

KNOWES HOUSING ASSOCIATION LTD	
Policy Name	Damp and Mould Policy
Policy Category	Repairs and Maintenance
Policy Number	MDS19
Date to Management Committee	March 2026
Previous Review	New Policy
Next Review Date	March 2029
Links to other Policies	MDS03, MDS05
Consultation	Committee and Staff

1. POLICY AIMS & OBJECTIVES

1.1 This policy aims to ensure that reports of mould that have arisen from damp conditions:

- Comply with the requirements of the Investigation and Commencement of Repair (Scotland) Regulations 2026, as contained within the Housing (Scotland) Act 2006 (Repairing Standard)
- Are identified and recorded in such a way that all information and actions relating to incidents are clear and can be monitored and audited.
- Can be used to review successful actions or identify actions which have had limited success.
- Mould and dampness are treated and eradicated within the timescales contained within the Legislation.
- Homes are damp and mould free and comfortable and healthy for our tenants to live in.

2 BACKGROUND TO MOULD & DAMPNESS REPAIRS REPORTING

- 2.1** The cost-of-living crisis, which has seen an unprecedented rise in the cost of energy, has also seen a rise in fuel poverty and has meant that many people are unable to afford to use their heating systems as often as they would like or as they did previously. This has meant that reports of dampness and mould in houses have increased.
- 2.2** In 2022 mould was reported as a contributing factor in the death of a child in a RSL in England. This has caused the RSL sector to focus on the causes and eradication of dampness and mould in their stock.

Following legislation in England the Scottish Government has introduced similar legislation which includes strict new duties on RSLs and private landlords, known as Awaab's Law in Scotland.

3 LEGAL FRAMEWORK

- 3.1** Investigation and Commencement of Repair (Scotland) Regulations 2026, as contained within the Housing (Scotland) Act 2006 (Repairing Standard).

- 3.2** This legislation requires the Landlord to comply with the following requirements:

- **Mandatory Investigation Timescales:** a competent person must investigate the issue within **10 working days** and provide a summary of the investigation to the tenant within **3 working days**.
- **Mandatory Repair Timescales:** if the investigation concludes that work is required to address the damp or mould the landlord must commence repairs within **5 working days**.
- **Key aspects of the New Standards:**

Landlords are expected to fix the underlying issues causing damp, such as building defects, water ingress or poor ventilation.

If the damp/mould is not due to a structural defect. Landlords must work with tenants to provide guidance on managing moisture.

If a damp-related issue poses an immediate risk to health, it should be treated as an emergency repair, requiring action within 24 hours.

4 RISK ASSESSMENT/MANAGEMENT SECTION

- 4.1** There is a risk that dampness and mould if left untreated, could result in unhealthy living conditions for our tenants and consequently adversely affect the health of anyone living in the house.
- 4.2** There is a risk that damp or mould if not treated, or the Association is not able to clearly demonstrate compliance with the legislation, could leave Knowes open to potential sanctions from the Housing Regulator or legal challenge from tenants which could result in a financial and reputational loss.
- 4.3** Damp or mould issues left unaddressed could lead to a deterioration of the stock which could in turn lead to greater costs to eradicate damage caused by dampness and mould at a later date and potentially affect the ability of Knowes to let homes in a timely manner.

5 POLICY REPORTING

- 5.1** A report will be provided to the Committee at regular intervals detailing the number and extent of the issues reported and showing the actions planned, carried out and their effectiveness.

6 METHOD OF RECORDING

- 6.1** The method of ensuring that the requirements of the legislation are met, recorded and are fully auditable are laid out in Procedure note MPR 31.

7 EQUALITIES STATEMENT

- 7.1** Knowes Housing Association Ltd is committed to tackling discrimination on the grounds of sex or marital status, racial grounds, or grounds of disability, age, sexual orientation, language, social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.
- 7.2** Knowes HA seeks to embrace diversity, promote equal opportunities for all and eliminate any unlawful discrimination in all areas of our work.
- 7.3** This policy can also be made available free of charge in a variety of formats, including large print, translated into other languages or on audio tape.

