

# **Housing and Property Services Condensation, Mould and Damp Policy**



North  
Tyneside  
Council

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## Document control

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## **Contents**

### **1. Introduction**

### **2. Aims of the policy**

### **3. National policy and legal context**

### **4. North Tyneside context**

### **5. Definitions**

### **6. Responsibilities**

#### **6.1 Landlord**

#### **6.2 Tenant**

#### **6.3 Leaseholders**

### **7. Monitoring and review of the policy**

## **1. Introduction**

Housing and Property Services are committed to ensuring that our tenants live in homes that are safe, secure, warm, dry, healthy and energy efficient.

As a social housing landlord, we have a responsibility to maintain our stock and ensure that our properties are protected from any moisture related deterioration and damage, such as condensation, mould and damp. Stock investment has utilised a fabric first approach, and we need to make sure that these measures do not increase damp related issues, and that homes remain affordable to keep warm.

To minimise the risk of condensation, mould and damp in tenants' homes, we will work with them to inform and share information about how issues may occur, and how they can be prevented, resolved, controlled, and managed, so that their homes remain safe, healthy, and affordable to live in.

## **2. Aims of the policy**

The policy sets out how reports of moisture related concerns and issues are responded to ensuring that the correct remedial action is identified and carried out within a timely manner, complying with statutory requirements, and following good practice.

Not all reports may require remedial work. In these instances, we will provide tenants with comprehensive advice and guidance on how to prevent, resolve, control and/or manage the issue. If appropriate to do so, the tenant may be signposted to other agencies for additional support. This will include a review of their income and maximising where possible, and utility providers and costs.

The policy covers how we will support and work with our tenants to prevent and respond to condensation, mould and damp related issues and any subsequent remedial action. All our properties and communal areas fall within these criteria, including emergency and temporary accommodation.

This policy aims to:

- Ensure that all our tenants live in homes that are safe, secure, warm, dry, and healthy.
- Guarantee that any tenant who experiences condensation, mould and damp related issues within their home will be treated in a fair, transparent, and consistent manner.
- Comply with statutory and regulatory requirements and good practice.
- Identify the types of moisture related concerns.
- Set out the council's, tenant's, and leaseholder's responsibilities for responding to condensation, mould and damp.
- Provide tenants with advice, support, and guidance to prevent, manage and control condensation, mould and damp related issues.
- Undertake effective investigations and implement remedial repair solutions and improvements to manage and control condensation, mould and damp related issues.
- Explain situations where and why the council will not take remedial work to rectify an issue.

### **3. National policy and legal context**

In producing this policy, the following have been considered:

**Housing Act 1985:** covers the main powers and duties of local housing authorities.

The **Landlord and Tenant Act 1985: Section 11: Repairs and Maintenance:** provides an obligation on landlords to maintain the exterior and structure of the dwelling and keep in working order the installations within the home.

**Decent Homes Standard:** is the minimum standard that all social housing homes must meet. This includes properties being in a reasonable state of repair, having reasonably modern facilities and services, and provision of a reasonable degree of thermal comfort.

**Environmental Protection Act 1990:** can apply when a tenant's home is suffering from a statutory nuisance. The Act sets out what may be considered a statutory nuisance, including any premises in such a state as to be prejudicial to health or a nuisance. Damp related defects can be considered prejudicial to health.

**Housing Act 2004:** this Act introduced the Housing Health and Safety Rating System, mandatory Homes in Multiple Occupation (HMO) licencing, additional and selective licencing, and the tenancy deposit protection scheme.

**Housing Health and Safety Rating System 2006:** is a risk-based assessment tool to help local authorities identify and protect against potential or actual hazards within the home.

**Homes (Fitness for Human Habitation) Act 2018:** aims to make sure that landlords must rent out properties that are safe, secure, warm, and dry.

**The Charter for Social Housing Residents: Social Housing White Paper 2020:** sets out the actions that government will look to introduce to ensure that social housing is safe to live in, residents are listened to, the provision of good quality homes, and the opportunity to change when things go wrong.

**The Energy White Paper 2020: powering our net zero future:** sets out a strategy for the UK's energy transition so that by 2050 all buildings will be energy efficient with low carbon heating.

**Building Safety Act 2022:** provides homeowners and residents more rights, powers, and protection so homes are safer.

**Social Housing (Regulation) Act 2023:** introduced new measures to improve the standards, safety and operation of social housing, and ensure compliance with revised consumer standards.

#### **4. North Tyneside context**

Our **North Tyneside Council Plan 2021 – 2025** has five themes to help create a North Tyneside that is thriving, family friendly, caring, secure and green. The plan builds on the success of previous ones, and recognises the challenges faced following the Covid -19 pandemic.

Our **Customer Promise, we listen, we care** has been developed based on what our residents have told us. This sets out what they can expect from the Authority and what to do if things go wrong.

The borough declared a climate emergency in 2019. Substantive work continues to take place to address our **Action on Climate Change**, and for the borough to be carbon neutral by 2030. This is supported by our **Climate Emergency Action Plan 2020**.

**North Tyneside Tenancy Strategy 2021 – 2025** provides guidance to registered providers operating in the borough, including our own landlord function. The strategy emphasises the need to make best use of the housing stock to meet local housing need, maintain and create successful, sustainable communities and prevent homelessness.

**North Tyneside Property Services Asset Management Strategy 2023 – 2028** sets out our approach towards maintaining our stock portfolio over the next five years. It is reviewed within a five-year period to support the 30-year capital business plan.

**North Tyneside Housing Strategy 2023 – 2028: building a better North Tyneside:** includes our commitment to sustainable communities and good, quality housing.

Our **Tenancy Agreement** sets out the rights and responsibilities for both the tenant and the landlord, and what may happen if there is a breach of tenancy.

## **5. Definitions**

**Condensation:** occurs when moisture held in warm air meets a cold surface and produces water droplets when condensing. This can take two main forms:

- Surface condensation arising when the inner surface of the structure is cooler than the room air.
- Condensation inside the structure where vapour pressure forces water vapour through porous materials, e.g., walls which then condenses when it reaches colder conditions within the structure.

The effects can be a challenge, particularly during winter months and in most cases is one we need to work with tenants on to manage through the effective use of heating and ventilation. Conditions that can increase the risk of condensation include:

- Inadequate ventilation e.g., natural opening windows and trickle/background vents, and mechanical extraction in bathrooms and kitchens.
- Deficient heating of property that could include small boilers, radiators, and lack of draught proofing.
- Poor thermal insulation.
- High humidity, a presence of rising and/or penetrating damp.
- Poor building design and construction.
- Unsatisfactory venting of tumble driers that can create increased humidity.
- Drying of washing on radiators and clothes airers that can increase humidity.
- Lack of mechanical ventilation use during bathing and cooking.
- Radiators and good air flow circulation being blocked by large items of furniture.

**Mould** is a form of fungus that is produced in damp and humid conditions. It can be caused through humidity, condensation, rising damp and poor ventilation. Mould can appear in different forms and is predominately black or green.

If remedial work is not undertaken or prevention and control measures are not followed to mitigate condensation and mould, then damp related issues may occur.

**Damp** can either be penetrative or rising:

**Penetrating damp** can be caused through water entering the external structure or internal leaks within a property causing damp, rot, and damage. Once the source is located, repairs should be straightforward, although it can take some time for the area to dry out. This type of damp can be caused by:

- Water ingress due to defective or poor building design and/or work quality.
- Defective components such as roof coverings, external wall doors or windows.
- Faulty or blocked rainwater gutters and pipes.
- Substandard or leaking internal waste pipes, and heating systems.
- Flooding due to burst pipes.



**Rising damp** is caused by the breakdown, deterioration or bridging of the damp proof course of the building at ground level. Moisture then rises up the walls, this can be to a maximum of one metre.

Rising damp can be identified by a coloured tide mark, often textured. The texture is caused by salt from the ground and the plaster being drawn through the wall with the water.

## **6. Responsibilities**

Comprehensive and focused information on how to deal with moisture related issues is available on our website and is promoted and available to tenants through a variety of platforms and formats.

If condensation, mould and damp related issues remain untreated in the home they can lead to or exacerbate health issues, including respiratory conditions, skin problems, infections and weakened immune system.

### **6.1 Landlord**

We will support and work with our tenants to ensure that their homes remain safe, healthy, and affordable to live in.

Reports of moisture related issues will be responded to in a timely manner.

At the first point of report:

- A video diagnosis tool may be used to establish what the issue may be. The outcome of this may be the prioritisation of a property surveyor visit.
- A leaflet may also be issued to the tenant with guidance on how to address the issue, this will result in a four week follow up call to confirm if the issue has eased or is resolved or is a visit required.

All reasonable steps will be taken to access a property to enable an inspection to take place to investigate and determine the cause of the issue and identify remedial work within an agreed time.

The tenant will be informed at each stage of the report and receive communication throughout the time that their report is being dealt with.

All moisture related repairs and attempts to contact tenants will be recorded. If there is no response after we have made three attempts, the Housing Management Team will be notified for them to attempt contact with the tenant. Two attempts will be made and if there has been no successful contact, then court proceedings may be used for access to be granted.

We will ensure that remedial work is carried out by qualified and trained staff, this extends to any contractors used. Improvement work may include the installation of mechanical fans, air vents and insulation.

Upon the completion of remedial work, we will ensure that internal walls are made good to enable redecoration to take place.

Where remedial work is not required, tenants will receive advice and guidance on how to prevent, manage and control the issue.

Where it is not possible to carry out remedial work, alternative solutions will be explored, with the tenant receiving a full explanation on this.

During the work, we will offer and provide support and assistance to tenants, if required. This includes:

- Their possessions being adequately protected, if it has not been possible to remove them from the repair area.
- The provision of alternative interim accommodation, if it is not possible for the household to remain in their home during the work.
- Consideration to rehouse the household on a permanent basis. This may be in conjunction with supporting and relevant medical information and recommendation.
- If appropriate to do so, we will, with the tenant's consent refer to internal and external service areas and organisations that may be able to provide some additional support. This will include health related issues, any debt management concerns, and the possibility of maximising the household income.

We will develop a robust database that will inform of the possible moisture risks to properties. This will allow us to identify and introduce proactive measures to minimise them before they create problems for our tenants.

## **6.2 Tenants**

Tenants should regularly check their property for moisture issues and report any concerns as soon as they are aware of them.

Tenants should allow the council and any of our contractor's access to the property for an inspection to determine the cause and identify remedial action. If access is persistently not permitted, tenants must be aware that the Authority may seek legal permission to gain access.

The remedial action may not result in intrusive work, therefore all advice and guidance received should be followed to control and manage the problem. This could be keeping the property well ventilated, using mechanical extractions fans, air vents and being mindful of not covering radiators and/or heating appliances. If mechanical equipment is provided, then the tenant is expected to use it as instructed.

If the property condition worsens due to advice not being followed or machinery used, tenants may be responsible for any repairs required because of this.

If a tenant wishes to make any structural and /or cosmetic change to their home, they should contact us to seek advice and permission to ensure the change will not increase the risk of moisture related issues.

## **6.3 Leaseholders**

Leaseholders are responsible for managing and maintaining their own homes as per their leasehold agreement. This includes responsibility for repairs which are the result of their actions or non-actions.

The council is the freeholder for the property and is responsible for maintaining the fabric of the leasehold properties and buildings. It will not carry out any condensation, mould and damp related remedial work that sits outside of this.

Any condensation, mould and damp related work that is identified due to neglect by the leaseholder will be dealt with through the leasehold agreement.

## **7. Monitoring and review of the policy**

The policy will be monitored to determine its effectiveness, delivery objectives and policy aims being achieved. Information will be reported as requested. This will include:

- Tenant feedback, including condensation, mould and damp related complaints and outcomes.
- Disrepair claims relating to condensation, mould and damp related issues and their outcome.

The Policy will be reviewed every three years, or sooner to reflect any legislative changes or changes to council strategy and policy.

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