Item 7

17th November 2026

Glasgow City Council

Economy, Housing, Transport and Regeneration City Policy Committee

Report by George Gillespie, Executive Director of Neighbourhoods, Regeneration and Sustainability

Contact: Jennifer Sheddan

The Introduction of Awaab's Law

Purpose of Report:

To update Committee on the introduction of Awaab's Law.

Recommendations:

Committee is asked to:-

1. Note the contents of this report and note the new statutory timescales which have come into force on 6th October 2026 for social and private landlords to respond to damp and mould complaints, together with the ongoing work to raise awareness.

Ward No(s):	Citywide: ✓
Local member(s) advised: Yes ☐ No x	consulted: Yes ☐ No x

1. Introduction

1.1 The purpose of this paper is to highlight the impact that the new legislation on Awaab's Law which came into force in Scotland on 6th October 2026 under the Investigation and Commencement of Repair (Scotland) Regulations 2026 will have on both the social and private housing sectors.

1.2 A report on dampness, condensation and mould report was previously presented to the Economy, Housing, Transport and Regeneration Committee on 30th September 2025 Economy, Housing, Transport and Regeneration Committee in September 2025 highlighting a number of future actions many of which have been either incorporated or superseded by the new legislation following the introduction of Awaab's Law.

1.3 Procedures remain in place for relevant dampness and mould complaints received by the Council to be referred to Neighbourhoods, Regeneration and Sustainability (NRS) Environmental Health Public Health team for assessment and investigation. Joint working with NRS Housing Services teams continues on more serious or complex cases.

2. Requirements of the New Legislation

2.1 The regulations apply to damp and mould in both the social and private rented sectors and came into force on 6 October 2026. Cases reported before that date are not subject to the new statutory timescales.

2.2 The core of the 2026 Regulations is the "10-3-5" rule, which sets strict, legally binding deadlines for responding to reports of damp and mould.

- **10 Working Days to Investigate**: Once a tenant notifies a landlord of a damp or mould issue, the landlord has exactly 10 working days to carry out a formal investigation.
- **3 Working Days to Report**: Following the investigation, the landlord must provide the findings and any proposed actions to the tenant within 3 working days.
- **5 Working Days to Commence Repairs**: If the investigation identifies a hazard, repair works must commence within 5 working days

2.3 Once a landlord becomes aware of damp or mould, the report must be investigated by an appropriately skilled and experienced person within 10 working days. The investigation must consider whether the property is substantially free from damp and mould and, where it is not, whether repair work is necessary. A specialist inspection may be required depending on the circumstances.

2.4 The landlord must provide the tenant or representative with a written summary of the investigation findings within 3 working days of the investigation concluding.The written summary should identify who carried out the investigation, explain the process and findings, confirm whether the home is substantially free from damp and mould, record immediate

action taken and set out further work required. Where substantial damp or mould has not been identified, the landlord should confirm this and if work will instead be undertaken through normal repair arrangements.

2.5 Where substantial damp or mould is identified, the landlord must begin necessary repair work within 5 working days of the investigation concluding. The action to be taken should be set out in the written summary. Once repair work begins, a social landlord must complete the work within a maximum of 20 working days. **Private landlords are not subject to the same 20-working-day completion period but must complete the work as soon as reasonably practicable.**

2.6 A landlord also has an ongoing duty, so far as reasonably practicable, to ensure that the property continues to be substantially free from damp and mould. Further work may therefore be required after the initial repair. Where circumstances beyond a landlord's control prevent compliance with a timescale, the landlord must explain the reason in writing, provide a revised timescale and, where possible, take interim steps to minimise the damp or mould.

2.7 Landlords and tenants should seek to resolve any issues through the landlord's formal complaints process in the first instance. Although other organisations may provide advice or assistance, only the landlord is subject to the Awaab's Law timescales. If the parties cannot resolve the issue between themselves, escalation routes are available through the existing mechanisms in the Right to Repair Scheme for social tenants and Repairing Standard route for private tenants. NRS Housing Services and Environmental Health teams will continue to use separate statutory powers where defects causing dampness relate to common disrepair and the landlord is unable to secure the co-operation of the other owners.

2.8 Awaab's Law applies to Scottish Secure Tenancies, Short Scottish Secure Tenancies and most private tenancies, including Private Residential Tenancies. Similar protections apply to Gypsy/Traveller tenants on sites provided by a council or Registered Social Landlord through the Minimum Site Standards Guidance.

2.9 The regulations apply to all types of damp and mould, including rising damp, penetrating damp, condensation and traumatic damp arising from incidents such as damaged pipes or flooding. Separate guidance has been published for landlords and tenants to support understanding of their responsibilities under the new regulations.

2.10 Private tenants who believe their home fails the Repairing Standard (which incorporates Awaab's Law timeframes) can apply directly to the First-tier Tribunal for Scotland (Housing and Property Chamber).

3. Council's Response to the New Regulations

3.1 NRS Environmental Health will continue to record and investigate service requests concerning dampness, water ingress, condensation and mould. NRS Housing Services will be included in joint inspections in more serious and complex cases.

3.2 Table 1 below provides information on the number of service requests received by Environmental Health over the last five years. The number of service requests specifically highlighting condensation and mould are shown in column (ii) and those highlighting dampness and water ingress are shown in column (iv).

(i) Year	(ii) Number of Service Requests highlighting condensation or mould	(iii) Percentage of Condensation /mould service requests vs the total number of received	(iv) Number of Water/Rain/Dampness service requests received	(v) Percentage of Water/Rain/Dampness service requests vs the total number received	(vi) Total number of service requests received for all service types by Public Health	(vii)Number of Statutory Notices Served for Dampness related issues
2021	118	2.1%	1,065	19.3%	5,507	159
2022	111	1.8%	1,181	19.2%	6,133	166
2023	186	2.6%	1,436	20.0%	7,179	174
2024	282	3.9%	1,340	18.3%	7,306	169
2025	161	2.4%	1,130	17%	6,638	169

Table 1- The number of service requests received by Environmental Health over the last five years

3.3 In 2025, Public Health received 1,130 service requests relating to water, rain or dampness, representing 17% of all service requests received. This compares with 1,340 service requests, or 18.3%, in 2024. Although the proportion has fluctuated from year to year, the 2025 figure is the lowest recorded during the five-year period covered by the table.

3.4 The number of service requests specifically highlighting condensation or mould also decreased, from 282 in 2024 to 161 in 2025. These requests accounted for 2.4% of all Public Health service requests in 2025, compared with 3.9% in 2024.

3.5 While the number of water, rain and dampness service requests reduced during 2025, the number of statutory notices served in relation to dampness remained unchanged at 169. The Public Health team continues to provide a predominantly reactive service, and the number and nature of service requests, together with the formal action required, varies from year to year. Factors influencing these variations may include weather conditions, the circumstances and condition of individual properties, and the seriousness of the defects identified.

3.6 Officers consider that levels of reporting may also continue to be influenced by increased public awareness of the potential health and wellbeing effects associated with dampness, condensation and mould. Although many reports do not identify conditions requiring formal enforcement action, officers will provide advice or take appropriate action where necessary.

3.7 The Council's online **Guide to Dampness** and related advice continue to provide signposting for owners, landlords and tenants. In September 2026, 'Under One Roof' delivered a webinar at the Council's behest on the introduction of Awaab's Law. This was attended by around 200 private landlords.

3.8 Training and knowledge-sharing have continued through professional networks and sector webinars for Council officers.

3.9 Officers have continued to engage with Glasgow City Region partners through the Housing Retrofit Delivery Group and have contributed to the implementation of the Glasgow City Region Home Retrofit Strategy and Action Plan 2025-2028 and the development of a regional large-scale home energy efficiency retrofit programme. Recommendations within Glasgow's Housing Retrofit Position Statement are being progressed through ongoing housing and property condition initiatives including the promotion of low-risk, fabric-first energy efficiency measures, improving advice and support available to homeowners, and strengthening links between retrofit activity and efforts to address dampness, condensation and mould within the city's housing stock.

4. Registered Social Landlords (RSL) and Awaab's Law

4.1 As reported in 2025, Glasgow's Registered Social Landlords have policies or procedures in place for addressing dampness and mould within their housing stock.

4.2 Social landlords have been required to collect information for the Scottish Housing Regulator's (SHR) new damp and mould indicators within the Annual Return on the Charter from 1st April 2025. The date for submission using these new indicators was 31st May 2026.

4.3 The Scottish Housing Regulator published its first thematic review analysis on social landlords' damp and mould performance returns on 15th September 2026. The SHR report advised that social landlords across Scotland successfully resolved 40,140 cases of damp and/or mould during 2025/26, with 59% of all resolved cases attributed to condensation dampness.

4.4 The majority of interventions were successful, with no recurrence reported in 92% of resolved cases. Of the 8% that had to be reopened, condensation was again the root cause for 52% of them. Cases caused by condensation were the quickest to resolve, taking on average 24 days. Cases caused by structural issues took the longest to resolve,

taking on average 36 days. However, overall the average time taken by social landlords to resolve damp and/or mould cases was 17 days.

4.5 Some social landlords reported that the average time to resolve cases in multi-tenure tenements was increased due to the difficulty in reaching agreement with other owners. This can be particularly difficult for a social landlord where they are neither the majority owner nor the factor of the building. The capacity of and access to specialist contractors caused delays in resolving some cases while the impact of tenants not allowing access for surveys or remedial works was also a contributory factor.

4.6 SHR reported that Landlords will often monitor damp and mould cases for a period of time after completing the necessary repairs, to ensure that there is no recurrence. SHR advised that through their engagement with social landlords and landlord representative bodies,that due to the complexity of damp and mould management, many landlords are investing in housing management systems and software to help them monitor and report on cases.

4.7 As of 31st March 2026, the SHR reported that there were 7,169 open cases for damp and mould nationwide, representing just over 1% of total social housing stock in Scotland.

4.8 During 2025/26 RSLs upgraded their internal housing management systems and staff training protocols. This preparatory work was heavily accelerated to align with both the SHR's new indicator tracking and the incoming legal requirements under the Investigation and Commencement of Repair (Scotland) Regulations 2026.

4.9 Smart home technology is now being adopted by a number of Registered Social Landlords as part of their approach to managing damp and mould, and lessons learned from both sensor technology and other innovative approaches continue to be monitored. Glasgow's broader digital and data programmes continue to explore the use of AI-enabled sensors and data-sharing technologies across city services, which could provide future opportunities for housing-related applications.

5. Going Forward

5.1 Through the Council’s communications team information will be released via social media platforms targeted at landlords and tenants. This will explain how Awaab’s Law relates to existing housing standards and enforcement arrangements and will encourage tenants to report any damp/mould concerns to their landlords. We will also raise awareness with all council services that undertake house visits or deal with vulnerable tenants.

5.2 Council officers will continue to engage with landlords, offering advice and assistance to help resolve dampness and mould issues caused by adjoining properties where other co-owners do not co-operate.

Statutory action will be considered where appropriate and no suitable alternative options are available.

5.3 Housing retrofit measures will be closely monitored as improvements to building fabric, ventilation, heating performance and energy efficiency may help address conditions that contribute to dampness, condensation and mould. Future work will consider opportunities to align retrofit activity and repair and maintenance works with grant assistance and homeowner engagement initiatives in order to achieve wider health, housing quality and climate objectives.

5.4 The Scottish Housing Regulator plans to publish the outcomes from their review of the damp and mould indicators following RSLs first data submissions and will update the Technical Guidance as necessary.

5.5 Officers will also continue to monitor the volume and nature of damp, mould and condensation complaints we receive following the introduction of the regulations to see if this results in an increase in reported incidents and how this impacts on Council services.

6. Policy and Resource Implications

Resource Implications:

Financial:	None at present envisaged and any funding required will be met from existing budgets.
Legal:	None
Personnel:	Staff input will be met from existing resources. Enquiries will be monitored to determine if there are any indirect resource impacts following the introduction of the legislation.
Procurement:	Works and services would be met from existing frameworks.

Council Strategic Plan: The measures outlined in the report will contribute towards the following all 4 Grand Challenges:-

Grand Challenge 1 – Mission 3-Improve the health and wellbeing of our local communities.
Grand Challenge 2 – Mission 2 -Support the growth of an innovative, resilient & net zero carbon economy.
Grand Challenge 3 – Mission 2 – Become a net zero carbon city by 2030

	Grand Challenge 4 – Mission 1 – Create safe, clean and thriving neighbourhoods

Equality and Socio-Economic Impacts:

Does the proposal support the Council's Equality Outcomes 2025-29? Please specify.	Tackling damp and mould in homes aligns with strategic outcomes of Glasgow's Housing Strategy 2023 - 2028, which has been subject to an EQIA.
What are the potential equality impacts as a result of this report?	The Council's approach to improving the housing stock will improve living standards and bring associated benefits to many residents.
Please highlight if the policy/proposal will help address socio-economic disadvantage.	Yes. Council intervention where required will improve the standard of accommodation for residents in the city.

Climate Impacts:

Does the proposal support any Climate Plan actions? Please specify:	Encouraging retrofit of existing housing to higher EPC rating (Action No.39) Upgrade insulation and heating of all building stock in the city (Action 41)
What are the potential climate impacts as a result of this proposal?	Maintaining the current housing stock for longer is likely to lead to less need for demolition and newbuild over the medium to longer term.
Will the proposal contribute to Glasgow's net zero carbon target?	Yes. Improving the insulation and heating in existing housing stock will contribute to carbon savings.

Privacy and Data Protection Impacts:	This report has no impact upon privacy and data protection.

7. Recommendations

Committee is asked to:-

1. Note the contents of this report and note the new statutory timescales which have come into force on 6th October 2026 for social and private landlords to respond to damp and mould complaints, together with the ongoing work to raise awareness.