

CABINET (HOUSING) COMMITTEE

4 APRIL 2012

MEASURES TO ADDRESS CONDENSATION/MOULD IN COUNCIL PROPERTIES

REPORT OF HEAD OF LANDLORD SERVICES

Contact Officer: Richard Botham Tel No: 01962 848421

RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

During the winter months, Housing officers respond to several hundred requests for service in relation to damp and mould in properties. The majority of these relate to excessive condensation and moisture levels that result from tenant lifestyles. In such cases, the current approach is to provide advice on how best to minimise moisture levels. However, in many cases, tenants consider the Council's approach to be inadequate and this report considers whether this is an area which the Council should be investing more on in future years.

RECOMMENDATIONS:

- 1 That the Committee considers whether the current policy for responding to requests for service in relation to mould and condensation is appropriate.
- 2 That a further report on options for additional investment be brought back to the Committee in September 2012.

## CABINET (HOUSING) COMMITTEE

4 APRIL 2012

### MEASURES TO ADDRESS CONDENSATION/MOULD IN COUNCIL PROPERTIES

#### REPORT OF HEAD OF LANDLORD SERVICES

## 1 INTRODUCTION

- 1.1 In the winter months, incidents of excessive mould and condensation in Council properties increase significantly and surveyors can spend up to half of their working day responding to such cases, which amount to several hundred every year.
- 1.2 In the majority of cases, there are no physical defects with properties and the high moisture levels are a result of the tenant's lifestyle. A number of factors can contribute towards high moisture levels, including:
- a) Inadequate or excessive heating and significant variations in heating levels.
  - b) Inadequate ventilation.
  - c) Drying laundry in the property.
  - d) Excessive storage or too much furniture and equipment, preventing air circulation.
  - e) Orientation of properties.
- 1.3 In cases where moisture levels partly result from physical defects such as damp or leaks, surveyors arrange necessary repairs. However, for most cases, the Council's response is to provide an information leaflet, advice and guidance on lifestyle measures (including an independently produced DVD which sets out advice from a national building research organisation) and moisture meters to allow tenants to assess the impact of their actions. Tenants are advised to implement changes and monitor the impact and to come back to surveyors if problems persist.

## 2 Landlord Responsibilities

- 2.1 As a landlord, the Council has a duty to provide tenants with appropriate means of controlling condensation in their properties. This will include ensuring an adequate and appropriate source of heating and ventilation as well as ensuring a reasonable level of thermal efficiency. Failure to do so may result in claims for nuisance. Condensation arising from a lack of repair may result in a claim for

breach of the Council's repairing obligations. In recent years, no such claims have been successful. However, the Council has assisted tenants in some cases where works of a one-off nature, such as redecoration or cleaning has been completed to assist tenants in managing the problem.

- 2.2 In general, Council properties are well insulated. All have adequate heating systems and all have means of providing ventilation. Most properties are double glazed and in rooms where using windows to provide ventilation is difficult, a means of mechanical extraction is installed.
- 2.3 Whilst it is always possible to improve all of the above facilities (such as replacing old double glazed units for new windows with "trickle vents") or replacing night storage heaters with full central heating systems, or even installing full positive venting systems throughout properties, all such measures have not been considered affordable in previous years.
- 2.4 It is accepted that the Council has more resources from April 2012. However, a comprehensive programme has been determined which does not include specific measures to address condensation. The programme will help address the problem in some ways such as:
  - a) Increased provision for replacement heating systems, including Winnall flats, where a number of tenants struggle to minimise moisture levels in their properties.
  - b) Increased provision for replacements doors. New UPVC doors will certainly improve the thermal efficiency of properties which currently have older wooden doors.
  - c) Provision for Discretionary works – The internal decoration programme set out in report CAB2316 (HSG) elsewhere on this agenda will allow tenants to opt for measures to address condensation rather than decorations if they wish.
- 2.5 However, all of the above measures are unlikely to overcome the problems currently being experienced by many tenants.
- 2.6 In a number of cases, tenants think their only option is to move and frequently try to build a case for additional priority under Hampshire Home Choice to assist in moving. This will include gaining their GP's support highlighting how mould is damaging to health. Such attempts are almost always unsuccessful.

### 3 Recent Examples

- 3.1 It is accepted that in most cases, it is very difficult for tenants to take steps to reduce condensation. The cost of heating currently means that many struggle to heat their properties adequately. Young families

often live in relatively small properties with limited drying space and so drying laundry is really difficult. However, heating homes in short bursts is likely to increase problems rather than maintaining a lower level of constant heating.

- 3.2 Recent examples of incidents of excessive moisture levels have included:
- a) A family not prepared to stop drying washing inside, even on dry days despite having outside drying space.
  - b) One tenant in small warm flat with a very large fish tank.
  - c) One family not prepared to use their storage heaters were using a calor gas heater instead.
  - d) A tenant who maintained heating at maximum levels throughout the day.
  - e) A tenant who never opened kitchen windows and who had blocked up a mechanical vent in the kitchen.
  - f) A tenant in a small one person flat who had a king-size bed in a room only big enough for a single and too much furniture which prevented air circulation.
- 3.3 Recent press articles have highlighted problems at Winnall flats and unfortunately portrayed the problem as damp and physical defects that the Council was not addressing. Some of the flats do suffer real problems with excessive moisture levels. This is partly due to the orientation of the building. The current storage heaters are reaching the end of their useful life and proposals for their replacement will assist tenants in controlling moisture levels in the future. However, in all cases investigated this year, there were a number of options open to tenants to take action to reduce condensation.
- 4 The Private Sector
- 4.1 It is interesting to note that the Council's Private Sector Housing team also experience a significant increase in numbers of complaints regarding damp and mould in the winter months, many relating to Housing Association properties. Their experience is very similar and the majority of problems result from lifestyle rather than from property defects. The Team provides advice on adequate heating and ventilation but do not consider that the Council has any powers under environmental health legislation to take action against landlords, except in cases where internal facilities are in very poor condition.

## 5 Options for Action

- 5.1 In the majority of cases, it is likely that the tenant taking steps to mitigate the moisture levels in their property will always be the most effective means of reducing condensation.
- 5.2 Whilst physical works can assist in managing ventilation/air circulation, it could be argued that investing in such measures is unfair on those tenants who are successful at minimising moisture levels in their properties.
- 5.3 It is accepted that for most tenants, the physical restrictions of their properties can make it very difficult for them and the current heating costs also add real pressures to household budgets.
- 5.4 The current maintenance programme does seek to continually improve the thermal efficiency of properties in a number of ways and over time, and this will help reduce incidents of condensation.
- 5.5 Other options for addressing the issues could be:
- a) Further increasing provision for replacement windows and doors and heating systems
  - b) Making provision to fund the installation of modern mechanical venting solutions where appropriate
  - c) Funding the provision of de-humidifiers.
- 5.6 Whilst none of the above measures has been possible in recent years, such works could be funded within the current HRA business plan. Increasing provision by £2-300,000 annually would not address the problem totally but would no doubt have a real impact.
- 5.7 It is proposed that a report be brought back to the Committee in September as part of the business planning process for 2013 and beyond, considering and costing options in detail. This report can assess and include any further measures considered appropriate by the Committee arising from discussions in relation to this paper.

## OTHER CONSIDERATIONS:

### 6 SUSTAINABLE COMMUNITY STRATEGY AND CHANGE PLANS (RELEVANCE TO):

- 6.1 The issues set out in this report impact on both the Active Communities and High Quality Environment actions in the Council's Change Plan and any recommendations emerging from the options review later this year will need to take full account of the aspirations of the Plan.

7 RISK MANAGEMENT:

- 7.1 In extreme cases, where tenants can demonstrate that the condensation or mould results from Council having breached its legal obligations, works may have to be carried out and funded. The current approach of giving advice to tenants, and ensuring that properties are kept in good physical repair education will minimise the risk of any claims being successful.

8 RESOURCE IMPLICATIONS:

- 8.1 Proposals in this paper have no immediate resource implications at this stage. The outcome of the proposed options review will need to be considered as part of the 2013 business planning process.

9 TACT COMMENT

- 9.1 TACT is aware of this issue and has discussed it at previous meetings. The opportunity to contribute to the review would be welcomed.