

# **Brentwood Borough Council**

## **Damp, Condensation and Mould Policy**

**February 2022**

### **Introduction**

Condensation and mould in a property are generally caused by a fault with the building (i.e. the landlord's responsibility) or how the building is used by the occupier (i.e. the tenant's responsibility). This policy sets out broadly how the Council will address the issues of damp and condensation, and the resulting mould that occurs.

The Council will respond to these issues in accordance with the relevant policy and legislation. The Council will work with residents where mould is present and identify the solutions to this problem, some of which will be for the Council to take and some will be for residents to implement.

The Council will continue improving the condition of its homes, taking advantage of external funding to improve the Energy Performance Certificate (EPC) of a property and helping to reduce the associated heating costs. The Council will work with residents to implement the external grants awarded and the impact their implementation has on residents.

### **Aims of the policy**

The policy aims to assist in the delivery of a service that will be able to:

- Ensure we provide and maintain dry, healthy homes for our tenants.
- Focus on working in partnership with tenants ensuring that a safe and healthy internal environment is provided.
- Undertake effective investigations and implement all reasonable remedial repair solutions and improvements to eradicate damp.
- Ensure that tenants have access to and/or are provided with advice and guidance on managing and controlling condensation and mould.
- Ensure that the fabric of the Council's property is protected from deterioration and damage resulting from damp and condensation.
- To utilise the external funding available to support the investment in the Council's stock, improve the EPC ratings and reduce the heating costs for residents.

The Council will ensure that our teams and our contractor's operatives are able to:

- Spot signs of condensation, damp and mould and understand the causes and remedies of these.
- Carry out preventative maintenance to reduce the occurrence of damp and mould.
- Knowing our stock and the archetypes of properties that are likely to suffer from damp and mould (e.g. solid wall insulation) and the components in our properties which may cause damp.
- Making sure that appropriate budget levels are assigned to reducing the cause of damp and mould.

### **Scope of the policy**

The scope of this policy covers how the Council's housing team and tenants can work jointly to control, manage and eradicate damp. This includes:

- All housing properties that are tenanted and communal areas, it also includes emergency and temporary accommodation.
- Identifying the types of damp: rising, penetrating and condensation damp.

- Identifying the council's responsibilities for dealing with damp and condensation.
- Offering guidance, advice and assistance throughout the process to tenants living in council properties or council provided temporary and emergency accommodations.
- Identifying situations where the council will not be able to undertake works to rectify condensation damp.

## **Legislation**

The scope of this policy is covered by legislation including the following:

- Housing Act 1985.
- Homes (Fitness for Human habitation) Act 2018.
- Landlord and Tenant Act 1985 Section 11 - Repairs and Maintenance.
- Housing Act 2004 - Housing Health and Safety Rating.
- Decent Homes standards.

## **Types of damp**

The types of damp covered by the policy include: rising damp, penetrating damp and condensation damp.

### **a) Rising Damp**

This where there is a movement of moisture from the ground rising up through the structure of the building through capillary action.

### **b) Penetrating Damp (including internal leaks)**

This is where water penetrates the external structure of the building or internal leaks that cause damp, rot and damage to internal surfaces and structure. The cause of this may include:

- Water ingress due to defective or poor original design / workmanship of the structure.
- Defective components for example roof coverings, external wall doors and windows.
- Defective or blocked rainwater gutters and pipes.
- Defective or leaking internal waste pipes, hot and cold water and heating systems.
- Flooding due to burst pipes.

### **c) Condensation Damp**

Condensation occurs when moisture held in warm air comes into contact with a cold surface and then condenses producing water droplets. The building conditions and features that can increase the risk of condensation include:

- Inadequate ventilation, either not in place or not used e.g. natural opening windows, trickle vents and mechanical extraction in bathrooms and kitchens.
- Inadequate heating, e.g. undersized radiators.
- Inadequate thermal insulation, e.g. defective wall and loft insulation.
- Poor building design and construction – specific cold areas (bridging) which are integral with the building construction.
- Defective insulation – e.g. dislodged insulation in lofts.

The living conditions that can lead to condensation include:

- Lack of ventilation – not opening windows, blocking up vents, not turning on extractor fans, not allowing air to circulate around furniture.
- Lack of adequate heating – not heating the house which can be a result of fuel poverty.

- High humidity - not covering pans when cooking and drying laundry inside the house can contribute to this.
- Lack of space around possessions and storage, that prevents air flow through the property. .

### **The Council's Responsibilities**

The Council shall investigate to determine the cause of damp, mould and condensation and carry out remedial repairs and actions in accordance with the tenancy agreement, including.

- The Council will ensure that remedial work for the treatment of damp, mould or condensation on void properties are undertaken before being let to new tenants.
- Diagnose the cause of damp correctly and deliver effective solutions based on dealing with the cause of the damp not just the symptom.
- Promote and provide general advice and guidance on how to manage damp and condensation.
- The Council will ensure that the relevant staff are aware of and understand the delivery of the service that will meet the aims of this policy.
- The Council will ensure that competent contractors are employed to carry out any works associated with damp.
- The Council will inform the tenant of the findings of the investigations following the visit. This will include identifying the possible causes of damp, recommending effective solutions, all necessary remedial works and the estimated timescales to complete the works.
- When the Council is satisfied that in partnership with the tenant all reasonable efforts in managing condensation damp has been carried out and this has not been successful, the Council will visit the property and investigate the matter further.
- The Council is responsible for insulating Housing Revenue Account (HRA) properties in accordance with Decent Homes Standard to help reduce the likelihood of condensation occurring.
- The Council is responsible for maintaining a tenant's home to avoid penetrating and rising damp and for carrying out remedial action if these do occur.
- The Council will undertake reasonable improvement works required to assist in the management and control of condensation damp, e.g. the installation of mechanical extractor fans, air vents and repairing existing insulation.
- Remedial works will only be carried out where it is reasonable and practical to do so. The Council will have regard to the constraints of the existing building design and structure and will take a pragmatic approach in finding appropriate solutions. In some cases this may mean that the Council will need to sell or dispose of the property.
- The Council will make good internal surfaces following any remedial work carried out ensuring that surfaces are prepared to a condition ready for the tenant to redecorate.

The Council will not be able to control condensation damp where it is unreasonable or impractical to do so or if any remedial action would be ineffective for example:

- Poor construction or design (not meeting current construction and living standards) for example: Cold bridging areas in the fabric of the building that cannot be eliminated.
- Non habitable rooms, e.g. out –buildings and sheds that have been converted including linking buildings between the house and out building and other add-on structures.
- Unheated or uninsulated external toilets and store rooms.

The Council will respond to a report of damp and condensation and complete any remedial works/measures within a reasonable timescale. The timescale will depend on the severity and urgency of the problem and on the complexity of the solution and the remedial works required.

Under certain exceptional circumstances where the tenant is unable to carry out mould washes or redecoration the Council will provide support and assistance.

Where Internal conditions within a home (for example as a result of overcrowding and excessive hoarding of personal belongings) are having an effect on the health and wellbeing of the occupants or are preventing inspections or remedial works being carried out, the Council will provide support and assistance to review the tenant's options that may include moving to more appropriate alternative suitable accommodation. Effective remedial action will not be possible in these instances until the situation(s) has been resolved.

If it is unsafe for the occupants to remain in the property while the works are carried out, alternative accommodation arrangements will be made. This may be on a day by day basis or a temporary decant to an alternative property.

### **Tenant Responsibilities**

The tenant's responsibilities include:

- The tenant's responsibilities include reporting to the Council evidence of rising and penetrating damp, and faulty equipment that will hamper the management and control of damp and condensation (e.g. faulty extract fan, unable to open windows, lack of heating etc.).
- The tenant should regularly check for mould and clean signs of mould as soon as they are discovered.
- Allow access for inspections and for the carrying out of remedial works.

Tenants are asked to manage condensation damp by reducing the conditions that lead to condensation damp by:

- Keeping the presence of moisture to a minimum e.g. covering pans when cooking, drying laundry outside, keeping the kitchen or bathroom door closed when cooking or bathing.
- Adequately heating rooms and keeping humidity between 40-60%. The average recommended temperatures should be maintained at around 20°C, bedrooms around 16-19°C, corridors around 15-18°C
- Keep the house well ventilated e.g. opening windows when cooking / bathing, turning on and ensuring that the extractor fan is working if applicable, keeping trickle vents in windows open, and allowing air to circulate around furniture.
- If an inspection by the Council shows that all reasonable measures are in place for the tenant to adequately manage the condensation damp, further advice and support will be given to the tenant.

If the tenant fails to take the advice and reasonable steps to reduce damp the tenant may be recharged for any resulting repairs required which are considered to be result of this neglect.

Where remedial works and mould wash treatments have been undertaken by the Council, the tenant is responsible for redecoration and it is recommended that anti-fungal paint is used.

### **Leaseholders**

Leaseholders shall manage and maintain their properties including damp and condensation in accordance with their lease agreement. The Council do not carry out damp and condensation remedial works to leasehold properties unless covered by the lease.

Any neglect by the leaseholder to manage or carry out repairs for which they are responsible for and where this has a direct impact on the condition of a Council owned property will be dealt with in accordance with the lease.

### **Private Rented Sector**

Where the Council assists with placing an applicant into the private rented sector the Council will provide support and assistance that may involve carrying out a site inspection, identifying the cause of the damp and condensation and notifying the landlord of the findings. If the landlord does not respond in a satisfactory manner further support will be provided and legal advice will be sought.

### **Review**

The Policy will be reviewed every three years and also in response to legislative or regulatory changes.

