



WHO SHOULD READ THIS?

✓ Tenants

✓ Agents

✓ Landlords

# DAMP AND MOULD

## TYPES OF DAMP AND MOULD

Damp is the accumulation of moisture in a building, impacting both building materials and furnishings. It not only causes damage to the building and its contents, but also creates an environment for mould and other microorganisms to flourish.

The types of damp are:

### Condensation

Condensation damp is the most common type of dampness. It happens when moisture inside a home condenses on colder surfaces like window frames, corners, and low points on walls.

### Penetrating damp

Penetrating damp is water that gets into the building from outside due to defects in the walls, roofs, windows or floors.

### Rising damp

Rising damp is moisture from the ground that travels up walls and floors in contact with the ground. Common in older buildings, it's often misdiagnosed. Chemical testing is the most reliable way to confirm it. Defective damp proof courses and membranes usually cause it.

### Traumatic damp

Traumatic damp can be caused by water leakage from pipes, overflowing sinks, or external sources like environmental flooding.

### Mould

Mould is a type of fungus which grows in moist environments. Mould can cause adverse health effects as well as damage to buildings.

**Regardless of the damp type, landlords are legally obliged to address damp and mould, collaborating with qualified professionals.**

## HEALTH EFFECTS OF DAMP AND MOULD

Damp and mould within the home can produce allergens, irritants, mould spores and other harmful toxins. Even if visible mould is absent, dampness alone can increase the risk of health problems and promote the growth of microorganisms, such as mould and other fungi.

The more serious the damp and mould problem and the longer it is left untreated, the worse the health impacts and risks are likely to be.

Most people come into contact with the substances produced by damp and mould by breathing them in. This means they predominantly affect the airways and lungs.

The respiratory effects of damp and mould primarily impact the airways and lungs, potentially leading to severe illness, or even death. These effects include general symptoms like a cough, wheezing, shortness of breath, increased risk of airway infections, and the development - or worsening of - allergic airway diseases.

Other physical health effects may manifest as eye irritation, eczema, and fungal infections, particularly in individuals with weakened immune systems.

Exposure to damp and mould can also contribute to poor mental health, stemming from unpleasant living conditions, property damage, anxiety related to health impacts, frustration with advice or blame, and social isolation.

## WHO IS MOST AT RISK?

While anyone can be affected, individuals with underlying health conditions and weakened immune systems face greater risks. More specifically, landlords should be aware of the most at-risk groups:

- People with a pre-existing health condition (for example allergies, asthma, COPD, cystic fibrosis, other lung diseases and cardiovascular disease) who are at risk of their condition worsening and have a higher risk of developing fungal infections and/or additional allergies.
- People of all ages who have a weakened immune system, such as people who have cancer or are undergoing chemotherapy.
- People living with a mental health condition.
- Pregnant women, their unborn babies and women who have recently given birth.
- Children and young people whose organs are still developing are more likely to suffer from physical conditions, such as respiratory problems.
- Children and young people who are at risk of worsening mental health.
- Older people.
- People who are bedbound, housebound or have mobility problems making it more difficult for them to get out of a home with damp and mould and into fresh air.

**Landlords should quickly address any damp and mould issues to protect tenant health, even without waiting for medical proof. If tenants have any of the above symptoms, they should see a healthcare professional.**

## HOUSING CONDITIONS THAT LEAD TO DAMP AND MOULD IN TENANTS' HOMES

There are a variety of housing conditions that put people at increased risk of exposure to damp and mould.

They include:

- Homes where residents feel unable to open windows due to concerns about security, noise, or high outdoor air pollution
- Homes that are poorly or inadequately insulated
- Homes with inefficient or ineffective and expensive to run heating systems
- Homes that are poorly ventilated
- Homes without adequate damp proof courses
- Homes that are poorly maintained
- Homes that are overcrowded

**Landlords should proactively investigate their housing stock for damp and mould issues, particularly when homes meet any of these criteria.**

## WHAT ABOUT CONDENSATION POTENTIALLY CAUSED BY TENANTS?

The Government advise that it is unreasonable to attribute damp and mould in homes to tenants' lifestyle choices, daily activities such as cooking and bathing naturally produce indoor moisture.

Discovering the underlying causes of condensation, which are typically due to building deficiencies, poor ventilation, inadequate heating, or reduced energy efficiency, is crucial. While working with tenants to make reasonable behaviour adjustments can be helpful, it should not replace addressing these root issues.

## TENANTS WHO MAY FACE DIFFICULTY REPORTING THE ISSUE

Tenants might encounter difficulties reporting damp and mould due to factors like lack of knowledge, language barriers, literacy issues, personal circumstances, unawareness of housing rights, or fear of eviction or discrimination. Landlords should actively find ways to support these tenants, fostering trust and collaborating with professionals who can offer additional assistance.

Types of tenants who might face barriers to reporting include:

- People from ethnic minority backgrounds
- People who have moved to the UK within the past 10 years, including people seeking refuge and foreign students
- People moving in and out of homelessness and/or in insecure tenures
- People with a learning disability and/or a neurodiverse condition such as autism
- People living with a mental health condition
- People who are dependent on alcohol and/or drugs
- People in receipt of welfare benefits
- People who live in houses in multiple occupation (HMO)
- People living in the private rented sector who have a fear of eviction
- People without a diagnosed mental health condition or registered disability but with either temporary or on-going support needs

## LEGAL STANDARDS ON DAMP AND MOULD IN RENTED HOMES

It is imperative that both private and social landlords comply with legal standards to guarantee the safety of their tenants and prevent any form of prosecution.

Five main legal standards that relate to damp and mould in rented homes.

### 1. All homes must be free from hazards at the most dangerous 'category 1' level

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The [Housing Act 2004](#) states that properties must be free from hazards at the most dangerous 'category 1' level, as assessed using the [Housing Health and Safety Rating System \(HHSRS\)](#), a risk-based evaluation tool. This includes mould and all types of dampness. See below 'Understanding damp and mould'.

Generally, a 'category 1' hazard means that an occupier of or visitor to the property may require some form of medical attention over the course of a year. Local councils also have a power to take action when they identify hazards at the 'category 2' level.

### 2. All homes must not contain conditions that are prejudicial to health

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The [Environmental Protection Act 1990](#) gives tenants and local councils powers to take legal action where homes contain a 'statutory nuisance', which includes where they are in such a state as to be prejudicial to health.

To be a statutory nuisance, the damp and mould must be harmful to the health of the tenant or a nuisance.

### 3. Homes must be fit to live in

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New provisions in the [Landlord and Tenant Act 1985](#) added by the [Homes \(Fitness for Human Habitation\) Act 2018](#) require that properties are free of hazards, including damp and mould, which are so serious that the dwelling is not reasonably suitable for occupation in that condition. The current occupier may be taken into consideration when determining whether the property is suitable.

A home that is fit for human habitation is safe and healthy, which would mean free from damp and mould that could cause significant harm.

Tenants may wish to take action if their property is unfit for human habitation or the landlord has failed to keep it in repair, under defined circumstances, under Section 9A and Section 11 of the Landlord and Tenant Act 1985. While there is currently no legal requirement to undertake remedial work within a specific period of time, landlords should nonetheless respond to complaints about repairs promptly.

### 4. Social housing specifically must meet the Decent Homes Standard (DHS)

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To meet the [Decent Homes Standard](#), social housing must be free from dangerous 'category 1' hazards. But the DHS also states that social housing must be in a reasonable state of repair and provide a reasonable degree of thermal comfort. Either disrepair or inadequate thermal comfort, or both, may result in damp and mould. Where the Regulator of Social Housing (RSH) determines a provider has breached standards, it has a range of legal powers it can use, including enforcement powers.

### 5. Privately rented homes must meet minimum energy efficiency standards

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The [Energy Efficiency \(Private Rented Property\) \(England and Wales\) Regulations 2015](#) require that privately rented homes must meet the [Minimum Level of Energy Efficiency standard](#) of Energy Performance Certificate (EPC) band E (unless exempt). The regulations do not make reference to damp and mould, but an energy efficient property is less likely to be affected by condensation, one cause of damp and mould, provided it is adequately ventilated. The government has committed to consult on the energy efficiency of social housing.

## COMPLIANCE MEASURES FOR LANDLORDS

Landlords must ensure homes have measures in place to minimise damp and mould.

- Regular property inspections and prompt remedy of deficiencies are crucial.
- Establishing a routine program of maintenance and management is essential.

If a tenant reports damp and mould, landlords should:

- Identify the source of damp.
- Determine if any property defects contribute.
- Carry out necessary remedial work.

**While no specific timeframe is mandated, landlords should respond urgently to significant damp and mould issues or concerns for tenant health.**

## BUILDING DEFICIENCIES

To mitigate damp and mould risks, addressing building deficiencies is crucial. Moisture can enter through leaks and structural issues like faulty roofs, damaged damp proof courses, and blocked gutters. Repairing the sources of the water intrusion, such as fixing leaks, effectively removes the moisture source and reduces the risk of damp and mould. This proactive approach not only prevents potential health issues but also avoids more costly repairs in the future, such as rot treatment. It's important to promptly remove any water-damaged or damp materials and thoroughly dry the surrounding area to prevent residual moisture.

## ADDRESSING CONDENSATION

Condensation, a prevalent cause of damp and mould, results from moisture buildup during routine activities like showering and cooking. To combat this issue:

1. Address building deficiencies as noted above, including fixing leaks and structural faults.
2. Improve ventilation.
3. Improve energy efficiency and rectify inadequate heating systems.
4. Collaborate with tenants for minor behavioural adjustments to reduce damp and mould risks. This approach depends on the properties specific conditions.

### Ventilation checklist

#### Kitchens and Bathrooms

- Ensure ventilation systems like extractor fans or cooker hoods are in working order, to remove moisture from cooking and bathing.
- Position extractor fans close to the hob and provide an overhead cooker hood for kitchens.
- Consider humidity-controlled fans or connecting the fan to room lights for efficient operation.
- Ensure tenants know how to use ventilation systems and encourage their use.

#### Windows

- Ensure windows can be opened, and encourage their use to maintain airflow.
- Consider keeping windows in a partially open but locked 'vent position' where feasible.
- Check for trickle vents in windows and ensure they are open and free from blockages.

#### Tenant Education

- Educate tenants on actions for improved ventilation, such as leaving gaps between furniture and walls, using extractor fans, closing internal doors when cooking or showering, covering pans, drying laundry outdoors, and periodic window opening.
- Provide secure outdoor spaces for tenants to dry laundry, ideally covered and secure against loss or theft concerns.

#### Roof and Underfloor Spaces

- Ensure proper ventilation in roof and underfloor spaces to keep timber dry.
- Consider air bricks for cost-effective underfloor ventilation, keeping existing air bricks clear.

#### Energy Efficiency and Heating

- Invest in energy efficiency measures, such as heating system improvements and insulation, while considering additional ventilation needs.
- Regularly inspect and maintain heating systems with qualified professionals.
- TDS Charitable Foundation are working with The Centre for Sustainable Energy (CSE) to support landlords in meeting Minimum Energy Efficiency Standard (MEES) regulations. For more information on how this can help you, click [here](#).

### Energy Efficiency Heating Checklist:

- ✔ Identify and improve the property's energy efficiency, such as adding loft insulation and replacing single-glazed windows with double glazing.
- ✔ Address draughts, improve wall insulation, insulate water tanks and pipes, provide thermostatic radiator valves, and ensure tenants have carpets and curtains for heat retention.
- ✔ Address specific cold spots, but prioritise insulation measures before upgrading heating systems.
- ✔ Explore available funding schemes across the UK for improvement work.
- ✔ Be cautious that some energy efficiency improvements may affect ventilation rates, requiring consideration and potential improvement alongside energy efficiency upgrades.
- ✔ Comply with Publicly Available Specification (PAS) 2035 for domestic retrofit projects to minimise unintended consequences.
- ✔ Ensure the heating system, including radiators, is effective, sufficiently powered, and controllable by tenants.
- ✔ Repair, replace, or install an energy-efficient system as needed. Optimise radiator placement for efficient heat distribution.
- ✔ Regularly check and maintain heating systems with qualified professionals.
- ✔ Enable tenants to control their heating, considering individual needs and occupancy patterns.
- ✔ Provide clear, written instructions on effective heating system use, considering language and communication needs, especially for non-English speakers.
- ✔ Understand tenants' circumstances, especially regarding heating struggles due to cost of living pressures, and offer support or guidance as needed.

## BEST PRACTICE WHEN FINDING DAMP AND MOULD IN YOUR PROPERTY

To effectively tackle damp and mould issues and prevent their recurrence, landlords should identify and address all sources of water damage and condensation - both inside and outside the home.

It is essential to perform an in-person inspection to properly evaluate the severity, location, underlying causes, and potential health risks of damp and mould. Relying solely on photo-based assessments may not reveal the full extent of the issue. It is recommended that qualified contractors perform the assessment, and landlords may involve the local council under the HHSRS for residential properties.

Even if there is no visible evidence of mould, smell might indicate hidden mould, and caution must be taken during disturbance along with the use of protective equipment.

In more complex cases, additional testing methods such as thermography and microbial sampling may be required, and landlords should seek guidance from qualified professionals to ensure an effective resolution.

While internal and external checks are useful, landlords should not attempt self-diagnosis in all cases and should seek professional guidance to avoid confusion.

### External checks:

- ✔ Damaged or blocked pipes, gutters or downpipes
- ✔ Broken seals around windows or ill-fitting windows that do not close fully
- ✔ Visible structural or facade defects, such as cracks in render or the foundation, missing or broken roof finishes
- ✔ Bridged (compromised) damp proof course



**Internal checks:**

- ✔ Peeling wallpaper
- ✔ Visible damp or staining
- ✔ Visible condensation
- ✔ Defective plaster
- ✔ Consistently high relative humidity, as assessed using a moisture meter or environmental monitors
- ✔ Low levels of loft or wall insulation
- ✔ Low internal wall temperature
- ✔ Damaged, blocked, absent or switched off mechanical ventilation (for example, extractors in kitchens and bathrooms)
- ✔ Ineffective or broken heating systems

**MOULD REMOVAL**

Once damp and mould are identified, swift removal is crucial to alleviate health risks for tenants.

1. Before removal, it's advisable to photograph and mark the affected area for record-keeping, aiding in source identification.
2. While tenants can handle small amounts with appropriate cleaners, larger mould areas require qualified professionals.
3. Protective equipment like masks, gloves, and goggles should be worn during removal to prevent contact with spores or cleaning products.
4. Doors should be closed to contain any spores, but windows should be left open for ventilation.
5. Protective gear and clothing should be washed or disposed of, and removed materials properly disposed of.

**Tenants and landlords should work together to address underlying issues causing mould, as managing small amounts of mould is not a permanent solution.**

**GUIDANCE FOR LANDLORDS IN THE PRIVATE RENTED SECTOR**

1. Landlords should clearly communicate how tenants can notify them and respond promptly, especially in severe cases impacting health.
2. Proactive maintenance is encouraged to safeguard tenant health and save time and money.
3. Both tenants and landlords share the responsibility to identify damp and mould, with landlords proactively collecting information on housing conditions.
4. In the private rented sector, landlords should maintain a single point of contact for health concerns related to damp and mould, engage with local authorities for advice, consult experts, and collaborate with contractors to ensure routine maintenance checks, including servicing ventilation systems.
5. Landlords should also guide tenants who struggle with heating issues to relevant support organisations.

These practices help create a healthy living environment and prevent potential health risks from damp and mould.





This guide has been developed based on the Government's updated guidance on dealing with damp and mould. For more information, click [here](#).



0300 037 1000



deposits@tenancydepositscheme.com



tenancydepositscheme.com



West Wing, First Floor, The Maylands Building, HP2 7TG