Damp & Mould in the Social Housing Sector

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Section 1: Overview

The issue of damp and mould in social housing across England has become increasingly prominent, necessitating a comprehensive response from housing providers, regulatory bodies, and remediation specialists.

1.1 Prevalence and Impact

Recent data indicates a concerning rise in damp and mould cases within social housing. The 2023-24 English Housing Survey reported that 7% of social homes experienced damp problems, marking a three-percentage-point increase since 2019—the highest surge among all housing sectors. This equates to approximately 160,000 social homes affected, with around 8,000 posing a "serious and immediate risk to health." The health implications are significant, as exposure to damp and mould can lead to respiratory issues and other health problems, underscoring the urgency for effective remediation.

1.2 Regulator Framework

In response to these challenges, the government enacted the Social Housing (Regulation) Act 2023, introducing stricter oversight and accountability for social housing providers. A notable component, known as "Awaab's Law," mandates landlords to address hazards like damp and mould within specified timeframes. While the exact deadlines are pending consultation, the law aims to ensure prompt investigation and remediation of such issues.

1.3 Remediation Efforts

Addressing damp and mould requires a multifaceted approach involving both preventative measures and active remediation. Specialist contractors, such as United Living and Cornerstone Ltd, offer comprehensive services ranging from initial assessments to the implementation of tailored solutions. These companies emphasize the importance of thorough investigations to identify root causes and employ advanced technologies for effective treatment.

1.4 Market Dynamics

The growing recognition of damp and mould issues has spurred demand for specialized remediation services within the social housing sector. This demand is driven by regulatory pressures, heightened awareness of health risks, and the need to maintain housing stock quality. Consequently, the market has seen an influx of service providers offering innovative solutions, including the use of artificial intelligence to detect structural issues and the integration of smart home technologies for early detection and prevention.

Section 2: Awaabs Law

Awaab's Law is a significant legislative measure introduced in the United Kingdom to enhance the safety and quality of social housing. Enacted as part of the Social Housing (Regulation) Act 2023, it mandates that social landlords promptly address hazardous conditions, particularly damp and mould, within specified timeframes.

2.1 Key Provisions and Implementation Timeline

Awaab's Law introduces clear obligations for social landlords

- **From October 2025**: Social landlords are required to investigate and rectify dangerous damp and mould issues within set time periods. Additionally, all emergency hazards must be addressed within 24 hours.

- **Investigation of Hazards:** Landlords are required to investigate reported hazards, such as damp and mould, within 14 calendar days of receiving a complaint.
- **Reporting Findings:** Following the investigation, landlords must provide a written summary of their findings to the tenant within 48 hours.
- **Commencement of Repairs:** Necessary repair work should begin within 7 days after delivering the investigation findings.
- **Completion of Repairs:** Repairs must be completed within a reasonable period, which will be defined in the forthcoming regulations.
- **Emergency Repairs:** Hazards presenting a significant and imminent risk to health or safety must be addressed as soon as possible and no later than 24 hours after being reported.

- **In 2026**: The scope of the law will expand to include other hazards such as excess cold and heat, structural issues, fire risks, electrical problems, and hygiene-related hazards.

- **By 2027**: The law aims to cover all remaining hazards outlined in the Housing Health and Safety Rating System (HHSRS), ensuring comprehensive protection for tenants.

This phased implementation allows landlords time to adapt to the new requirements while prioritising the most critical issues affecting tenant health and safety.

2.2 Tenant Rights and Landlord Accountability

Under Awaab's Law, the specified timeframes for addressing hazards are incorporated into tenancy agreements. This integration empowers tenants to hold landlords legally accountable if they fail to meet their obligations, providing a clear legal pathway for tenants to seek redress

2.3 Criticism and Advocacy

Despite its intentions, the law has faced criticism for its implementation timeline. Housing charity Shelter has expressed concerns that the delays in fully enacting the law could pose risks to tenants' health and safety. They argue that the extended timeline may leave tenants vulnerable to hazardous conditions for longer periods

Disrepair claims in the Social Housing Sector

A disrepair claim is a legal action a tenant can take against their landlord when the landlord fails to carry out necessary repairs to their rented property, especially when those repairs are their legal responsibility and affect the tenant's health, safety, or ability to enjoy the property.

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What Counts as Disrepair?

Disrepair usually means the property is in poor condition due to wear, damage, or neglect. Common examples include:

- Damp and mould
- Leaking roofs or pipes
- Broken heating or hot water systems
- Unsafe electrics or gas appliances
- Structural issues (cracks, collapsed ceilings, etc.)
- Broken windows or doors
- Pest infestations caused by structural defects

Legal Duties of Landlords

Landlords (including social landlords) have a legal obligation under:

- **The Landlord and Tenant Act 1985**
- **The Homes (Fitness for Human Habitation) Act 2018**

They must:

- Keep the structure and exterior of the property in good repair.
- Ensure plumbing, heating, electrics, and sanitation work properly.
- Address any hazards that make the home unfit for habitation.

What a Disrepair Claim Involves

If the landlord fails to carry out repairs after being notified, tenants can start a disrepair claim. The process typically involves:

1. Reporting the issue to the landlord.
2. Giving the landlord a reasonable time to fix it.
3. Gathering evidence (photos, reports, medical records if affected).
4. Filing a claim through the courts (usually the County Court).

What Can Tenants Claim?

- Repairs: A court can order the landlord to fix the problems.
- Compensation:
  - For distress and inconvenience
  - For damage to belongings (e.g., clothes or furniture ruined by mould)
  - For health problems linked to disrepair
  - For increased energy bills (e.g., due to broken heating)
- Rent reduction or refund for the time the home was partly or wholly uninhabitable.

When is Legal Action Justified?

Tenants should consider a disrepair claim when:

- The issue is serious or ongoing
- The landlord has been notified and failed to act
- The disrepair is affecting health, safety, or quality of life

Can Tenants Get Legal Help? Yes – tenants may be able to get:

- Legal Aid (especially if health is impacted)
- Help from tenant advocacy services
- Assistance from a solicitor on a no-win-no-fee basis

Section 3: Technical Aspects of Damp and Mould

3.1 Rising Damp

Rising damp is a specific type of moisture problem in buildings where groundwater rises up through the walls and floors by capillary action. It's a well-known but often misunderstood issue, especially in older or poorly maintained buildings without adequate damp-proofing.

3.1.2 Key Characteristics:

- Typically affects the lower 1 metre of internal walls
- Presents as tide marks, peeling paint or wallpaper, white salt deposits (efflorescence), and sometimes musty odours.
- Can lead to plaster damage, timber decay (wet rot), and mould growth.

3.1.3 Technical Causes

- Lack of Damp-Proof Course (DPC): Many pre-1950s homes were built without a DPC.
- Bridged DPC: The DPC may exist but is bypassed by raised ground levels, render, or debris.
- Failed DPC: Older physical DPCs (e.g., slate or bitumen) may break down or be damaged.
- Porous building materials: Especially bricks and lime mortar can absorb and transport water easily.

3.1.4 Typical Remediation Methods

- ✓ **Chemical Damp-Proof Course (DPC) Injection**
- ✓ **Physical Damp-Proof Course Installation**
- ✓ **Electro-Osmotic Damp-Proofing**
- ✓ **Wall Re-plastering (Salt-Resistant Plaster)**
- ✓ **Improving Ground Drainage and Ventilation**

3.1.5 Technical Notes for Surveyors and Contractors

- **Moisture meters** can be misleading – salts from rising damp can give false high readings.
- **Gravimetric testing** (core sampling and lab drying) is the gold standard for confirming rising damp.
- **BS 6576:2005** is the relevant British Standard for diagnosing and treating rising damp.
- **PAS 2035 / PAS 2030 standards** now govern retrofit insulation and damp-proofing in social housing and other settings.

3.2 Penetrating Damp

Penetrating damp is a form of moisture ingress that occurs when water enters a building horizontally through external walls, roofs, windows, or other structural defects. Unlike rising damp (which moves up from the ground), penetrating damp comes in from the outside, typically due to building envelope failures.

3.2.1 Key Characteristics:

- Occurs at any height in a building (not just ground floor).
- Shows as localised damp patches on internal walls or ceilings, often worsening after rain.
- Leads to staining, plaster damage, black mould, and rotting of timber or insulation behind walls.
- More common in older buildings or those exposed to driving rain.

3.2.2 Key Causes of Penetrating Damp

- Cracked or porous brickwork
- Damaged pointing
- Defective roof coverings
- Leaking gutters/downpipes
- Poorly sealed windows/doors
- Bridged cavity walls

3.2.3 Typical Remediation Methods

- Address External Defects (Source Repair)
- Masonry Water Repellents (Breathable Sealants)
- Cavity Wall Insulation Issues
- Internal Remediation (Post-Repair)

3.2.4 Technical Testing & Diagnosis

- Moisture meters help detect damp patterns but may not distinguish the type.
- Infrared thermography identifies cold spots linked to water ingress.
- Smoke tests / dye tests for tracing leak paths in complex cases (e.g., roof valleys).

3.2.5 Standards and Guidance

- BS 8104: Code of practice for assessing exposure to driving rain.
- BS 6576 and BRE Digest 245: For diagnosis and treatment of damp.
- PAS 2035 / PAS 2030: Retrofit and moisture management best practice.

3.3 Anti Condensation Units

Anti-condensation units (ACUs) are specialized ventilation devices designed to prevent condensation, damp, and mould growth inside properties—especially where humidity builds up due to poor airflow. They are commonly used in social housing, bathrooms, kitchens, and bedrooms where natural ventilation is inadequate.

3.3.1 What Problem Do They Solve?

Condensation damp occurs when moisture-laden air hits a cold surface (like windows, external walls, or uninsulated ceilings), causing water droplets to form. Over time, this leads to:

- Mould growth
- Peeling paint or wallpaper
- Musty odours
- Health issues (e.g. respiratory problems)

3.3.2 What Is an Anti-Condensation Unit?

An ACU is a mechanical ventilation unit that:

- Continuously circulates or introduces fresh, filtered air into the property.
- Reduces indoor humidity levels.
- Promotes air movement to prevent stagnant, moist air from condensing on surfaces.

Most are Positive Input Ventilation (PIV) units, though other types exist.

3.4 Damp Tanking Systems

Damp tanking systems are waterproofing solutions applied to walls and floors to block moisture ingress, particularly in below-ground or very damp areas (like basements or retaining walls).

3.4.1 What Is a Damp Tanking System?

A damp tanking system is a barrier method of waterproofing used to prevent moisture (usually from the ground or external pressure) from entering a building through walls or floors. The term “tanking” comes from the idea of turning a space into a watertight “tank.”
It's commonly used in:

- Basements and cellars
- Below-ground structures
- Retaining walls
- Internal damp-proofing where penetrating damp is a persistent issue

3.4.2 Main Types of Tanking Systems

- Cementitious Tanking
- Bitumen or Liquid Tanking Membranes
- Cavity Drain Membrane Systems (CDM)

3.4.3 Technical Standards & Compliance

- **BS 8102:2009** – Code of Practice for Protection of Below Ground Structures Against Water Ingress
- **Type A protection** – Barrier methods like cementitious slurry
- **Type C protection** – Water management systems like cavity membranes

3.5 Other Damp and Mould Considerations

3.5.1 Associated Issues

- Interstitial Condensation
- Salt Contamination
- Whole-House Ventilation Strategies
- Building Physics Missteps in Retrofits
- Monitoring & Early Detection Technologies
- Tenant Engagement and Behavioural Causes

3.5.2 Funding & Grant Schemes

Many councils and housing associations can access funding for damp/mould prevention:

- Social Housing Decarbonisation Fund (SHDF)
- Energy Company Obligation (ECO4)
- Local authority retrofit or health-related grants

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