

TORONTO ACORN

State of Repair

THE TENANTS' CASE FOR LANDLORD LICENSING IN TORONTO



Written by Toronto ACORN - April 27, 2023

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Introduction



Toronto ACORN (Association of Community Organizations for Reform Now) is an independent organization of low and moderate income families with 60,000 members in every corner of the city.

ACORN believes that social and economic justice can best be achieved with a city-wide membership who are invested in their organization and focused on building community power for change.

Since our inception in 2004 in York South Weston, our membership has been pushing property owners, management companies, and the City of Toronto Municipal Licensing and Standards Division to ensure that all Toronto tenant families have basic health and safety standards upheld in their rented homes.

In 2008, ACORN and allies won a new inspection and enforcement program, the Multi Residential Apartment Building (MRAB) program to proactively inspect roughly 100 buildings across the city per year.

This was eventually increased to 200 buildings per year.

By 2014 it was clear that MRAB was not able to address the issue, so ACORN and allies renewed the call for licensing all landlords and began organizing actions at buildings with maintenance issues, meeting with councillors and putting pressure on the mayor to move forward on our demands.

In 2016, Toronto ACORN released our first 'State of Repair: The Tenants Case for Landlord Licensing in Toronto', which generated significant pressure to move forward on our demands. In 2017, the city created RentSafeTO.

By 2019, ACORN and allies realized city staff were not implementing the program we had fought for and we won a re-commitment to improve the program.

In 2019, Toronto ACORN released our second 'RentSafe Toronto: A Status Report', highlighting the need for implementation and improvement of the program and highlighting the need for colour coded signs.

Toronto ACORN released another report in 2020 on RentSafe, hoping to cement the victory on colour coded signs and spur action on the development of higher fines and tenant engagement in the program.

By 2020, the implementation of colour coded signs was ready, which had the support of 88% of tenants according to surveys by the city, yet council voted against this.

Since then, key components of the program continue to be kicked down the road while tenants suffer. All along the way, ACORN has organized, fought for and publicized the state of healthy homes in the city.

This report, third in the series since the implementation of RentSafeTO shows the pressing need for landlord licensing in Toronto.



Summary

Toronto ACORN has been fighting for healthy homes since we started organizing back in 2004. Along the way, ACORN members were successful in winning more protections for tenants including RentSafeTO a proactive inspection bylaw, which was passed in 2017.

While this was a major win for tenants struggling to access healthy homes free of roaches, mice, and mould, thousands of tenants continue to live with issues that are harming their physical and mental well-being.

Since 2016, Toronto ACORN has been conducting “State of Repair” surveys that capture the issues tenants are facing in apartment buildings. The series of surveys conducted since 2016 have additionally captured information regarding the extent to which the RentSafeTO program is helping tenants.

The latest survey conducted in 2023 is the fourth in the series which shines light on the range of issues tenants continue to face in their units and buildings.

Some of the key findings are as follows:

Overall, it is important to note that the state of repair has generally gotten worse.

- Almost 42% of the respondents experience lack of heat in the winter
- Only 16% get work orders done in a timely manner.
- 14% have perfectly functioning elevators.
- 18% see cockroaches once every day and 20% see bedbugs in a year.
- Only 16% said that they had no issues in their buildings.
- 60% faced issues getting repairs done in their building in the past 12 months.
- More than a third said they don't see any point in filing a complaint with 311.
- Almost 40% said that they have not heard of RentSafeTO.
- Around 30% reported being aware of the program because of Toronto ACORN.
- Almost a third said it was too hot in the summer
- Around 36% have very old appliances that have issues.
- 64% did not know if their building had a RentSafe audit. Of those who did, more than half of them did not see any change post the audit, in fact some saw the condition get worse.

As illustrated in the findings, the RentSafeTO program has been somewhat successful but in order for it to truly help tenants, Toronto ACORN is demanding that the city move towards landlord licensing.

Legislative History of RentSafe & Landlord Licensing

ACORN's fight for a licensing regime and enforcement protocol for apartments began in 2004, with progress made in spurts along the way.

In 2004 the city adopted in principle the idea of landlord licensing, but claimed Provincial legislation was a roadblock. After the passage of Bill 53, the City of Toronto had the power to enact such a system and the first push at council by ACORN came when Councillor Anthony Perruzza moved a motion asking for a licensing regime in 2007, after being elected on a campaign to license landlords.

By March 2007 consultations with groups such as FMTA, ACORN and others were underway. In November 2008 the city launched MRAB as a way to proactively audit a small number of buildings in each ward, initially on a pilot basis, and then on a yearly basis. By 2010 MRAB was targeting 200 buildings per year, but there was a lack of adequate staffing and the program costs were borne by taxpayers rather than the landlords. Motions by Councillor Janet Davis in 2010 to move to a licensing program on a cost recovery model were shot down.

By 2014 ACORN and allies were ready to re-launch our demands for landlord licensing. In 2015 by working through the Licensing and Standards Committee ACORN members were able to coordinate with Councillor Josh Matlow to have MRAB move to cost recovery, and include tenant engagement and tougher enforcement through remedial action.

Through ongoing engagement with the city, as well as holding actions at buildings and organizing tenants in target wards, ACORN was able to move discussions at city hall back towards a licensing regime for all landlords, on a cost recovery basis.

By May 2016 ACORN members and allies were deputing to the Tenant Issues Committee and winning motions that would move any proposed program closer to the demands of organized tenants. In November 2016 the program moved closer to implementation, including colour coded signs, landlord licensing, cost recovery and more engagement and enforcement.

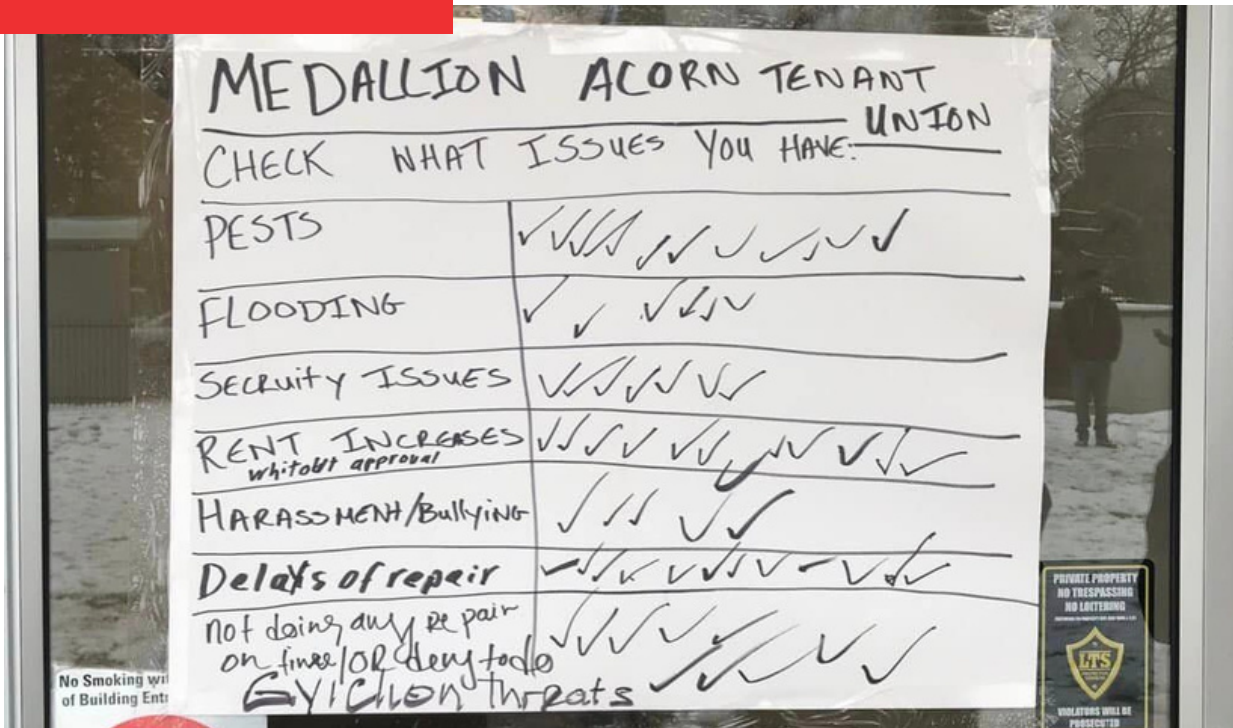
In 2017 RentSafeTO, an apartment registration program, passed with only one councillor, Councillor Giorgio Mammolitti, voting against. While it was not licensing, it did include many of the components ACORN members and allies had fought for.

Main Features of RentSafe



- A bylaw enforcement program that ensures apartment building owners comply with building maintenance standards.
- Applies to apartment buildings with three or more storeys and ten or more units.
- Every year, the city compiles a list of all buildings that require an evaluation that year.
- The building owners are required to register their building annually with the city and renew the registration each year. The fees are paid by the building owners. For 2022, the registration and renewal fee was \$11.46 per residential unit. This fee includes the cost of city-initiated building evaluations.
- Every apartment building owner needs to establish a process for receiving and tracking tenant requests for repairs and other issues.
- The inspection of the apartment building, includes amenities such as laundry rooms, swimming pools, common areas, elevators, exterior building, exterior grounds, lighting, mandatory plans such as state of good repair plan, electrical maintenance plan etc., security systems, tenant notification board, among other things.
- The total building evaluation score is calculated which is required to be posted on the Tenant Notification Board which must be accessible to all tenants.
 - Score 65% or less: Next evaluation takes place within one year.
 - Score between 66 - 85%, Next evaluation will take place within two years
 - Score 86% and above: Next evaluation is within three years.
- If a building fails its evaluation and scores 50% or below, the building needs to undergo a comprehensive inspection and audit of all common areas.
- The tenant notification board needs to be placed in the central location which must have information on RentSafeTO and 311, latest building evaluation, planned and unplanned service disruptions, emergency contact information, upcoming building audit, pest inspection, cleaning plan and more.

Improvements made to RentSafeTO



By 2019, it was clear that many of the program's components that MLS had been directed to implement by council were not being worked on. Staff had not been hired to inspect properties, tenant engagement was nil, and fines on landlords were lacking. ACORN and allies managed to win key votes at Committee and Council, with unanimous support at council, to re-direct City staff to move forward on tenants demands for signs, fines, engagement and transparency.

During the early stages of COVID in 2020, ACORN and allies were able to make changes to RentSafe, utilizing it to force landlords to follow public health best practice by winning support for a member motion at city council by Councillor Josh Matlow.

By the end of 2020, city staff had finished public consultations and surveys to the public about colour coded signs for RentSafe. Numerous tenants spoke in support of these signs, as well as moving forward on other components of the program and all committee members of the Planning and Housing Committee voted in support. At city council however, a motion was moved and passed to go against the wishes of tenants and kill colour coded signs instead.

On February 15th 2023, city council voted on their final budget for 2023. ACORN members fought for more money in the budget to hire additional bylaw inspectors for RentSafe, and also increase funding for the MURA and Rent Grant programs.

By working with our allies on council and across the city, as well as mobilizing ACORN members to call, email and speak up, ACORN members were able to win a million dollars in funding to the Rent Grant program thanks to a motion by Councillor Shelley Carroll and \$847,000 to the RentSafe program thanks to a motion by Councillor Josh Matlow.

Survey to assess the State of Repair of Apartment Buildings

Toronto ACORN has been conducting surveys to understand the conditions of apartment buildings since 2016. Since the time the city passed the Toronto RentSafe program, the focus of the survey has been to assess the extent to which the program is delivering for tenants.



Methodology

Toronto ACORN created a survey to evaluate the effectiveness of the RentSafeTO program and to hear from tenants directly on the issues in their buildings. This survey was conducted online, sent to Toronto ACORN's membership list and received 246 responses.

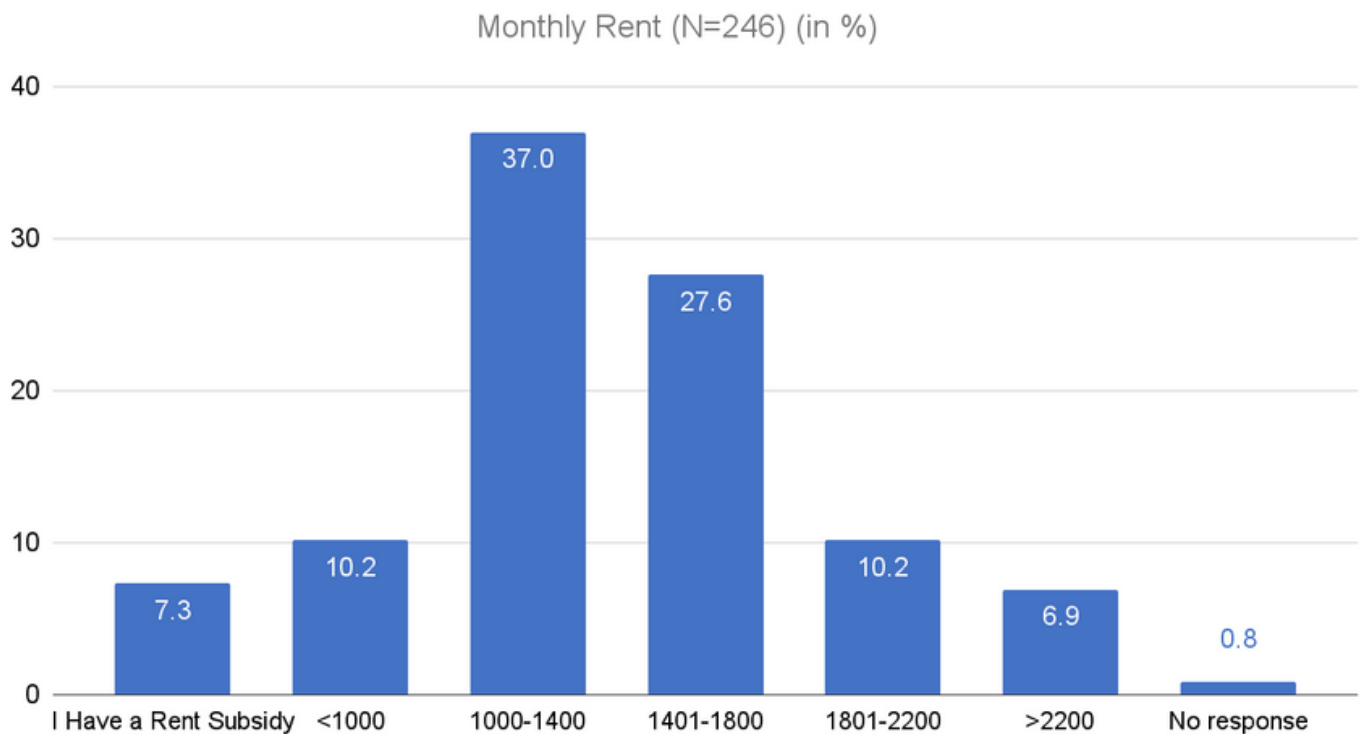
In order to ensure that the results of the survey are comparable, the questions asked were roughly the same as the previous surveys conducted in 2016, 2019 and 2020.

The current survey included sections such as demographics, rent/type of building, quality of the unit and building, experience getting repairs from the landlord, and experience calling the city for action on property standards violations.



Findings of the State of Repair Survey 2023

Section 1: Profile of respondents



37%

PAY A MONTHLY RENT BETWEEN \$1,001-\$1,400.

28%

PAY A MONTHLY RENT BETWEEN \$1,401-\$1,800

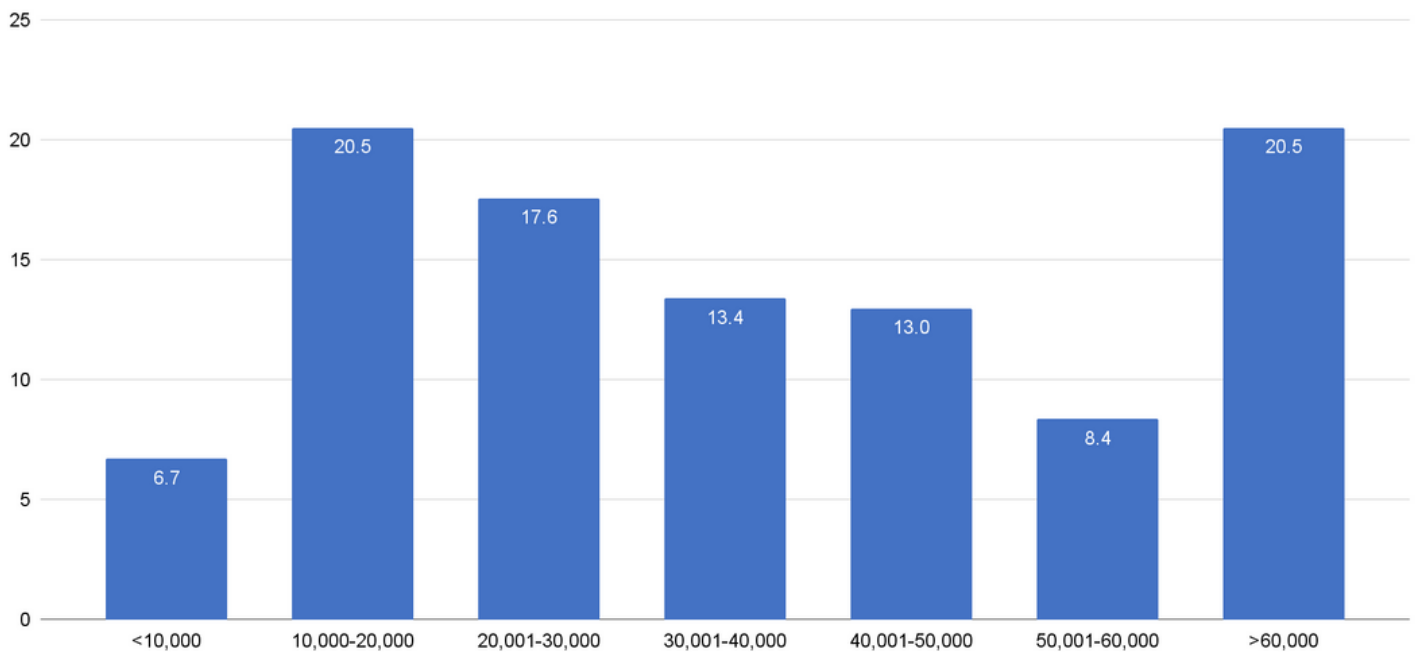
10%

PAY MONTHLY RENT BETWEEN \$1,801-\$2,200.

Findings of the State of Repair Survey 2023

Annual Income

Fig 2: Annual Income (N=239) (in %)



20%

REPORTED HAVING AN ANNUAL INCOME OF 10,000 TO 20,000 AND MORE THAN 60,000

13%

HAVE AN ANNUAL INCOME BETWEEN 40,000 TO 50,000.

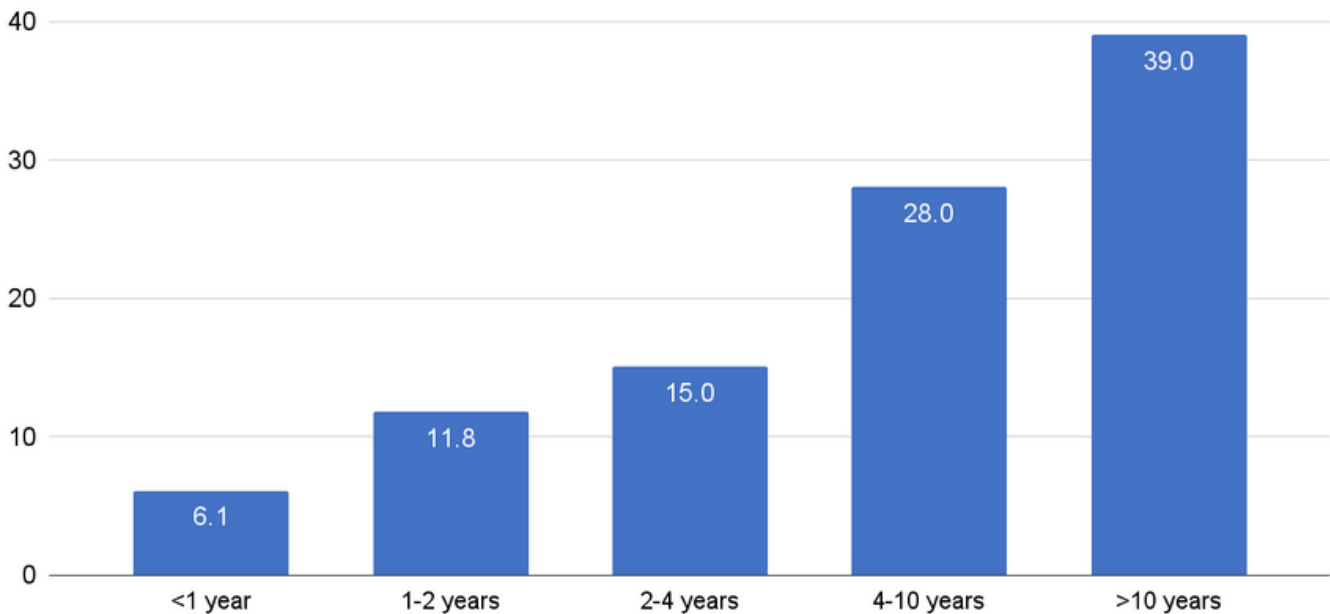
18%

HAVE AN ANNUAL INCOME BETWEEN 20,000 TO 30,000

Findings of the State of Repair Survey 2023

How long have you lived in your current apartment?

Fig 3: Length of stay in the current apartment (N=246) (in %)



This is important since the longer the stay in the unit, the lower the rent will be compared to the market, incentivizing landlords to ignore repairs so that the tenant will move out.

39%

**HAVE LIVED IN THEIR UNIT
FOR 10 OR MORE YEARS**

6%

**HAVE LIVED IN THEIR UNIT
FOR LESS THAN A YEAR**

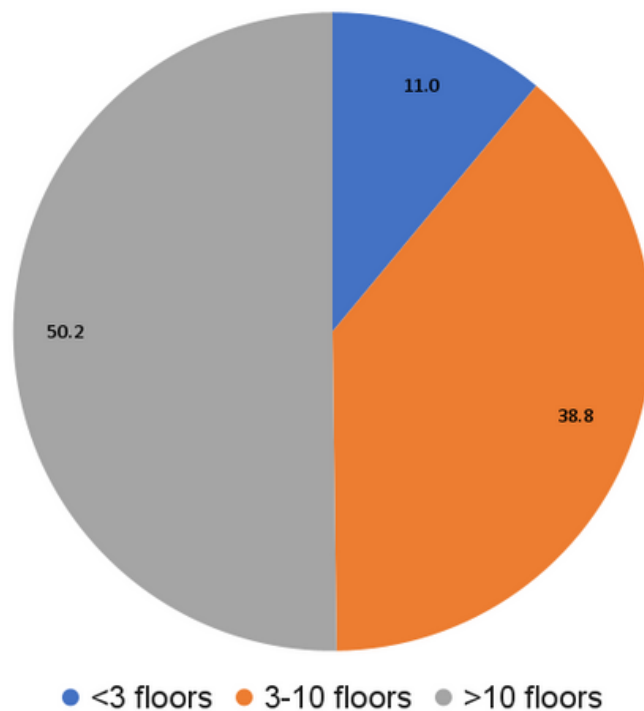
28%

**HAVE LIVED IN THEIR UNIT
FOR 4 TO 10 YEARS**

Findings of the State of Repair Survey 2023

Number of floors in the building

Fig 4: Number of Floors in the Building (N=245)



50%

LIVE IN BUILDINGS WITH
TEN OR MORE FLOORS

39%

LIVE IN BUILDINGS WITH 3
TO 10 FLOORS

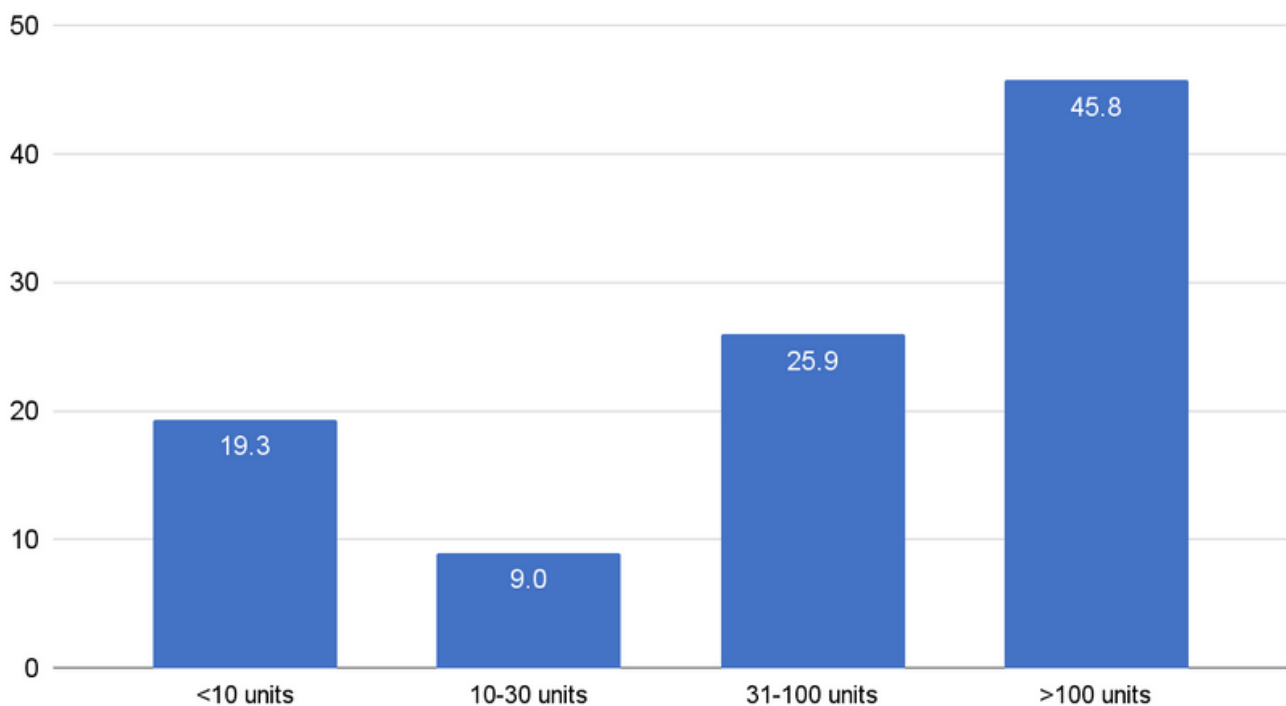
11%

LIVE IN BUILDINGS WITH 3
OR LESS FLOORS

Findings of the State of Repair Survey 2023

Number of units in the building

Fig 5: Number of Units in the Building (N=212) (in %)



46%

LIVE IN BUILDINGS WITH MORE THAN 100 UNITS.

19%

LIVE IN BUILDINGS WITH LESS THAN 10 UNITS.

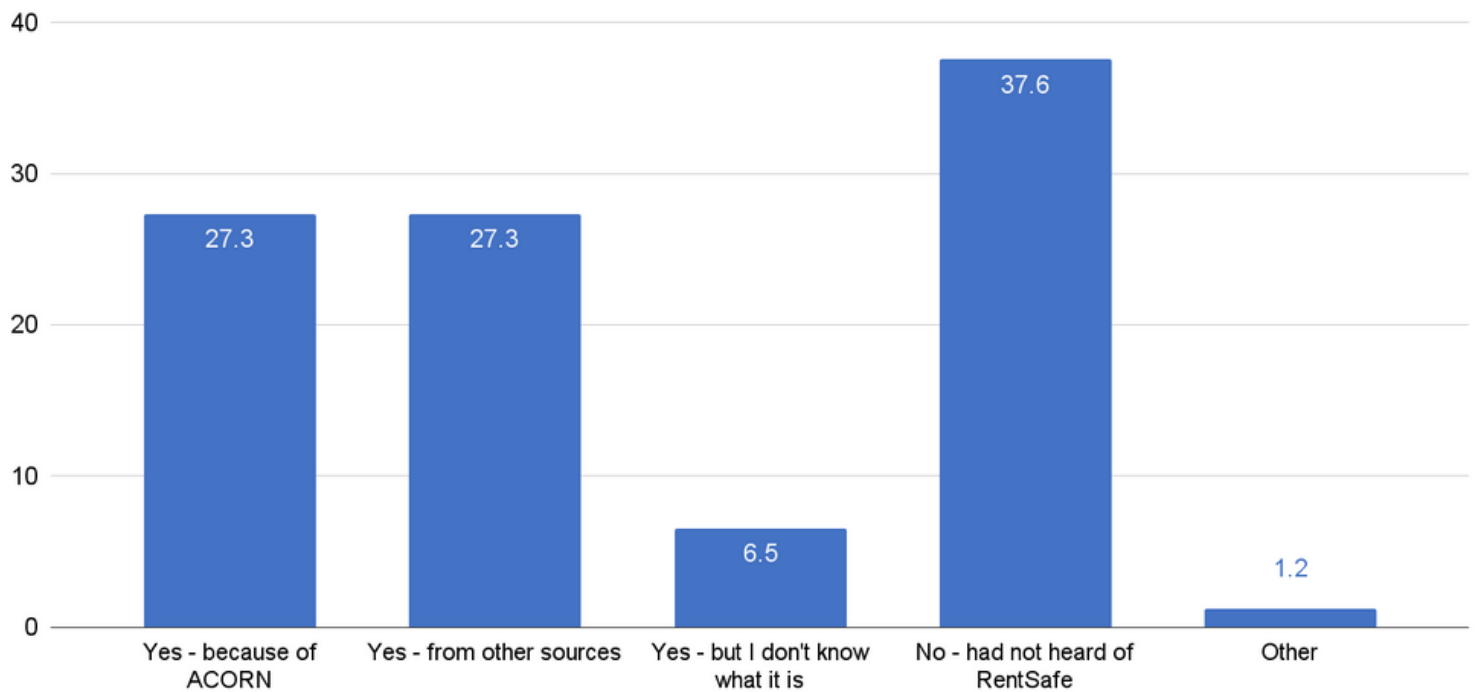
26%

LIVE IN BUILDINGS WITH 31-100 UNITS.

Findings of the State of Repair Survey 2023

Section 2: About RentSafe TO

Fig 6: Have you heard of RentSafeTO? (N=245) (in %)



38%

HAVE NOT HEARD OF RENTSAFE

27%

HAVE HEARD OF RENTSAFE FROM OTHER SOURCES

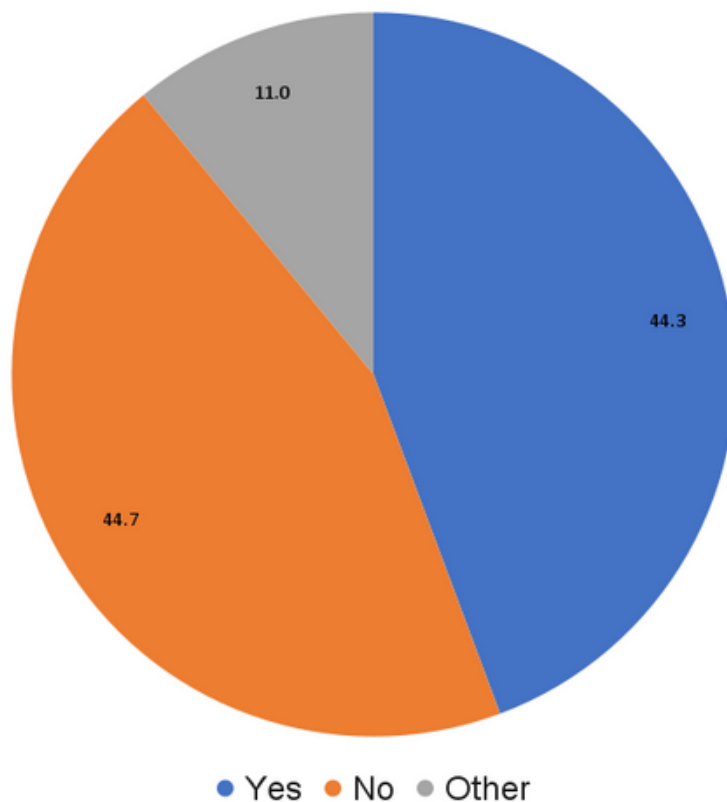
27%

HEARD OF RENTSAFE BECAUSE OF ACORN

Findings of the State of Repair Survey 2023

Tenant notification board

Fig 7: Do you have a tenant notification board? (N=246)



45%

DO NOT HAVE A TENANT NOTIFICATION BOARD

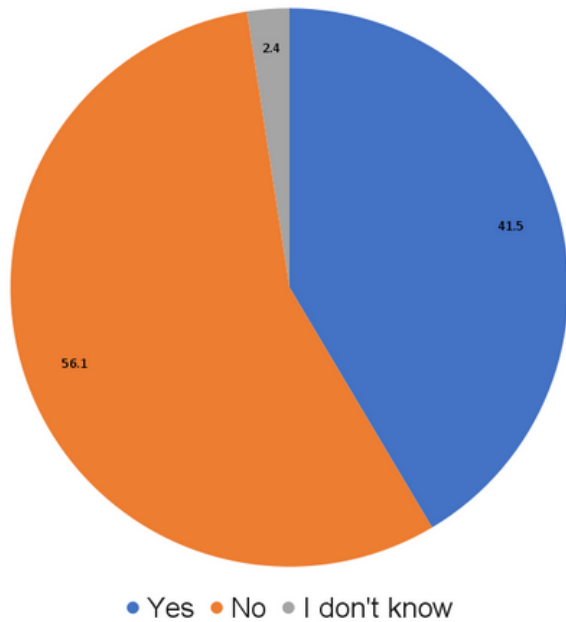
44%

HAVE A TENANT NOTIFICATION BOARD

Findings of the State of Repair Survey 2023

Lack of heat in the winter in the past 12 months

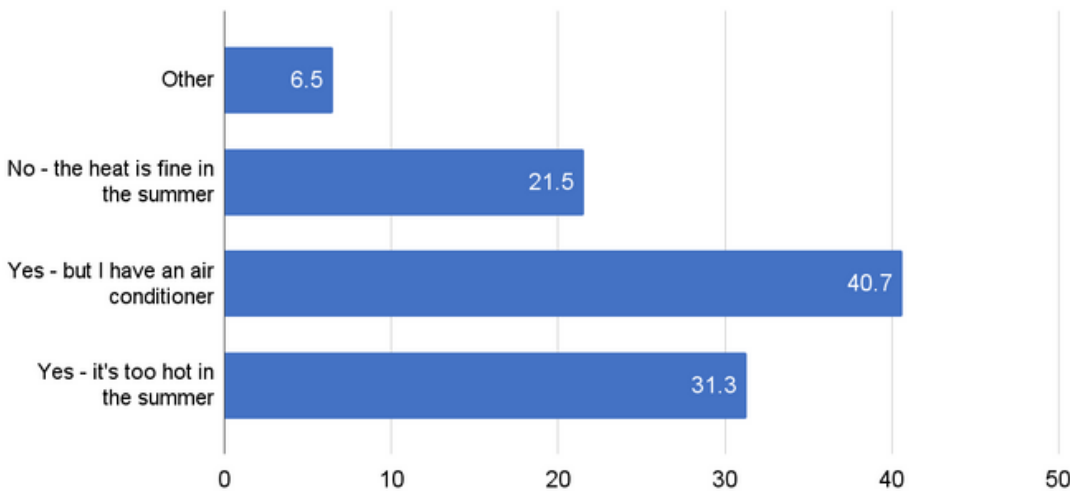
Fig 10: Lack of heat in the winter (N=246)



42%
EXPERIENCE LACK OF HEAT
IN THE WINTER

Problems with heat in the summer in the past 12 months

Fig 11: Problems with heat in the summer (N=246) (in%)

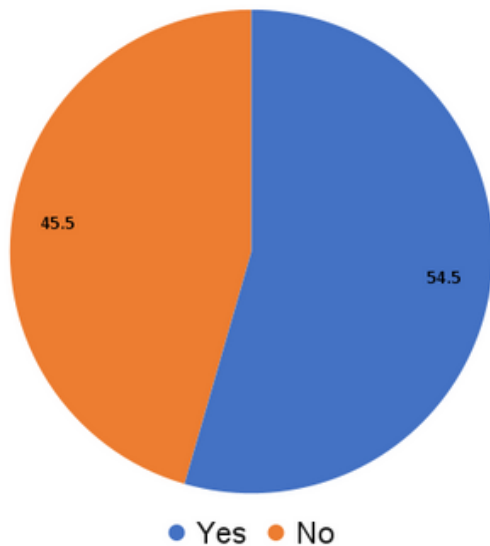


40%
HAVE PROBLEMS
WITH HEAT IN THE
SUMMER

Findings of the State of Repair Survey 2023

Section 3: Condition of the building and unit

Fig 8: Repairs needed at the time of moving in (N=246)

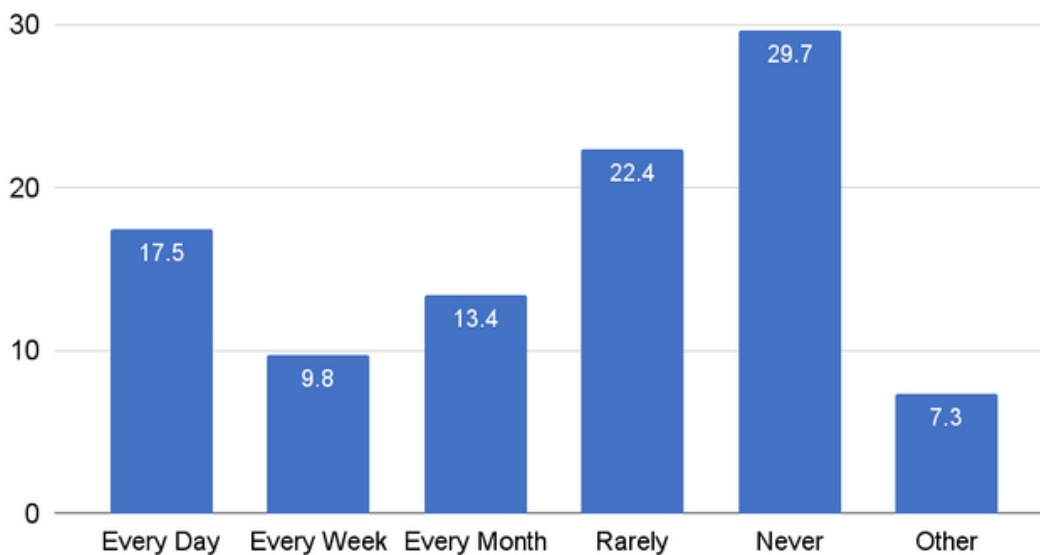


54%

NEEDED REPAIRS AT THE TIME OF MOVING IN

Cockroaches in the unit

Fig 9: Frequency of seeing cockroaches (N=246)



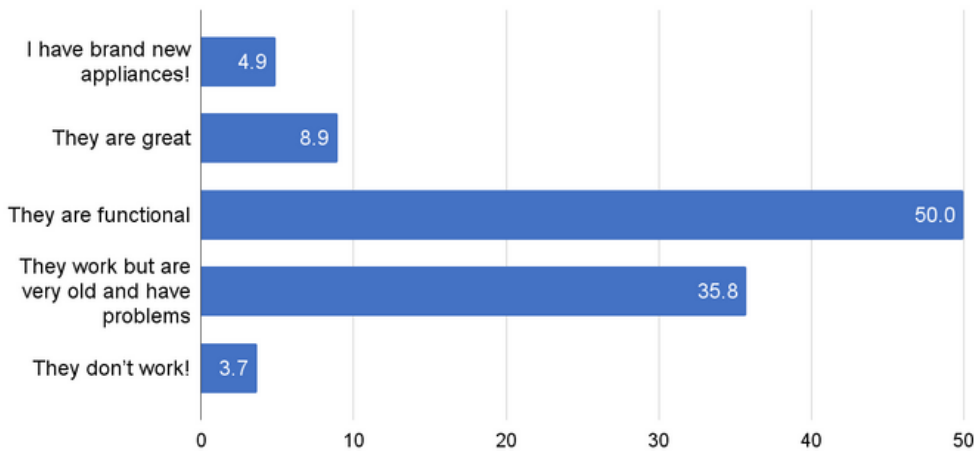
18%

SEE COCKROACHES EVERY DAY

Findings of the State of Repair Survey 2023

Quality of appliances

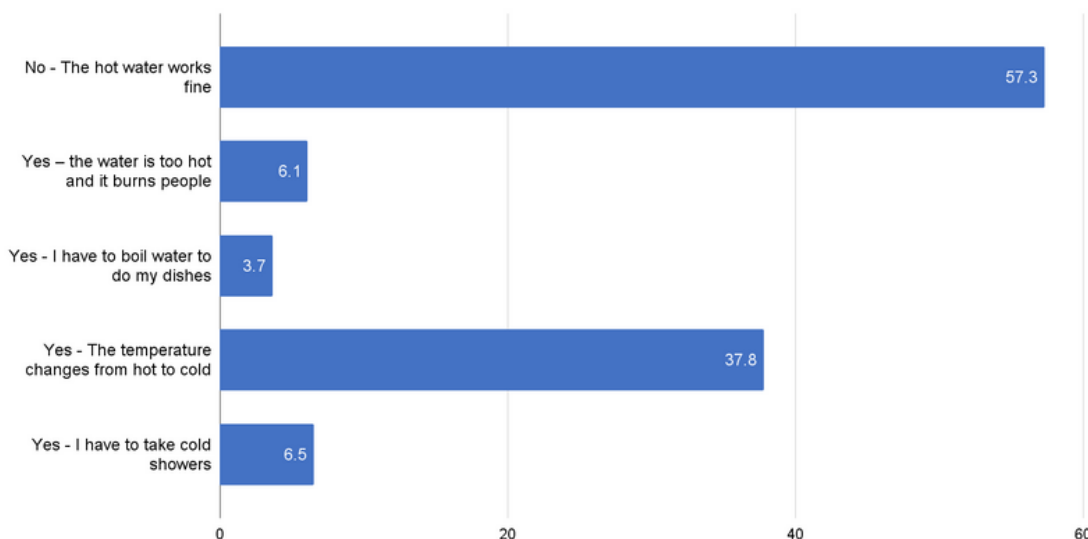
Fig 12: Rate Your Appliances (N=246)



36%
HAVE VERY OLD
APPLIANCES THAT HAVE
ISSUES

Problems with hot water

Fig 13: Do you have problems with hot water? (N=246) (in %)

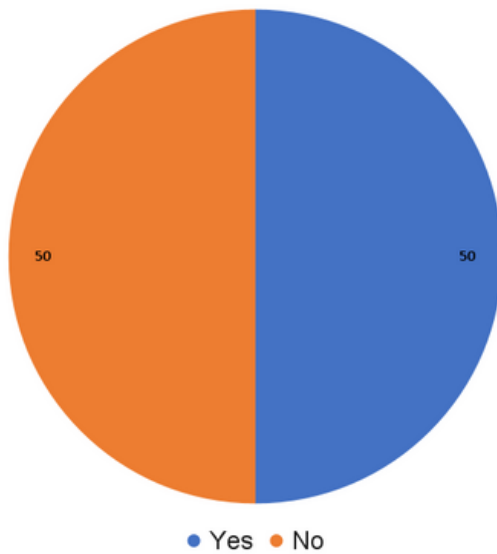


38%
SAID THAT THE
TEMPERATURE OF
WATER CHANGES
FROM HOT TO COLD.

Findings of the State of Repair Survey 2023

Condition of the flooring

Fig 14: Does your flooring need replacing due to regular wear and tear? (N=246)

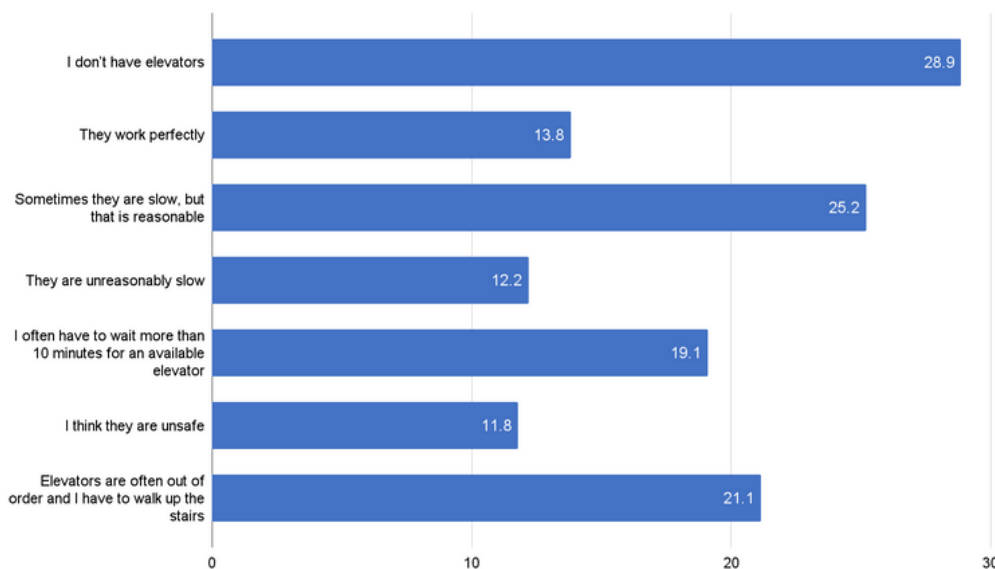


50/50

RESPONDED YES OR NO TO FLOOR NEEDING TO BE REPLACED

State of the elevators

Fig 15: Elevator Rating (N=246) (in %)



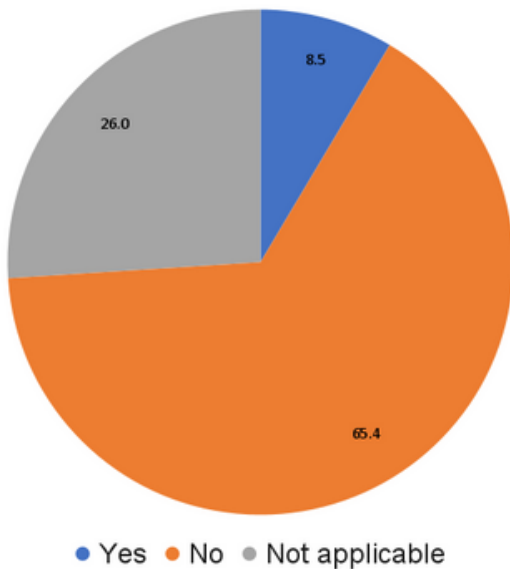
21%

SAID THAT THEIR ELEVATORS ARE OFTEN OUT OF ORDER

Findings of the State of Repair Survey 2023

Have you been trapped in your elevator in the past 12 months

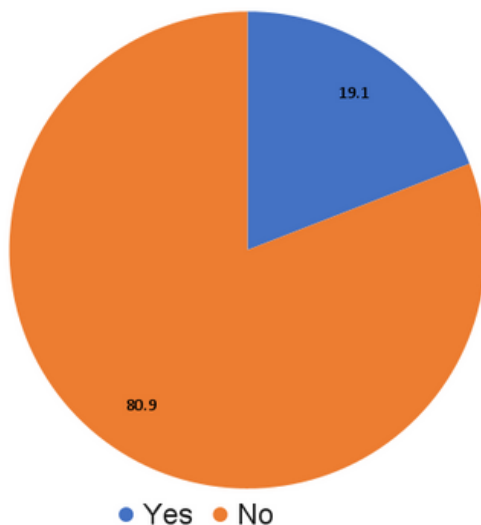
Fig 16: Have you been trapped in your elevator in the past 12 months? (N=246)



9%
SAID THEY'VE BEEN TRAPPED IN AN ELEVATOR IN THE PAST YEAR

Bedbugs in the past 12 months

Fig 17: Bedbugs in the past 12 months (N=246)



19%
HAVE HAD BEDBUGS IN THE PAST YEAR

Issues in the units

Respondents were asked if they faced issues in their units. They were given a list of common issues people face in their units, respondents could choose more than one option.



Issues in the units

The top ten issues that respondents said they faced in their units were the following.

Issue	% of people
Too cold in winter	48.4
Peeling paint on walls or ceiling	47.6
Holes or cracks on walls or ceiling	47.6
Ventilation problems in bathroom or kitchen	45.5
Too hot in summer	40.7
Cockroaches	40.7
Drafty windows	40.2
Out of date appliances (fridge or stove)	38.6
Floor is not smooth or is coming up	35.8
Kitchen or closet shelves damaged or broken	28.0

Issues in the building

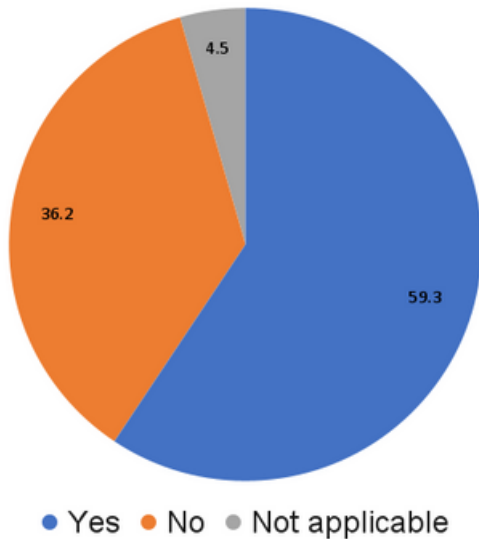
Respondents were asked if they faced issues in the common areas in their apartment buildings.

Issue	% of people
Roaches or other bugs in building	43.9
Security Issues	40.2
Laundry room machines don't work	29.7
Mice or rats in building	29.3
Yard/outside areas are dirty or not kept clean	24.4
Parking area or driveway has potholes or cracked concrete	24
Hallway or lobby carpets do not get cleaned	23.6
Stairwells have garbage or are unclean	23.2
Hallway walls and/or ceilings have peeling paint	22.8
Hallways walls and/or ceilings have holes or cracks	22

Getting repairs done

Problems getting repairs done in the past 12 months

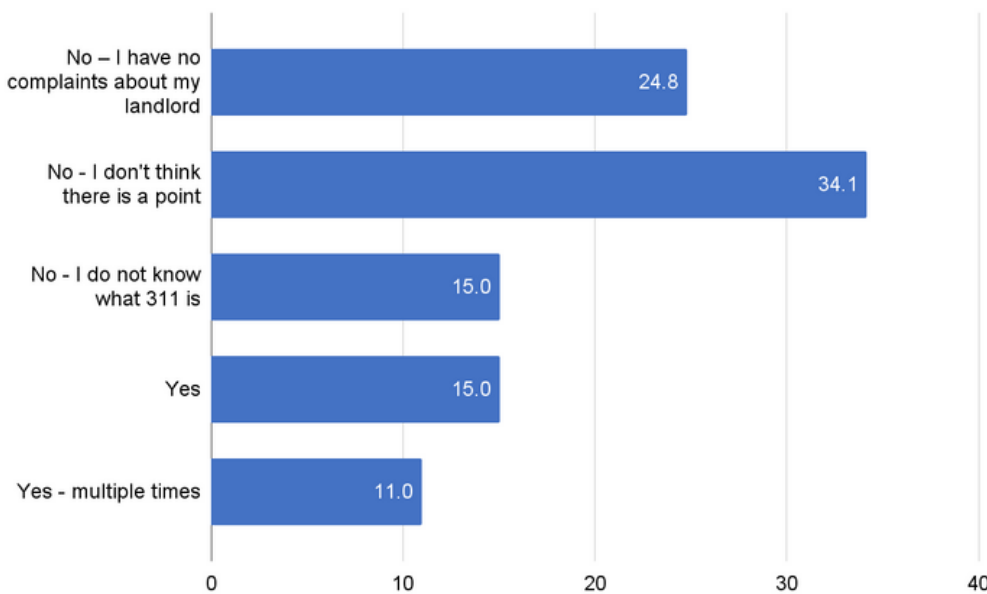
Fig 18: Problems getting repairs done in your building in the past 12 months? (N=246)



60%
**HAD ISSUES GETTING
REPAIRS DONE IN
THE PAST YEAR**

Contacting 311 to file a complaint

Fig 19: Have you called 311 to file a complaint against your landlord in the past 12 months? (N=246) (in %)



34%
**SAID THEY DON'T
THINK THERE'S A
POINT IN CALLING 311**

Getting repairs done

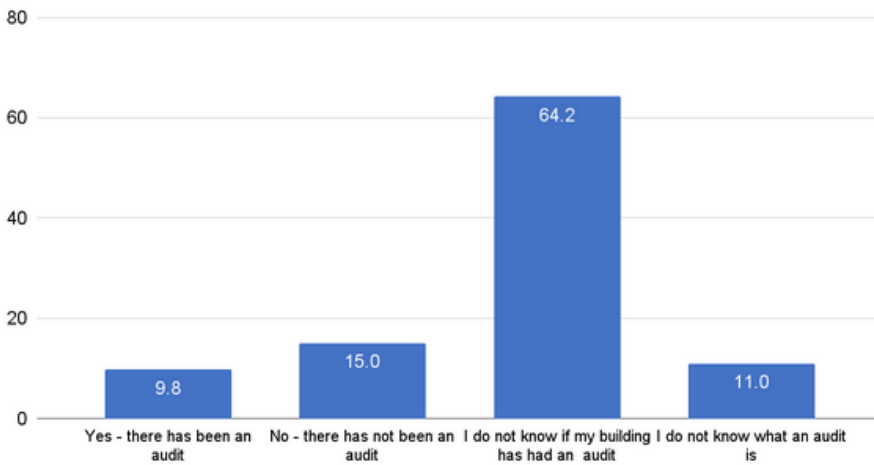
If a building fails its evaluation and scores 50% or below, the building is required to undergo a comprehensive inspection and audit of all common areas. Information advising tenants of the upcoming building audit must be posted 30 days before on the Tenant Notification Board.

On the day of the audit, bylaw enforcement officers are required to set up a tenant engagement station to educate tenants on RentSafeTO and document concerns they may have with issues in their unit or common areas of their building.

After the audit, investigations are opened for all service requests received.

Rent safe audit

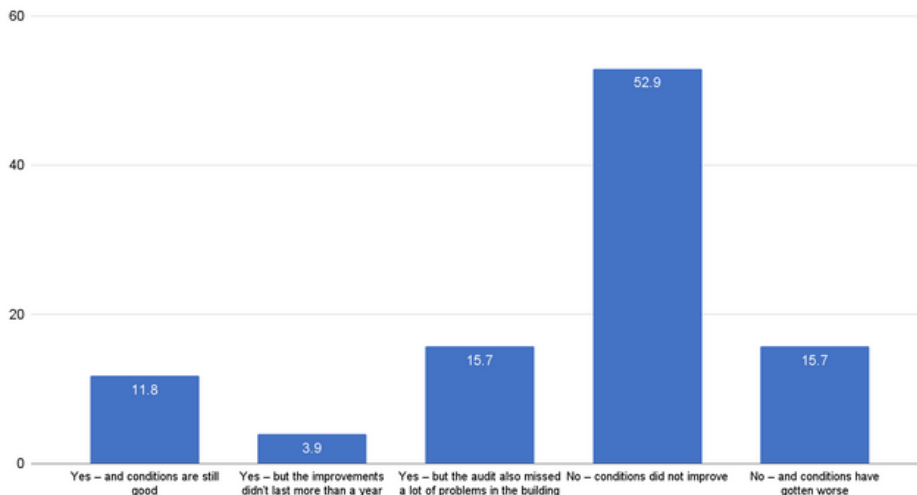
Fig 20: Has your building had a RentSafe audit? (N=246) (in%)



64%
**DO NOT KNOW IF
THEIR BUILDING HAD
A RENTSAFE AUDIT**

Did the RentSafe audit improve conditions of your building?

Fig 21: Did the RentSafe audit improve the conditions in your building? (N=51) (in %)

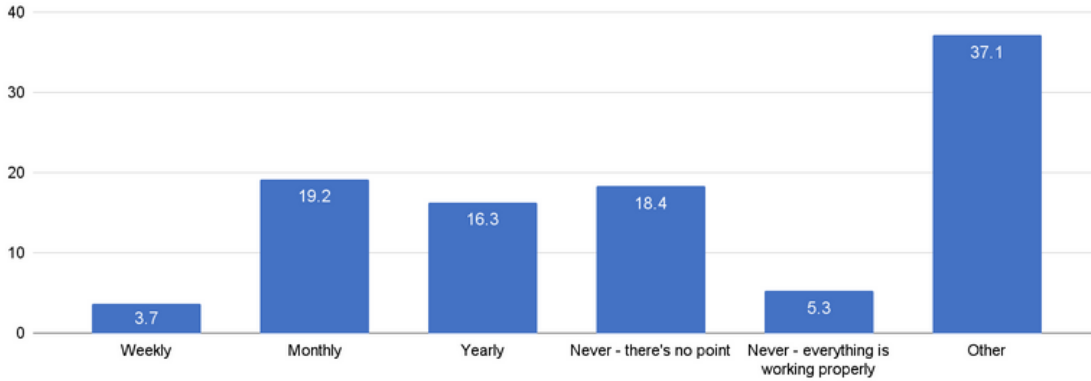


53%
**SAID CONDITIONS
DID NOT IMPROVE
AFTER THEIR
RENTSAFE AUDIT**

Getting repairs done

Frequency of submitting work orders

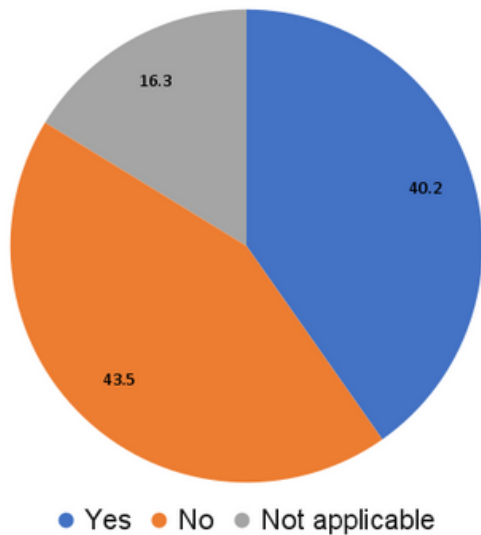
Fig 22: Frequency of submitting submit work orders to the landlord (N=245) (in %)



20%
**SUBMIT WORK
ORDERS MONTHLY.**

Response to the work orders

Fig 23: Work orders get done in a timely manner (N= 246)

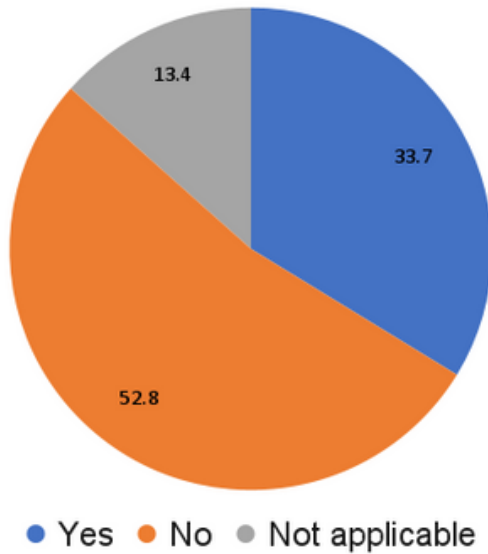


16%
**GET WORK ORDERS
DONE IN A TIMELY
MANNER.**

Getting repairs done

Feeling threatened when making complaints

Fig 25: Do you feel threatened when making complaints about the building? (N=246)



34%
SAID THAT THEY
FEEL THREATENED
TO FILE A
COMPLAINT IN THEIR
BUILDING.



Conclusion & ACORN's demands

Conclusion & ACORN's demands

The results of this survey show that there is an urgent need for the city to move forward on landlord licensing.

Nearly every single respondent to the survey described having maintenance issues in their apartments and being unable to get repairs by their landlord. Tenants are either fearful of going to their landlords for repairs, or are unaware that the city has property standards and runs the 311 phone line for tenants to make complaints to and get help.

ACORN members would prefer to see their rights written into law. There needs to be proactive inspections for all apartment buildings across the city with a component focused on tenant outreach and engagement.

We also want to see in-unit inspections added to RentSafe. Too many tenants live in units in severe disrepair but this is not included in the building audit. Building scores do not reflect the actual conditions of the building.

The City should step in to do repairs automatically when landlords ignore, through remedial action and bill the landlord on their property tax.

There needs to be more inspectors to protect existing affordable housing, by increasing the RentSafe budget by \$5.2 million and hiring 100 bylaw officers. In 2021, there were 33 full time staff for 3500 buildings. We want to see a 1 inspector per 12.5 buildings ratio for RentSafe.

Finally, the city must immediately implement an administrative monetary penalty for RentSafe so that major fines can be issued to negligent landlords. Financial punishments should be aggressively applied to the worst offenders.

Toronto ACORN's State of Repair serves as an important reminder to Toronto City Council and the new mayor that there is a pressing need to do something real to address the health and wellbeing of half of the city's population.

Comparative statistics from the previous State of Repair report

How often do you see cockroaches? (section 3, question 3)

2020:

Every day: 22.6%

Every week: 5.5%

Every month: 12.3%

Rarely: 24%

Never: 35.6%

2023:

Every day: 17.5%

Every week: 9.8%

Every month: 13.4%

Rarely: 22.4%

Never: 29.7%

Have you experienced a lack of heat in the winter in your building in the past 12 months? (section 3, question 4)

2020:

Yes: 44.9%

No: 49.45

I don't know: 5.8%

2023:

Yes: 41.5%

No: 56.1%

I don't know: 2.4%

Have you experienced a problem with heat in the summer in the past 12 months? (section 3, question 5)

2020:

Yes - it's too hot in the summer: 27.6%

Yes - but I have an air conditioner: 42.1%

No - the heat is fine in the summer: 30.3%

2023:

Yes - it's too hot in the summer: 31.3%

Yes - but I have an air conditioner: 40.7%

No - the heat is fine in the summer: 21.5%

Do you have problems with hot water? (Check all that apply) (section 3, question 8)

2020:

Did not have issues: 60%

2023:

Did not have issues: 57.3%

Does your flooring need replacing due to regular wear and tear? (section 3, question 9)

2020:

Yes: 48.1%

No: 51.9%

2023

:Yes: 50%

No: 50%

**How would you rate the elevators in your building? (Check all that apply)
(section 3, question 10)**

2020:

Often out of order: 30%

Felt unsafe: 7%

Worked Perfectly: 12%

2023:

Often out of order: 21.1%

Felt unsafe: 11.8%

Worked Perfectly: 13.8%

Have you had bed bugs in the past 12 months? (section 3, question 12)

2020:

Yes: 17.3%

No: 82.7%

2023:

Yes: 19.1%

No: 80.9%

**Have you ever had problems getting repairs done in your building in the
past 12 months? (section 4, question 2)**

2020:

Yes: 55.1%

No: 36.5%

Not applicable: 8.3%

2023:

Yes: 59.3%

No: 36.2%

Not applicable: 4.5%

Have you called 311 to file a complaint against your landlord in the past 12 months? (section 4, question 3)

2020:

No - I don't think there's a point: 30%

No - I don't know what 311 is: 25%

2023:

No - I don't think there's a point: 34.1%

No - I don't know what 311 is: 15%

I have the following issues with my suite: (Check all that apply) (section 4, question 8)

2020:

Ventilation problems in bathroom and kitchen	43.6
Holes/Cracks on walls and ceilings	42.3
Peeling paint on walls and ceiling	39.7
Cockroaches	34.0
Too hot in summer	32.7
Floor is not smooth or coming up	32.1
Appliances too old	31.4
Drafty windows	25.6
Kitchen or closet shelves damaged or broken	21.2
Too cold in winter	20.5
Unfinished repairs	19.2
No issues in my suite	7.7

**I have the following issues with my suite: (Check all that apply)
(section 4, question 8)**

2023:

Too cold in winter	48.4
Peeling paint on walls or ceiling	47.6
Holes or cracks on walls or ceiling	47.6
Ventilation problems in bathroom or kitchen	45.5
Too hot in summer	40.7
Cockroaches	40.7
Drafty windows	40.2
Out of date appliances (fridge or stove)	38.6
Floor is not smooth or is coming up	35.8
Kitchen or closet shelves damaged or broken	28.0

How often do you submit work orders to the landlord? (section 4, question 9)

2020:

Weekly: 1.9%
Monthly: 15.4%
Yearly: 25.6%
Never- there's no point: 15.4%
Never- everything's working properly: 3.2%
Other: 38.5%

2023:

Weekly: 3.7%
Monthly: 19.2%
Yearly: 16.3%
Never- there's no point: 18.4%
Never- everything's working properly: 5.3%
Other: 37.1%

My work orders get done in a timely manner by my landlord (section 4, question 11)

2020:

Yes: 40.4%
No: 41%
Not applicable: 18.6%

2023:

Yes: 40.2%
No: 43.5%
Not applicable: 16.3%

I have the following problems with the common areas in my building:
(Check all that apply) (section 4, question 12)

2020:

Roaches or other bugs in the building	41
Security issues	33
Stairwells have garbage or are unclean	25.6
Garbage chute is unclean or has odors	21.8
Hallways and lobby have unclean carpet	21.8

I have the following problems with the common areas in my building:
 (Check all that apply) (section 4, question 12)

2023:

Roaches or other bugs in building	43.9
Security Issues	40.2
Laundry room machines don't work	29.7
Mice or rats in building	29.3
Yard/outside areas are dirty or not kept clean	24.4
Parking area or driveway has potholes or cracked concrete	24
Hallway or lobby carpets do not get cleaned	23.6
Stairwells have garbage or are unclean	23.2
Hallway walls and/or ceilings have peeling paint	22.8
Hallways walls and/or ceilings have holes or cracks	22

Building management in the building treats me fairly (section 4, question 13)

2020:

Yes: 57.7%

No: 42.3%

2023:

Yes: 58.9%

No: 41.1%

Building management acts professionally (section 4, question 14)

2020:

Yes: 44.9%

No: 55.1%

2023:

Yes: 52.8%

No: 47.2%

Maintenance workers, contractors, and/or repair people do quality work in the building (section 4, question 15)

2020:

Never: 7.7%

Rarely: 19.9%

Sometimes: 47.4%

Always: 16%

I don't know: 9%

2023:

Never: 9.3%

Rarely: 19.9%

Sometimes: 48.8%

Always: 14.2%

I don't know: 7.7%

Do you feel threatened when making complaints about the building? (section 4, question 16)

2020:

Yes: 31.4%

No: 55.1%

Not applicable: 13.5%

2023:

Yes: 33.7%

No: 52.8%

Not applicable: 13.4%