Damp, Condensation and Mould For Non-Tech Officers

Delegate Pack 1

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What will you learn ?

- *Causes, symptoms of and how to differentiate between the various forms of damp and the cures associated with them*
- *Requisite impacting legislation 'in a nutshell' and the implications of failure, non-compliance and the potential impact on a person's health*
- *How recent improvements to stock have compounded problems*
- *How to protect parties' interests and implement effective procedural guidance to combat failure and 'get it right first time'*

What will you learn ?

- *Strategies for the effective removal/reduction of damp and mould problems*
- *How to communicate sound knowledge-based principles to affected parties and challenge often 'outdated' and 'generic' advice*
- *A brief overview of the equipment available to diagnose the varying forms of damp*

Damp – Perfect Storm Background

- *1) What we've done to properties over a period – Sealing people in boxes – raising of humidity, airborne allergens and colonisation of dustmites*
- *2) Changes in legislation*
- *3) Legal fraternity moving into the sector – Civil law reform, Increase in disrepair claims*
- *4) Housing Ombudsman Report – Spotllight on Damp and Mould –It's not lifestyle*
- *5) Increase in Energy prices – Fuel poverty, inflation etc*
- *6) Awaab Ishak's death – Rochdale Boroughwide Housing – Coroner' report and Gov't reaction*

Workshop 1

Identify the various forms of damp likely to affect dwellings ?

- *Leaks – 15– 17%*
- *Penetrating Damp*
- *Rising Damp – 3-5%*
- *Condensation – 80 %*

Damp - Background

- *Average rainfall 75 mm a month*
- *Average family produce 16 litres of water a day*
- *75% buildings now standing will be standing in 2050*
- *EHCS estimate that 4 million houses suffer damp related problems in some shape or form*
- *50% main problems relate back to damp*
- *No wonder we're under siege!*

Workshop 2

Implications of a failure to manage damp effectively by Social Housing Providers – Landlords

- *Failure to satisfy aspirations of all parties - tenant, landlords / organisation*
- *Failure to maximise resources –repeat visits*
- *Deterioration of the fabric*
- *Potential ill health to tenants etc*
- *Legal action and time and resources, costs associated with same*
- *Loss of rent*
- *Compensation*
- *Bad publicity ……*

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Residents' anger as Clarion cleared despite 'slum' conditions on housing estate

HOUSING | Tuesday 17 August 2021 at 10:50pm



Bromsgrove family-of-five 'forced to sleep in one room because of mould and damp' slam BDHT



Thomas Moulder (9), Jack Minton (6 mths), Katie Moulder, Harry Minton (1) and Chris Minton in one of the damp rooms 5219003MMR1

Dampness

- *A large majority of the population of the UK have been adversely affected by damp in it's various forms and it's occurrence with subsequent mould growth has been the largest single complaint received by Local Authorities and the like during the past 20 years or so.*

- *Dampness in buildings is a serious problem - causing superficial and structural damage……our greatest problem?*

- *Conditions in a damp property are often unpleasant, uncomfortable, unhealthy conditions, threaten people's well-being, cause considerable anxiety and threaten people's life chances*

Workshop 3

How could one's health be adversely affected by damp and what could it cause in terms of symptoms ?

- *Rhinitis*
- *Bronchitis*
- *Coughs*
- *Colds*
- *Wheeze*
- *Asthma*
- *Anxiety*
- *Depression*
- *Threaten people's social well-being and life chances*

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Workshop 4

Who do you think are the people most likely affected by damp in a property ?

- *Young, elderly*
- *Those on immuno-suppressant drugs or with underlying health conditions*
- *Poor – Fuel poverty„„„…..Heat or Eat ?*
- *Overcrowded / Those who live on their own ?*
- *Private renters ?*
- *Different cultures ?*
- *The Vulnerable*
- *Those affected by changes to property – insulation etc*
- *Those affected by failings in the legal system – Env Health*
- *Lack of education with respect to managing properties and empathy of landlords*

Workshop 5 - Fuel Poverty

- *Fuel poverty in the UK is a devolved policy area with methodology differing… but……..*
- *Roughly 15% and 4 million in total of all households considered to be in fuel poverty*

- *13% in England*
- *12% in Wales*
- *25% in Scotland*

- *Declining from 22% in 2010*

House of Commons Library

By Suzanna Hinson and Paul Bolton

8 July 2021

Fuel Poverty

Summary
1 Introduction
2 Fuel poverty trends
3 Fuel Poverty Policy
4 Stakeholder views
5 Help with fuel poverty

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House of Commons Library

By Wendy Wilson,
Cassie Barton

15 June 2021

Overcrowded housing (England)



Summary

1 The statutory overcrowding standard
2 The extent and impact of overcrowding
3 Overcrowded households and re-housing
4 Attempts to update the statutory standard
5 Policy developments since 2010
6 The London Housing Strategy

commonslibrary.parliament.uk

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The Exeter blog

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Energy efficient homes linked to asthma

The drive for energy efficient homes could increase asthma risks, according to new research.



Researcher Richard Sharpe examines house for signs of mould

Led by a team at the University of Exeter Medical School, the research has found that a failure by residents to heat and ventilate retrofitted properties could lead to more people developing the respiratory condition.

Working with leading UK social housing provider, Coastline Housing, the research team assessed data from the residents of 700 properties in Cornwall. They found that people living in more energy efficient homes had a greater risk of asthma, and that the presence of mould doubled this risk.

This study, published in the journal *Environment International*, builds on previous work showing that dampness and mould can increase the risk of allergic diseases. It is the first time scientists have been able to combine detailed asset management data with information about occupant behaviour and health, to assess the factors likely to contribute to asthma.

The United Kingdom has one of the highest occurrences of asthma in the world, with the disease presenting substantial economic and societal pressures. With the government releasing £30 million of funding this week for energy efficiency improvements, this study highlights the need for changes in the behaviour of residents benefitting from this type of scheme.

Researcher Richard Sharpe has been involved in the study, and said: "We've found that adults living in energy efficient social housing may have an increased risk of asthma. Modern efficiency measures are vital to help curb energy use, and typically prevent heat loss through improved insulation and crack sealing. Yet some people, particularly those living in fuel poverty, are unlikely to heat a building enough – or ventilate it sufficiently – to prevent the presence of damp and mould, factors that we know can contribute to asthma."



BSI, 2017

- *'The reality is that moisture risk cannot be eliminated in buildings; it increases as we place greater demands of energy efficiency and comfort, as well as increased burdens of moisture generation, upon buildings'*

British Standards Institution



- *'Potential health impacts [from exposure to the above substances] include asthma, chronic obstructive pulmonary disease (COPD), respiratory irritation, effects on the heart, and cancer, as well as non-specific symptoms such as headache, tiredness, and loss of concentration (sometimes referred to as 'sick building syndrome')'*

Royal College of Physicians

Avoiding Litigation

- *Not possible to say for certain what to do in any particular case to avoid losing a judgement because so many of the remedies available to tenants are within the 'Judges discretion'*

- *In the exercise of that discretion the Judge will be concerned with the 'reasonableness' of both parties conduct*

- *If it can be shown that the landlord has acted reasonably and done all that is reasonably expected in the circumstances the Judge is more likely to want to find in the landlord's favour*

Property Management
Statutory and Other Requirements

- *Legislation/ Statute*
- *Tenancy Agreements*
- *Common Law - Torts*



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Property Management
Statutory and Other Requirements

- *Law of Property Act 1925, 1949*
- *Landlord and Tenants Acts 1927,54,85 – 11,12 - Tenancy Agreements - age, character*
- *Homes (Fitness for Human Habitation) Act 2018*
- *Occupiers Liability Acts 1957,84*
- *Right to Repair Regulations 1994*
- *Housing Acts 1961,74,85,88; Local Gov't and Hsg Act 89 – Section 604 and 606 offences - 'Unfitness', free from serious disrepair, free from dampness prejudicial to health*
- *Defective Premises Act 1972 ; HHSRS – Housing Act 2004*
- *The Environmental Protection Act 1990 – Sections 80/81 - abatement notice*
- *Disability Discrimination Act 1995*
- *Human Rights Act 1998*
- *Race Relations Act 1976/ Sex Discrimination Act 1975*
- *Health and Safety at Work Act 1974*

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Assured (shorthold) Tenancy Agreement



Plymouth Community Homes

Homes (Fitness for Human Habitation) Act 2018

20 Dec 2018 ☆



Ministry of Housing, Communities & Local Government

The Charter for Social Housing Residents

New measures to make things fairer for people who live in social housing



easy read

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A new Charter for social housing residents

Our new Charter sets out what every social housing resident should be able to expect:

1. **To be safe in your home.** We will work with industry and landlords to ensure every home is safe and secure.
2. **To know how your landlord is performing,** including on repairs, complaints and safety, and how it spends its money, so you can hold it to account.
3. **To have your complaints dealt with promptly and fairly,** with access to a strong ombudsman who will give you swift and fair redress when needed.
4. **To be treated with respect,** backed by a strong consumer regulator and improved consumer standards for tenants.
5. **To have your voice heard by your landlord,** for example through regular meetings, scrutiny panels or being on its Board. The government will provide help, if you want it, to give you the tools to ensure your landlord listens.
6. **To have a good quality home and neighbourhood to live in,** with your landlord keeping your home in good repair.
7. **To be supported to take your first step to ownership,** so it is a ladder to other opportunities, should your circumstances allow.

Housing
Ombudsman Service

The Housing Ombudsman's Complaint Handling Code

Published July 2020

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Housing
Ombudsman Service

Spotlight on:
Damp and mould

It's not lifestyle

October 2021

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Housing Ombudsman Report – Autumn 2021

'Spotlight on Damp and Mould - It's not lifestyle'

- *Addressing damp and mould needs to be a higher priority with a change in culture from 'proactive to reactive'*
- *Examined 410 complaints, investigated 142 landlords over a two year period*
- *Maladministration found in 56% of cases rising to 64% for complaint handling alone*
- *As well as casework the report draws on 500 responses to the Ombudsman's call for evidence issued in April of the same year 2021*
- *The call for evidence saw a caseload jump of 50%*
- *Failure rate was often the result of inaction, excessive delays or poor communication*

Housing Ombudsman Report – Autumn 2021

'Spotlight on Damp and Mould - It's not lifestyle'

- *The report identifies best practice and makes 26 recommendations for landlords to implement :-*

- *Landlords should consider whether they have an existing robust framework, if they have one at all, and a policy to address damp and mould including proactive interventions, effective approach to diagnosis, communications and aftercare …..*

Housing Ombudsman Report – Autumn 2021

'Spotlight on Damp and Mould - It's not lifestyle'

- *The report identifies best practice and makes 26 recommendations for landlords to implement :-*

- *Landlords should ensure that their staff, whether in-house or contractors, have the ability, resources etc to identify and report early signs of damp and mould and identify complex issues at an early stage …..*

- *Landlords should take steps to identify and resolve any skills gaps they may have, ensuring their staff and contractors have appropriate expertise to properly diagnose and respond to reports of damp and mould ….*

Housing Ombudsman Report – Autumn 2021

'Spotlight on Damp and Mould - It's not lifestyle'

- *The report identifies best practice and makes 26 recommendations for landlords to implement :-*

- *Landlords must ensure there is effective internal communication between their teams and departments, and ensure that one individual or team has overall responsibility for ensuring complaints or reports are resolved, including follow up or aftercare …..*

Housing Ombudsman Report – Autumn 2021

'Spotlight on Damp and Mould - It's not lifestyle'

- *The report identifies best practice and makes 26 recommendations for landlords to implement :-*

- *Landlords should ensure they treat residents reporting damp and mould with respect and empathy as the distress and inconvenience experienced by residents in this area is some of the most profound they have seen*

Housing Ombudsman Report – Autumn 2021

'Spotlight on Damp and Mould - It's not lifestyle'

- *The report identifies best practice and makes 26 recommendations for landlords to implement :-*

- *The word 'lifestyle' when it may be a consequence of limited choices and conditions placed on them by the changes made to their homes should be banished from the vernacular. It is a word used so often it can be said to be systemic*



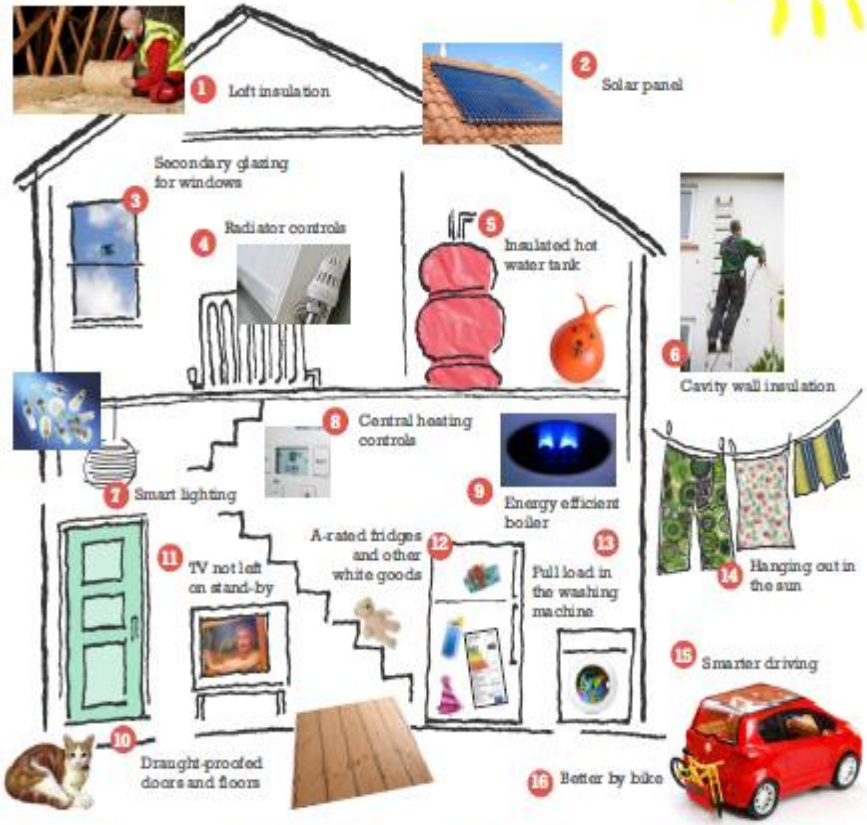
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Find out more

Energy saving tips

Ways to cut your bills and enjoy a warmer home



1 Loft insulation. A well-insulated loft keeps the heat in – like wearing a warm coat on a freezing cold day. Your loft should have 270mm (10½ inches) of insulation.

2 Solar panel. Renewable energy isn't right for every home, but can be a money saver and cut carbon.

3 Secondary glazing for windows. 'Secondary glazing', where a layer of glass or clear plastic is fitted inside an existing window frame, is a cheap and effective alternative to double-glazing.

4 Radiator controls. Thermostatic radiator valves (TRVs) allow you to adjust the temperature in each room.

5 Insulated hot water tank. If your hot water tank is un-insulated or has a badly fitting old lagging jacket then you should definitely replace it.

6 Cavity wall insulation. This will cut your heating bills by around £135 a year and make your home more snug.

7 Low-energy light bulbs. These could save you £55 over the lifetime of the bulb, but more important is to switch off lights you're not using.

8 Heating controls. These let you choose when the heating is on and how warm it is. Turning a room thermostat down by 1°C saves around £55 a year.

9 Energy efficient boiler. If your boiler is more than 15 years old, you should consider replacing it with a modern condensing boiler. These can cut your bills by £300 a year.

10 Get draught-busting. Keep out the cold air with brush seals and draught strips. You can also draught-proof old wooden flooring.

11 TV not standing-by. Don't leave your TV, computers or other gear on standby – switch off at the plug. And don't leave laptops and mobile phones on charge unnecessarily.

12 A-rated appliances. Look for the Energy Efficiency logo when you replace your fridge, freezer, washing machine, dish-washer, TV or kettle.

13 Wash wisely. If possible, only use your washing machine, tumble dryer or dishwasher when you have a full load.

14 Hanging out in the sun. Give your tumble dryer a rest and dry your laundry the Mediterranean way. The sun and wind will do the job for free!

15 Smarter driving. There are lots of ways you can cut your petrol consumption, like keeping your speed down, driving smoothly, and not carrying junk in your boot.

16 Pedal power. More people are taking to their bikes every day. It's cheap, healthy and quick, and cuts the hassle of parking.

Centre for Sustainable Energy

3 St Peter's Court, Bedminster Parade, Bristol BS3 4AQ
0117 934 1500
cse.org.uk

We are a national charity (1092302) that helps people change the way they think and act on energy.

More energy advice at cse.org.uk/advice

Follow us on social media at @cse_bristol and @can_StoveExchange

Getting the best from your gas or electricity supplier

Centre for Sustainable Energy

Whoever you buy your gas and electricity from, you need to make sure you are getting a good deal. This leaflet gives you a few starters ...

1) Are you on the best tariff?

If your existing energy supplier hasn't put you on the cheapest option (or 'tariff') you may be paying more than you need to for your gas or electricity. You can phone them to check; the number will be shown on your bill.

Your energy supplier may also offer something called the Warm Home Discount Scheme. All the 'big six' energy companies (plus some of the smaller suppliers) offer a fixed discount to certain vulnerable customers. For the winter of 2014-15, it's a £140 electricity bill rebate to bill payers who receive the Guarantee Credit element of Pension Credit. Some suppliers also offer this discount to other groups of customers, so if you receive any type of benefit, it's worth calling your supplier to check. See www.gov.uk/the-warm-home-discount-scheme for updates.

You may also qualify for the 'Priority Service Register' because you're disabled or have another particular need. See overleaf for details.



Everyone wants a good deal from their energy supplier. And there are savings to be made by switching supplier or by changing the way you pay for your gas or electricity.



2) Dual fuel?

If you buy both your gas **and** electricity from the same supplier it is usually, but not always, cheaper. Again, check with your supplier.

3) Paying by monthly direct debit

Energy companies prefer customers to pay a fixed amount each month and will offer discounts of 5-10% to customers who do this. If you're not currently paying by direct debit, it may be worth doing so. If the amount you chose to pay by direct debit is not enough to cover the bill, or if you are being charged too much, you can call your supplier and request that the amount you pay is changed.

4) Switch to an internet tariff

This can save you another 10%. The only thing that will change is that you will get your bill by email.

5) Do a meter reading every time

Every time you receive a bill, check your meter. Most bills are based on estimates, and these are often inaccurate. If your supplier has under-estimated, you'll have to pay the difference at the end of the year. If they have over-estimated, you'll get refunded, but not for several months.

6) Avoid pre-payment meters if you can

Some people like pre-payment meters because they do make budgeting easy. But pre-payment customers don't benefit from direct-debit discounts, online discounts or prompt-payment discounts. So it usually pays to switch to a billed meter, though there may be a charge to do this. Go to www.energyhelpline.com to compare different companies' pre-payment tariffs.

continued overleaf ▶

Electronic Temperature Instruments, Dominion Way, Worthing, West Sussex BN14 8NW
Telephone 01903 202151
www etiltd.co.uk . e-mail; sales@etiltd.co.uk



Avoiding Litigation

- *Joyce v Liverpool City Council 1995*

- *Judge warned about waste of time and money on litigation rather than on the repairs themselves*

- *"The evidence before us does suggest that court trial of minor Section 11 (Landlord and Tenant 1985) claims yield a benefit to the legal profession out of all proportion to that gained by the tenant and diverts the funds of local authority landlords from purposes more germane to their public function"*

Using the Premises in a Tenant Like Manner

- *The leading case Warren v Keen (1954)*

- *'He must take proper care of the place. He must, if he is going away for the winter, turn off the water and empty the boiler. He must clean the chimneys when necessary, and also the windows. He must mend the electric light when it fuses. He must unstop the sink when it is blocked by his waste. In short, he must do the little jobs about the place which a reasonable tenant would do. In short, he must of course, not damage the house, wilfully or negligently; and he must see that his family and guests do not damage it; if they do, he must repair it. But apart from such things, if the house falls into disrepair through fair wear and tear or lapse of time, or for any reason not caused by him, then the tenant is not liable to repair it…….Lord Denning*