spend, save or invest their own money," said Whitman.

In addition, families earning between \$80,000 and \$150,000 will receive an additional 7.5 percent reduction, for a total of 15 percent. Those in the highest bracket, those families earning more than \$150,000, will receive an additional 3 percent cut for a total reduction of 9 percent.

Under the Whitman tax cut plan, wealthier taxpayers will pay a greater share of the total tax burden than lower wage earners.

Before the tax cuts, those residents earning more than \$100,000 paid nearly *50 percent* of the total amount collected in income taxes. With the implementation of the full 30 percent tax cut, those residents earning more than \$100,000 dollars, while paying less in individual taxes, will be paying *60 percent* of the total income tax dollars collected by the state.

An analysis of 1993 tax returns filed with the Division of Taxation indicates that the average New Jersey family (married couple with two children) has a reported taxable income of \$66,500. The 30 percent tax cut will reduce their income tax by \$466. The average single New Jerseyan has a reported taxable income of \$19,600. The 30 percent tax cut reduces their income tax by \$112.

“The last round of the tax cuts worked better than expected. They have reduced the tax burden on our citizens. They have made New Jersey more competitive and more attractive to businesses. They have helped stimulate the best job growth since 1988. And they have left more money where it does the most good -- in the private sector,” Whitman said.

“I believe in keeping taxes as low as possible,” said Whitman. “I believe in keeping New Jersey open for business. And I believe in keeping promises, especially when it puts the taxpayers first.”

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WHITMAN INCOME TAX SAVINGS
for 1996 versus 1993 Rates
SINGLE FILERS or MARRIED FILING SEPARATELY

Gross Income	Tax Liability (\$)		Tax Reduction	
	1993	1996	Savings (\$)	Percent
10,000	180	126	54	30 %
15,000	280	196	84	30
20,000	380	266	114	30
25,000	500	350	150	30
30,000	625	438	188	30
35,000	750	525	225	30
40,000	975	683	293	30
45,000	1,285	939	346	26.9
50,000	1,610	1,215	395	24.5
55,000	1,935	1,491	444	22.9
60,000	2,260	1,767	493	21.8
65,000	2,585	2,044	541	20.9
70,000	2,910	2,320	590	20.3
75,000	3,235	2,596	639	19.8
100,000	4,980	4,180	800	16.1
150,000	8,480	7,365	1,115	13.1
200,000	11,980	10,550	1,430	11.9

NOTE: Tax liability is based on taxable not gross income. Calculations assume NO dependent children with total exemptions from gross income of \$1,000.

WHITMAN INCOME TAX SAVINGS
for 1996 versus 1993 Rates
MARRIED FILING JOINTLY, HEAD OF HOUSEHOLD
or SURVIVING SPOUSE

Gross Income	Tax Liability (\$)		Tax Reduction	
	1993	1996	Savings (\$)	Percent
10,000	100	70	30	30 %
15,000	200	140	60	30
20,000	300	210	90	30
25,000	400	280	120	30
30,000	525	368	158	30
35,000	650	455	195	30
40,000	775	543	233	30
45,000	900	630	270	30
50,000	1,025	718	307	30
55,000	1,150	805	345	30
60,000	1,325	928	397	30
65,000	1,500	1,050	450	30
70,000	1,675	1,173	502	30
75,000	1,850	1,295	555	30
80,000	2,100	1,470	630	30
85,000	2,350	1,645	705	30
90,000	2,675	1,921	754	28.2
95,000	3,000	2,198	802	26.7
100,000	3,325	2,474	851	25.6
110,000	3,975	3,026	949	23.9
120,000	4,625	3,579	1,046	22.6
130,000	5,275	4,131	1,144	21.7
150,000	6,575	5,236	1,339	20.4
200,000	10,050	8,379	1,671	16.6

NOTE: Tax liability is based on taxable not gross income. Calculations assume 2 dependent children with total exemptions from gross income of \$5,000.

1993
STATE OF NEW JERSEY TAX RETURNS

SINGLE, MARRIED FILING SEPARATELY

Taxable Income (\$)	Volume of Returns	Percentage of Singles	Percentage of All
Less than 40,000	1,445,567	88.01	40.41
40,000 - 75,000	163,155	9.93	4.56
More than 75,000	33,863	2.06	0.95
Total	1,642,585		

**MARRIED FILING JOINTLY, HEAD OF HOUSEHOLD,
SURVIVING SPOUSE**

Taxable Income (\$)	Volume of Returns	Percentage of Married	Percentage of All
Less than 80,000	1,619,356	83.69	45.26
80,000 - 150,000	236,821	12.24	6.62
More than 150,000	78,749	4.07	2.20
Total	1,934,926		
ALL RESIDENTS	3,577,511		100.00%

GOVERNOR WHITMAN'S FULL 30 PERCENT INCOME TAX CUT

CUMULATIVE TAX REDUCTION

(Comparison based on 1993 income tax rates)

SINGLE FILERS			
(in dollars)			
Gross Income	1994	1995	1996
6,000	100	100	100
7,500	130	130	130
20,000	19	57	114
50,000	80	198	395
70,000	145	295	590
150,000	424	635	1,115
1,000,000	3,399	4,205	6,470

MARRIED FILING JOINTLY			
(in dollars)			
Gross Income	1994	1995	1996
6,000	20	20	20
7,500	50	50	50
20,000	15	45	90
50,000	51	154	307
70,000	84	251	502
150,000	329	669	1,339
1,000,000	3,302	4,243	6,771

Note: Taxpayers with gross income greater than \$7,500 are only impacted by the rate changes, not the threshold change.

Taxpayers with gross income less than \$7,500 are only impacted by the threshold change, not the rate change.

Governor Whitman's 1996 cumulative cut: 30% for 1993 brackets - 2.0% to 5.0%

15% for 1993 bracket - 6.5%

9.0% for 1993 bracket - 7.0%

**GOVERNOR WHITMAN'S FULL 30 PERCENT INCOME TAX
REDUCTION**

**ANNUAL TAX BURDEN
for 1993, 1994, 1995 and 1996**

SINGLE FILERS
(in dollars)

Gross Income	1989	1993	1994	1995	1996
6,000	65	100	ELIMINATED	ELIMINATED	ELIMINATED
7,500	95	130	ELIMINATED	ELIMINATED	ELIMINATED
20,000	345	380	361	323	266
50,000	1,090	1,610	1,530	1,412	1,215
70,000	1,780	2,910	2,765	2,615	2,320
150,000	4,580	8,480	8,056	7,845	7,365
1,000,000	34,330	67,980	64,581	63,775	61,510

MARRIED FILING JOINTLY
(in dollars)

Gross Income	1989	1993	1994	1995	1996
6,000	0	20	ELIMINATED	ELIMINATED	ELIMINATED
7,500	5	50	ELIMINATED	ELIMINATED	ELIMINATED
20,000	255	300	285	255	210
50,000	985	1,025	974	871	718
70,000	1,645	1,675	1,591	1,424	1,173
150,000	4,445	6,575	6,246	5,906	5,236
1,000,000	34,195	66,050	62,748	61,807	59,339

*Note: Married filing joint computation assumes 2 dependent children.
Computations for both filing statuses assume no credit for taxes paid to other jurisdictions.
1989 Calculations assume a minimum property tax reduction for married couples as
homeowners and singles as tenants.*