

# **Temporary Accommodation Mould, Damp and Condensation Management Plan**

August 2025

Serving people, Improving lives

## **1. Purpose and scope**

This policy defines the Councils approach to proactively manage the potential risks and promptly diagnose and prevent issues which may arise from damp and mould in our properties including communal areas and outlining support available to meet the needs of our customers.

This policy applies to all customers who occupy accommodation under a licence agreement.

## **2. Background**

The Council is a non-stock holding authority but is responsible for several properties which are used to meet their legal duty to provide homeless households temporary accommodation whilst permanent move on accommodation is secured.

There is an obligation on the Council to ensure that the temporary accommodation it provides is free from serious hazards, including damp and mould, and that homes are fit for habitation. The Council must treat cases of damp and mould with the utmost seriousness and act promptly to protect their resident's health.

## **3. Understanding damp and mould**

Damp is the build-up of moisture in a property. It affects building materials (such as walls, floors, ceilings, foundations) and/or home furnishings and belongings (such as carpets, curtains, wallpaper, furniture and clothing). In addition to causing damage, damp can also lead to the growth of mould and other microorganisms.

Damp can occur in homes for a variety of reasons. Irrespective of the type of damp (water leaks, condensation, penetrating, rising or traumatic), the Council is legally responsible for addressing damp and mould issues.

### **Water leaks**

Water leaks occur from defective supply or waste pipework (especially in bathrooms and kitchens) can affect both internal and external walls and ceilings. The affected area looks and feels damp to the touch and stays damp regardless of the prevailing weather conditions

### **Condensation damp**

Condensation damp happens when moisture generated inside the home cools and condenses onto colder parts of the buildings (for example window frames, corners and low points on walls behind sofas or wardrobes). This is the most common form of damp.

## **Penetrating damp**

Penetrating damp appears because of a defect in the structure of the home such as damaged brickwork, missing roof tiles, loose flashing or leaking rainwater goods.

All homes can be affected by condensation because the climate is often cool. Normal household activities also constantly release moisture into the air. Good practices in the home minimises and alleviates condensation and in many cases prevents it causing dampness and persistent mould

## **Rising damp**

Rising damp is moisture from the ground that rises up through parts of the buildings in contact with the ground (walls and floors); it is usually found in older properties and is often misdiagnosed. It can be identified through visual inspection; however chemical testing is the most appropriate way of confirming it. Often it is due to defective damp proof courses and membranes.

## **Traumatic damp**

Traumatic damp can be caused by leaking water from waste and heating pipes, overflowing baths or sinks, burst pipes or defective water storage vessels inside the building. Traumatic damp can also originate from outside the property, for example from another building or from environmental flooding.

## **4. Health risks**

Mould is a type of fungus that spreads through spores which are invisible to the naked eye but are in the air around us all the time that can quickly grow on surfaces into a visible covering where dampness persists, or water has formed.

Mould can cause adverse health effects as well as damage to buildings.

Damp and mould primarily affect the airways and lungs, but they can also affect the eyes and skin. The respiratory effects of damp and mould can cause serious illness and, in the most severe cases, death.

The presence of damp and mould can also affect residents' mental health. This could be due to worries about the health impacts of damp and mould, unpleasant living conditions, and destruction of property and belongings, among other concerns.

Everyone is vulnerable to the health impacts of damp and mould, but people with certain health conditions, children and older adults are at greater risk of more severe health impact.

The Council will consider the potential impact of damp and mould on all residents' health, including respiratory issues, allergies, and other conditions aggravated by dampness, especially those vulnerable tenants, who may be more susceptible to the health risks. Prior to any allocation of temporary accommodation, a risk assessment is undertaken on all family members to ensure the accommodation is suitable for their needs.

## **5. Legal Standards**

This plan enables the Council to meet its obligations as a landlord and employer under the following legislation:

- Defective Premises Act 1972
- Environmental Protection Act 1990
- Landlord and Tenant Act 1985 (section 11)
- Housing Act 2004
- Decent Homes Standard 2006
- Equality Act 2010
- Home Standard – Consumer Standards 2015
- Homes (Fitness for Human Habitation) Act 2018
- Minimum Energy Efficiency Standards
- Awaab's law

### **Defective Premises Act 1972**

Under the Defective Premises Act 1972, the Council has a duty of care to ensure their temporary accommodation is reasonably safe for tenants, including from defects that could cause injury. This includes a duty to address damp and mould issues that are caused by a defect in the property

### **Environmental Protection Act 1990**

Under the Environmental Protection Act 1990, the Council has a responsibility to address damp and mould issues if they constitute a "statutory nuisance," meaning they are prejudicial to health or interfere with the tenant's use and enjoyment of the property. This includes situations where damp and mould are caused by disrepair or pose a health and safety risk.

### **Landlord and Tenant Act 1985**

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.

Occupants may wish to take action if their property is unfit for human habitation or the Council has failed to keep it in repair, under defined circumstances, under Section 9A and Section 11 of the Landlord and Tenant Act 1985. Any complaints about repairs will be responded to in line with the Councils Complaints, Compliments and Comments Policy.

## **Housing Act 2004**

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. A 'category 1' hazard means that an occupier or visitor to the property may require some form of medical attention over the course of a year.

## **Decent Homes Standard 2006 (DHS)**

To meet the Decent Homes Standard, all temporary accommodation must be free from dangerous 'category 1' hazards. But the decent homes standard also states that the accommodation 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.

Temporary accommodation is short-term housing provided by the Council to households experiencing homelessness or at immediate risk of homelessness and is not social housing.

## **Equality Act 2010**

Under the Equality Act 2010, the Council has a responsibility to ensure their temporary accommodation properties are reasonably suitable for habitation, which includes addressing issues like damp and mould that could pose a health risk. They must act promptly to identify and resolve the underlying causes of damp and mould, ensuring long-term solutions. This duty extends to the structure and exterior of the property, as well as installations that provide essential services like heating and sanitation

## **Home Standard – Consumer Standards 2015**

The Consumer Standards require the Council to be proactive and respond promptly to reports of damp and mould, focusing on addressing the underlying causes.

## **Homes (Fitness for Human Habitation) Act 2018**

Under the Homes (Fitness for Human Habitation) Act 2018, the Council has a legal duty to ensure their rental properties are fit for human habitation, which includes being free from damp and mould. This duty applies both at the start of the tenancy and throughout.

The council is responsible for addressing damp and mould issues caused by structural faults, such as leaks, rising damp, or structural problems and ensuring adequate ventilation systems are in place to prevent condensation and mould growth, especially in areas prone to moisture, like kitchens and bathrooms.

## **Minimum Energy Efficiency Standards**

The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 require that rented accommodation 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.

## **Awaab's Law (comes into effect 27<sup>th</sup> October 2025)**

Awaab's Law sets specific timescales for social landlords to address health hazards in properties. The Council must investigate hazards within 14 calendar days of becoming aware and begin repairs within 7 days for significant hazards. Emergency repairs must be completed within 24 hours.

The Housing Ombudsman has defined emergency repairs as those presenting "a significant and imminent risk of harm," including issues like gas leaks, broken boilers, lack of water supply, exposed wiring, significant leaks, and prevalent damp and mould impacting breathing.

In situations where repairs cannot be completed within the required timescales and the hazard poses a significant risk, the Council must offer alternative temporary accommodation until the issue is resolved.

## **6. Complying with the standards**

The Council must ensure that their temporary accommodation properties have all the measures in place to ensure that damp and mould have been minimised.

The Council will therefore regularly inspect its temporary accommodation properties, remedy deficiencies promptly and ensure that they have a regular programme of maintenance and management.

The Council has the right to enter temporary accommodation properties, with reasonable notice, but only in specific circumstances which may include:

- To inspect the conditions of the premises
- To perform repairs
- Access to provide services

Licensees are required to report any issues to the Council immediately. When a licensee does report damp and mould problems, the Council will need to establish the source of the damp, whether there is any defect to the property that is causing it and then carry out the appropriate remedial work. The Council will normally inspect the property within 5 working days of the reported incident. In some cases, professional inspections or a damp surveyor may be required.

While there is currently no specific timeframe within which remedial work to address damp and mould must be undertaken unless they are deemed a significant hazard, Awaab's Law which comes into effect on the 27<sup>th</sup> October 2020 which does set timeframes which will place a requirement on the Council to respond promptly and address issues as a matter of urgency especially when there is a significant concern for the residents health.

Further guidance on the can be found at the following link :- [Understanding and addressing the health risks of damp and mould in the home - GOV.UK](#)

For more complex cases particularly where more intrusive building work is required and/or there is a serious health risk to the customer or member of their household, the Council may require them to move out of the property. Where this occurs, the Council will be required to provide the household with alternative temporary accommodation.

Depending on the nature of the incident, the Council may only be required to provide an advisory response to a damp and mould enquires. Where damp and mould are a result of condensation the council will work with the licensee to support them in taking appropriate measures to prevent the damp and mould reoccurring. This might include advice about how to control moisture levels or increase ventilation or heating, so that damp levels are kept low. The Council will encourage all licensees to follow the advice and explain the implications of any activity that could worsen the problem.

## **7. Council inspection procedure**

Under Awaab's law, the Council must proactively identify and address damp and mould hazards that pose a significant risk to an occupier and their families health. Therefore, routine property inspections will be undertaken periodically for any signs of damp and mould which should help detect issues early and prevent escalation. This will occur each time a licensee is placed into temporary accommodation and a minimum of once every 6 months. The Housing Officer carries out a visual check especially in high-risk areas prone to dampness ad mould such a kitchens, bathrooms and poorly ventilated rooms. Checks will be undertaken given regard to the following:

### **Internal and external checks**

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

For properties with ongoing damp and mould issues the Council will conduct a Damp, Mould and Condensation (DMC) survey to assess the extent of the damp and mould. This will identify the underlying cause of the problem and recommend appropriate solution to resolve the issue.

The findings are recorded on a 'Temporary Accommodation Property Survey' inspection form which is retained for a period of 7 years (Appendix 1)

All new licensees will also be provided with a leaflet called 'Preventing damp and mould in your home' (Appendix 2) when they sign the license agreement and prior to moving into the temporary accommodation provided. This includes some information regarding mould and how best to prevent it within the home.

## **8. Addressing damp and mould**

Licensees must report any damp and mould issues immediately.

The Council provides a variety of ways for a licensee to report incidents, and these are:

- By telephone on 0115 9013901, or
- For any emergency repair issues, outside of the above office working hours, by calling the out of hours helpline on 0800 096 0306, or
- By emailing: [housingneeds@gedling.gov.uk](mailto:housingneeds@gedling.gov.uk), or
- In person at the Council Offices located at the Civic Centre, Arnot Hill Park, Arnold, Nottingham, NG5 6LU

Or by making an appointment at one of our advice hub sites located at either: -

- Carlton Hub – 88 Carlton Hill, Carlton, Nottingham, NG4 1EE.
- Calverton Core Centre – 17 St Wilfred's Square, Calverton, Nottingham, NG14 6FP.
- Bestwood Outreach Hub – St Marks Church, School Walk, Bestwood Village, Nottingham, NG6 8UU.



Where the Council discovers mould or damp within the property, or a licensee reports damp in a property, the following action takes place:

- Identify the severity of the incident
- Consider if property is suitable for occupation.
- If the property is occupied and unsafe, make arrangements to move the household into alternative temporary accommodation.
- Instruct contractor to remove mould and treat as necessary.
- Carry out repairs if the damp is caused by a building defect.
- The Council should provide support and advise to the licensee to help ensure incidents do not reoccur in the future.