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Policy:	Damp, Mould & Condensation Policy
Legal Requirements:	Housing (Scotland) Act 2025; Investigation and Commencement of Repairs (Scotland) Regulations 2026; Housing (Scotland) Act 2014; Housing (Scotland) Act 2010; Housing (Scotland) Act 2001; Housing (Scotland) Act 1987; Health and Safety at Work etc. Act 1974; Management of Health and Safety at Work Regulations 1999.
Regulatory Standards:	The Scottish Housing Regulator has set out Regulatory Standards for all Registered Social Landlords (RSLs) to ensure that RSLs deliver good outcomes and services for its tenants and service users through good governance and financial management. This policy evidences that the following Regulatory Standards are being met: Standard 1. The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users. Standard 2. The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities. Standard 4. The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.
Notifiable Events Guidance:	In compiling this policy, consideration has been given to the Notifiable Events Guidance issued by the Scottish Housing Regulator and the impact of that guidance on the policy.
Equality and Diversity:	The Association is committed to Equal Opportunities and will endeavour to ensure that all services are carried out in an undiscriminating manner in line with the Association's Equality and Diversity Policy. In particular, the Association will not discriminate on the grounds of age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender, gender reassignment or sexual orientation.
Human Rights:	In compiling this policy, consideration has been given to "The Right to Adequate Housing" (Fact Sheet No. 21/Rev.1) published by the Office of the United Nations High Commissioner for Human Rights and the impact of that guidance on the policy. In particular, the Association is satisfied that this policy promotes the key aspects of the right to adequate housing – that it contains freedoms; entitlements; provides more than four walls and a roof; and protects against forced evictions.
Complaints:	Although the Association is committed to providing high levels of service, we accept that there may be occasions where customers may not be satisfied with the service they have received. The Association values all complaints and uses this information to improve the services that it provides. The Association's Complaints Policy describes our complaints handling procedure and how to make a complaint.
General Data Protection Regulation (GDPR):	The Association will treat all customers' personal data in line with its obligations under the current data protection regulations and our Privacy Policy. Information regarding how data will be used and the basis for processing data is provided in the Association's Fair Processing Notice.
Policy Author:	Kevin Freeman
Policy Review:	In order to ensure that any change in circumstances is accommodated this policy will be subject to review every three years in the month of March.
Policy Approval:	This policy was last reviewed / approved by the Management Committee of Yoker Housing Association Limited at its meeting held on Thursday the 24th of September 2026.



Introduction

The Investigation and Commencement of Repair (Scotland) Regulations 2026 require landlords in Scotland to investigate reports of damp or mould and commence any required repairs within set timescales.

Damp and mould can have a significant impact on people's physical and mental health, and certain individuals may be particularly vulnerable to their effects. The Scottish Government has committed to introducing "Awaab's law" – named in memory of two-year-old Awaab Ishak who died as a result of a severe respiratory condition due to prolonged exposure to mould in his home in England.

The Investigation and Commencement of Repair (Scotland) Regulations 2026 ("2026 Regulations") introduces duties to investigate and commence repairs related to damp or mould in Scotland. The 2026 Regulations also set clear timescales for investigating a report of damp or mould and commencing any required repairs.

Scope

The 2026 Regulations apply to all accommodation in Scotland that falls under the Right to Repair Scheme which applies to accommodation provided under a Scottish secure tenancy or short Scottish secure tenancy.

The obligations apply if the damp or mould is part of buildings for which the landlord is responsible, and the repair is the responsibility of the landlord.

Policy Aims

The aim of this policy is to prevent the occurrence of damp, mould and condensation within properties, but where these do occur, quickly diagnose and treat the issues appropriately. The policy also aims to ensure that the Association's properties are safe, warm and dry.

This policy sets out the principles for managing damp, mould and condensation in tenants homes, therefore preventing potential health and safety risks to residents.

This policy also details how the Association will support tenants to minimise the risk of damp, mould and condensation occurring within their homes.

Legal and Regulatory Framework

The following represents the most relevant legislation and regulatory guidance relating to damp, mould and condensation:

- Investigation and Commencement of Repair (Scotland) Regulations 2026
- Housing (Scotland) Act 2025
- Housing (Scotland) Act 2014
- Housing (Scotland) Act 2010
- Housing (Scotland) Act 2006
- Housing (Scotland) Act 2001
- Housing (Scotland) Act 1987
- The Scottish Secure Tenants (Right to Repair) Regulations 2002
- Housing (Scotland) Act 2014
- Building (Scotland) Regulations 2004
- The Scottish Housing Quality Standard (SHQS)
- The Scottish Social Housing Charter (SSHC)
- Energy Efficiency Standards in Social Housing (EESH)
- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999

This policy reflects both the statutory guidance 'Awaab's Law: Guidance for landlords in Scotland' (September 2026) as well as guidance detailed in the briefing note titled "Putting Safety First: A briefing note on damp and mould for social housing practitioners".



Scottish Social Housing Charter

The Association has taken due consideration of the outcomes and standards contained within The Scottish Social Housing Charter (SSHC) in the development and implementation of this policy. The outcomes and standards that are relevant to this policy are:

Outcome 4 – Quality of Housing:

5 Social landlords manage their businesses so that:

- *Tenants' homes, as a minimum, when they are allocated are always clean, tidy and in a good state of repair, meet the Scottish Housing Quality Standard (SHQS), and any other building quality standard in place throughout the tenancy; and also meet the relevant Energy Efficiency and Zero Emission Heat Standard.*

Outcome 5 – Repairs, Maintenance and Improvements:

10 Social landlords manage their businesses so that:

- *Tenants' homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done.*

Defining Damp and Mould

Damp in a property is a result of excess moisture which can cause a fungus called mould to grow.

15 Rising Damp

Rising damp is the vertical movement of moisture from the ground into the fabric of a building. This can affect any part of the building in contact with the ground. Rising damp will not normally rise higher than around 1.2 meters above ground level and will therefore only affect the ground floor of a building. This will typically be a structural issue and the responsibility of a landlord to resolve.

Causes of rising damp:

- 20
- Absence of a damp proof course in older houses, in chimneys and hearth areas and basements.
 - Ground level raised next to wall, presence of material/earth against the wall.
 - Damaged or deteriorated damp proof course.
 - Inappropriate repair to damp proof course.
 - Rising water table.

25 Potential indicators of rising damp:

Exterior Walls:

- Discoloured or crumbling bricks or stonework near the ground.
- Moss growth near the bottom of the wall but above the damp proof course.

30 *Interior Walls:*

- Horizontal tidemark.
- Flaking or bubbling on plaster, paintwork or wallpaper on lower wall surfaces.
- Skirtings affected by rot.

35 *House Interior:*

- Moist smelling odour possibly coming from the carpets.
 - Visible fungi or rot on lower surfaces.
 - Damp carpets.
 - Rotten, discoloured, crumbling or deteriorating wooden floor.
- 40





POLICY STATEMENT

Defining Damp and Mould (continued)Penetrating Damp

Penetrating damp is moisture which enters a property from outside because of a defect in part of its structure. There may be defects in the roof, the exterior walls, rainwater gutters and down-pipes, or missing flashings. This will typically be the responsibility of a landlord to fix. Penetrating damp can be more complex to identify.

Causes of penetrating damp:

- Damaged, displaced or missing roof tiles or flashings.
- Defective, missing or blocked guttering and down pipes.
- Crumbling, loose or missing pointing.
- Inappropriate repairs using concrete instead of mortar.
- Cracking which lets water enter the internal fabric.

Potential indicators of rising damp:

Exterior Walls:

- Discoloured, darkened patches or mould growth on walls.
- Plant growth from gutters, or in cracks in structure.

Interior Walls and Structures:

- Damp or discoloured patches on walls and ceilings.
- Loose or bubbling wallpaper, flaking paintwork, soft plaster.
- Rot on internal roof-space and wooden structures.

House Interior

- Bad, musty odour.
- Fungus growth on walls, carpets.

Condensation

Condensation is caused by warm moist air coming into contact with a colder surface. The colder surface causes the amount of moisture the air can hold to be reduced, and as a result the moisture "condenses" out onto the wall. This process forms pure water which allows mould to grow. This can be caused by a combination of factors. There may be steps that a tenant can take to help reduce condensation in their home.

Causes of condensation:

- Inadequate heating, ventilation or thermal insulation.
- Overcrowding.
- Poor air circulation.

Potential indicators of condensation:

- Water droplets on windows, walls or ceilings.
- Visible fungi.





Defining Damp and Mould (continued)

Traumatic Damp

Traumatic damp is typically dampness caused by sudden and severe events.

Causes of traumatic damp:

- Leaking water from waste and heating pipes.
- Overflowing bath or sinks.
- Burst pipes.
- Defective water storage vessels.
- Flooding from other buildings.
- Environmental flooding.



Roles and Responsibilities

The Association's Director and Management Committee have an overall responsibility for ensuring that adequate resources are readily available to enable the objectives of the policy to be met.

The Housing Services Manager and the Property Services Officer are responsible for the implementation of this policy.

The Association's Responsibilities

The Association is committed to providing and maintaining homes that are free from damp and mould and will respond quickly to address issues or reports of dampness. To achieve this the Association will:

- Implement internal procedures for dealing with issues of damp, mould and condensation. These procedures cover the handling of reports of mould and dampness received from tenants, staff or contractors to ensure that these are dealt with promptly.
- Monitor the condition of the Association's stock through stock condition surveys, estate management inspections, void inspections and tenant visits.
- Implement the necessary cyclical and planned maintenance contracts to ensure that properties are maintained to reduce the risk of dampness and mould occurring.
- Undertake investigations when reports of suspected damp, mould or condensation are received.
- Thoroughly investigate the cause of damp, mould and condensation and carry out the necessary remedial repairs.
- Undertake reasonable improvement works required to assist in the management and control of condensation dampness. This may include measures such as upgrading ventilation systems or the installation of wall insulation.
- Inform residents of the findings of any investigations following report of damp, mould and condensation and keep them updated regarding the remedial works required and potential timescales.
- Carry out follow up inspections with tenants following the completion of remedial works.
- Promote and provide comprehensive advice and guidance to tenants on how to control and prevent the occurrence of damp, mould or condensation in properties.
- Ensure that staff are aware of the terms of this policy and any associated procedures.
- Ensure that staff receive the necessary training on how to effectively deal with complaints of damp, mould and condensation.



Roles and Responsibilities (continued)

Tenant Responsibilities

In accordance with the terms of their tenancy agreement, tenants have a responsibility to report any repairs to the Association. This includes any evidence of mould, rising or penetrating damp, faulty or damaged equipment or fittings that will affect the levels of moisture or humidity in their property.

Tenants are also responsible for:

- Keeping the presence of moisture to a minimum (e.g. covering pans when cooking, drying laundry outside or opening a window when cooking or bathing).
- Adequately heating their property.
- Keeping their property well ventilated (e.g. opening windows during cooking / bathing, using the extractor fan or ventilation system installed in the property, keeping trickle vents in windows open and allowing air to circulate around furniture).
- Following advice and guidance issued by the Association on managing humidity and moisture in their property to help reduce the incidence of condensation.
- Allowing access for inspections and any necessary remedial works.
- Seeking permission from the Association if they wish to carry out alterations or improvements to the property.

Advice and Guidance

The Association uses the following methods to provide residents with advice and guidance regarding the prevention and management of damp, mould and condensation:

- Providing information on the Association's website in relation to damp, mould and condensation.
- Providing information in the Association's newsletters in relation to damp, mould and condensation.
- Providing new tenants with the Association's Guide to Mould, Dampness and Condensation at tenancy sign up.
- Publishing the Scottish Government's guidance "Awwab's Law – Guidance for tenants in Scotland" on the Association's website.
- Carrying out full property inspections when undertaking tenant visits noting any signs of damp, mould and condensation on the Property Inspection Register and arranging the necessary repairs.
- Sign-posting tenants to appropriate support agencies (e.g. energy advisors or money advice to assist with issues of fuel poverty).

Contractors

Investigations into mould and damp will be conducted by a competent person. A competent person is a person the landlord deems to have the necessary skills and expertise to determine whether a property is substantially free from damp and mould, and whether any repair work is necessary.

Whilst no specific qualifications are required, the Association will employ contractors that have:

- Experience of inspecting or treating damp or mould within properties.
- A background in building surveying, housing maintenance, environmental health, construction, property inspection or related fields.
- Sufficient understanding of Scotland's housing standards framework.

The Association will consider the specific circumstances when determining the most appropriate competent person for individual cases.

Void Properties

Where evidence of damp, mould or condensation is noted within void properties, the necessary repair works will be carried out during the void period and rectified prior to the property being re-let.

As part of the void process the following checks will be undertaken:

- Inspection of all extract fans to ensure that they operate correctly;
- Servicing of the boiler to ensure that the heating operates correctly; and
- Inspection of all windows to ensure that they open correctly and to ensure that trickle vents operate correctly.



Statutory Requirements

Timescales

From 6 October 2026, the Association must:

- Ensure that a competent person investigates reports of damp or mould within **10 working days** of becoming aware of them.
- Produce a written summary of the findings of the investigation and provide this to the tenant or their representatives within **3 working days** of concluding the investigation.
- If the investigation determines substantial damp or mould, the landlord must ensure repair work commences within **5 working days** upon conclusion of the investigation.
- Upon commencement of the repairs, ensure the work is completed within a maximum of **20 working days**.
- Ensure the house will continue to be substantially free from damp and mould, as far as reasonably practicable.

A flow chart that summarised timescales for responding to reports of damp or mould is presented in Appendix 1.

Exceptional Circumstances

If the Association is unable to comply with the timescales above owing to circumstances beyond its control, it must confirm the following to the tenant:

- The specific duty that it is unable to comply with and the reason(s) why it is unable to comply; and
- A revised timeframe in which it would be able to comply with the duty.

The notification should be sent using the usual method of communication between the Association and the tenant. The Association must also ensure that it accounts for the individual needs of the tenant in line with the Equality Act 2010. This could include providing information in another language or using large print.

In addition to notifying the tenant, the Association must ensure that, until they are able to comply with the duty, reasonable steps are taken where practicable to minimise the extent to which the house is affected by damp or mould.

The reasonable steps taken will depend on the particular circumstances and the information available at the time. These steps may include temporary repairs like mould removal, temporary extractor fans or temporary sealants for leaks where identified and safe to do so. They may also include other interim measures such as monitoring the situation where further investigation is necessary.

Examples of circumstances that may be beyond the control of the Association include (but are not limited to):

- Severe weather or travel barriers that prevent safe or timely access;
- Illness and bereavement, applicable to both the Association and tenants;
- Unexpected contractor or supply chain barriers;
- Inability to access a property despite reasonable attempts being made; or
- Unforeseen delays in seeking approvals and / or permission from external bodies.

If the Association anticipates being unavailable for a prolonged period of time it should look to make alternative arrangements to comply with the duties.

Assessing whether a property is 'Substantially Free'

Once the Association is made aware that a property may be affected by damp or mould, it is required to undertake an investigation to determine whether the home is substantially free from damp and mould and whether any repair work is necessary.

The following factors should be considered when deciding whether a property is substantially free from damp and mould:

- The exposure and persistence of damp and mould;
- Occupants' vulnerability to damp and mould as an indication of potential severity; and
- Consideration to the likelihood of reoccurrence without intervention.

A framework for assessing whether a home is substantially free from damp and mould is detailed in Appendix 2.



Statutory Requirements (continued)

People who may be more vulnerable to damp or mould

Whilst everyone can be negatively affected by damp and mould, certain groups of people are more likely to be vulnerable to the effects of such defects. This include:

- People with a pre-existing health and wellbeing condition that could be exacerbated;
- People who have a weakened immune system;
- Pregnant women and women who have recently given birth;
- Babies, children and young people;
- Older people; or
- People who are bedbound, housebound or have mobility problems that make it more difficult for them to leave their home and get fresh air.

Written Summary

Following the conclusion of an investigation, the Association must issue a written summary of investigation findings to the tenant(s) or their representatives within 3 working days after the day in which the investigation has concluded. The timescale of 3 working days relates to when the summary is issued, rather than when the tenant receives the information.

Where multiple investigators have been involved in an investigation, the findings of each investigator must be recorded within the written summary.

The summary must be in a 'written' format and can be issued electronically, by post, in-person or equivalent.

The summary must detail:

- The name of the person(s) or organisation(s) who conducted the investigation;
- A brief summary of the investigation process and findings, with explicit confirmation as to whether the house is substantially free from damp and mould;
- Details of any repair work carried out during the visit, if appropriate;
- If substantial damp or mould is identified, confirmation of the work required and a target timeframe for beginning the repair work;
- If substantial damp or mould is not identified, the reasons as to why and, if appropriate, whether any repair work will be conducted in accordance with the Association's repair policies and procedures; and
- Where necessary, provide details of where the tenant can obtain appropriate information / advice services.

"Repair work" includes temporary safety measures, relevant safety work, specialist intervention, advice and monitoring.

The summary report template is provided in Appendix 3.

Repair Work

Where substantial damp or mould is identified, the Association must commence any repair work within 5 working days after the day in which the investigation is concluded. This may include immediate mould treatment or other temporary remedial work.

The repair work must ensure that:

- The home is substantially free from damp and mould (i.e. mould spores are safely removed); and
- As far as reasonably practicable, the home continues to be substantially free from damp and mould (i.e. necessary preventative measures are implemented to prevent re-occurrence).

The repair work to make the home substantially free from damp and mould must be completed within 20 working days from the date the repair work is commenced.

If no substantial damp or mould is identified or if the issue falls out with the Association's responsibilities, no further work is required under Awaab's Law.

Assisting Tenants

All new tenants will, at the point of sign-up, be provided with information regarding the risks of damp, mould and condensation and the steps they should take to limit the risk within their property. This information is also included within the Resident Handbook, newsletters and on the 'Tenant Health & Safety' section of the Association's website.

**Assisting Tenants** (continued)

In cases where repeated decoration is required, the Association may offer a decoration allowance based on the rates stipulated in the Association's Decoration Allowance or Void Properties Policy. In cases where largescale works are required, the Association may arrange for a contractor to decorate the areas affected.

5 **Training**

The Association is responsible for ensuring that staff are adequately trained in damp, mould and condensation issues to ensure that such issues are recorded and addressed in an appropriate and timeous manner.

Recording and Monitoring

10 Details of all property inspections carried out by staff, consultants and contractors should be recorded on the Property Inspection Register. This Register records the following information:

- The date of inspection;
- Who carried out the inspection;
- Whether or not damp, mould or condensation was observed; and
- Comments in relation to repairs / remedial action.

15 By logging details of inspections on the Property Inspection Register, the Association will be able to:

- Identify a history of damp, mould or condensation within individual properties;
- Identify trends in relation to the incidence of damp, mould or condensation in particular property types and locations;
- When issues of damp, mould or condensation occurred;
- Whether issues of damp, mould or condensation reoccur following the completion of repair works.

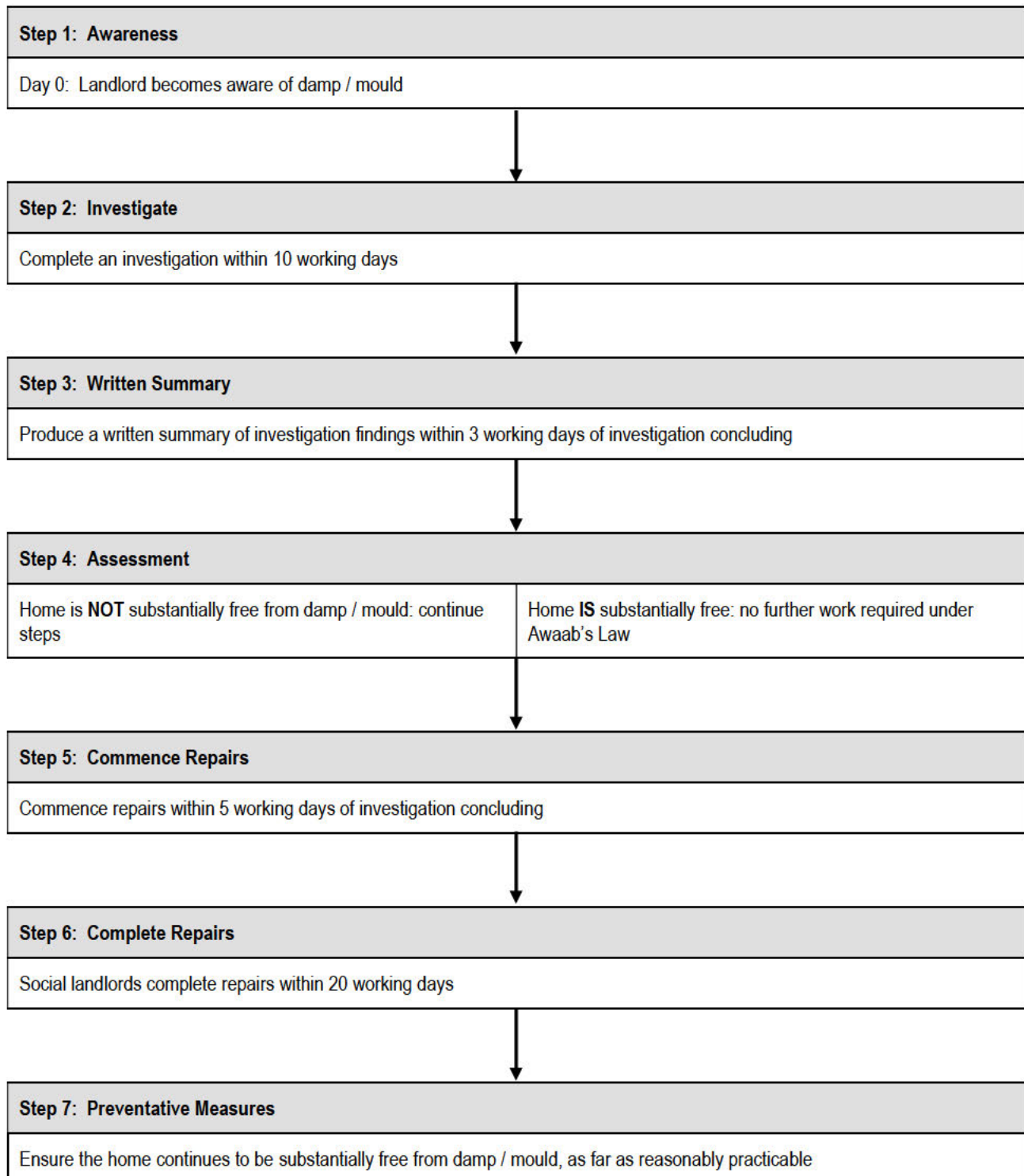
20 All repair issues reported are recorded on the Repair Log. The information recorded on the Repair Log allows the Association to measure:

- The number of resolved cases and damp, mould and condensation;
- The average length of time taken to resolve cases of damp, mould and condensation;
- The number of cases that have been re-opened;
- 25 • The number of open cases of damp, mould and condensation at the end of each year; and
- The Association's performance in relation to each stage in accordance with Awaab's Law.

All reports of damp, mould and condensation, irrespective of who reports them to the Association must be recorded on the repair log.



Appendix 1 – Awaab's Law Process





Appendix 2 – Framework for assessing whether a home is substantially free from damp and mould

Exposure and Extent:

- Does the damp or mould extend across a large surface area?
- Does the damp or mould extend across multiple patches or rooms?
- In the presence of hidden moisture or mould suspected – i.e. is a damp, mould odour present?
- Is damp or mould persistent?

If 'Yes' to any of the factors, this could suggest a risk of prolonged exposure to damp or mould.

Heightened Vulnerability:

- Is an inhabitant suspected to be more vulnerable to the effects of damp and mould?

If 'Yes', this suggests that the tenant may be more vulnerable to significant health impacts.

Underlying Cause:

- Is there evidence of structural issues or defects within the property?
- Is inadequate ventilation, insulation or heating issues suspected to be contributing to persistent dampness?

Whilst these factors do not determine severity in isolation, they indicate the likelihood of persistence or reoccurrence in the absence of action.

** There is no set definition of a large surface area of damp or mould as the dimensions of each home differs. However, investigators may wish to consider existing guidance. For example, a house will normally be below tolerable standard if an assessor finds persistent visible penetrating damp which covers an area greater than approximately:

- 10% of the overall wall space on one apartment in the house; or
- 10% of the ceiling in one apartment in the house; or
- 20% of overall wall space or ceiling in one or more other spaces in the house.



Appendix 3 – Summary Report Template

<Date>

Direct Line: 0141 950 9051

<Name>

Our Ref: MNT

<Address>

Your Ref: <Reference>

<Address>

<Address>

<Address>

<Address>

Post ☒

Fax ☐

E-mail ☐

Dear <Name>,

Written Summary – Report of Mould

Date of Report:

Date of Inspection:

Investigator:

Summary of findings

<Details>

Interim measures taken

<Details>

Determination & next steps

<Details>

Advice & support

<Details>

I trust the above is in order; however, if you have any questions, please don't hesitate to contact me.

Yours sincerely,
Yoker Housing Association Ltd

<Name>

Property Services Officer