Awaab's Law: Guidance for tenants in Scotland

September 2026

Scottish Government
Riaghaltas na h-Alba

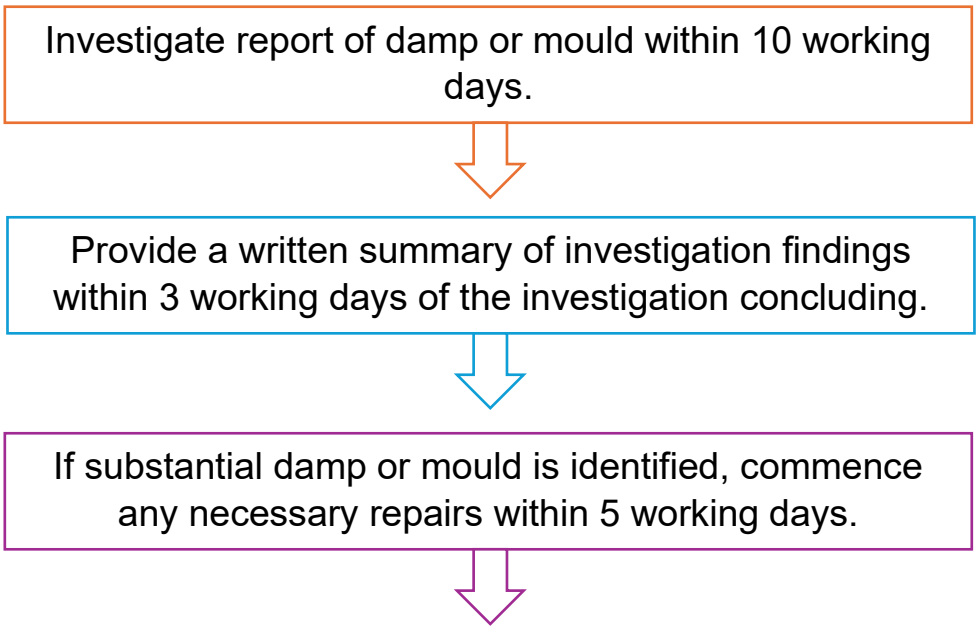
Overview

This guidance will come into effect on 6 October 2026. Any cases reported before 6 October are not subject to Awaab's Law timeframes.

Everyone deserves the right to live in a warm, safe and secure home, free from disrepair.

The Scottish Government has introduced new duties on landlords to tackle damp and mould. This is often referred to as "Awaab's law" – named in memory of two-year-old Awaab Ishak who died from a serious lung condition caused by mould in his home in England.

Under these duties, landlords must investigate reports of damp or mould and begin any necessary repairs within set timescales.



This guidance aims to help you understand your rights and responsibilities.

Awaab's Law applies if you have a 'Scottish Secure Tenancy', 'Short Scottish Secure Tenancy,' or most private tenancies – the most common being a 'Private Residential Tenancy'. If you are unsure of your tenancy type or whether Awaab's Law applies, you should contact your landlord in the first instance. A tenancy checker is also available on Shelter Scotland's website: Check what type of tenancy you have - Shelter Scotland

If you are a Gypsy/Traveller tenant on a site provided by a Registered Social Landlord (RSL) or council, similar protections apply. This is set out in Annex C of the Minimum Site Standards Guidance.

Regardless of tenure, your landlord has a duty to ensure that you live in a safe and secure home.

Step 1: Spotting damp or mould in your home

Damp and mould can have a significant impact on your health and wellbeing and can damage your home and personal belongings. This may include breathing difficulties, skin irritation or rashes, and increased stress or anxiety.

> The longer damp and mould is left untreated, the greater the risk becomes. That is why it is important that you contact your landlord as soon as you spot an issue. Your landlord cannot evict you for reporting repair issues.

Remember, whilst not within the scope of Awaab's Law timescales, you should still report other repairs to your landlord. This will be outlined in your tenancy agreement.

The signs and causes of damp

Damp in a property is a result of excess moisture. This can cause a fungus known collectively as mould, to grow. Mould often looks like black, green, or brown patches on walls, ceilings, or around windows. Awaab's Law applies to all types of damp and mould.

There are different types of damp which have different causes.

Rising damp

Rising damp is typically the result of a structural issue and is normally your landlord's responsibility to resolve. It only affects the ground floor of your home and will not normally rise higher than around 1.2 meters above ground level.

If your home if affected by rising damp, you may notice:

- Rot on your skirting boards.
- Damp carpets.
- Flaking or bubbling on plaster, paintwork or wallpaper near the ground
- Crumbling bricks or stonework on the outside of the building, near the ground.

A general example has been provided below. This is purely for illustrative purposes. Not all cases of rising damp will resemble the image below, nor do all of the same signs need to be present. Furthermore, not all signs need to be visible. For example, dampness often causes a 'musty' smell.



This image has been generated using AI tools and is a representation of generic, potential indicators of rising damp/mould in a domestic setting.

Penetrating damp

Penetrating damp is moisture which enters a property from outside because of a defect in part of its structure. Like rising damp, it is usually your landlord's responsibility to fix. Penetrating damp can be caused by defects in the roof, walls, gutters and more. It can therefore be more difficult to identify.

If your home if affected by penetrating damp, you may notice:

- Discoloured patches on your walls or ceilings.
- Loose or bubbling wallpaper, flaking paintwork, or soft plaster.
- Plants growing from the gutters
- Rot near your roof space
- Mould on your walls or carpets.

A general example has been provided below. This is purely for illustrative purposes. Not all cases of rising damp will resemble the image below, nor do all of the same signs need to be present. Furthermore, not all signs need to be visible. For example, dampness often causes a 'musty' smell.



This image has been generated using AI tools and is a representation of generic, potential indicators of penetrating damp/mould in a domestic setting.

Condensation

Condensation is caused by warm moist air coming into contact with a colder surface. The colder surface causes the amount of moisture the air can hold to be reduced, and as a result the moisture "condenses" out onto the wall. This process forms pure water which allows mould to grow. This can be caused by a combination of factors, like poor heating or ventilation. Whilst some condensation can be normal, it should not be excessive, persistent, or widespread.

There are steps you can take to help reduce condensation in your home; however, your landlord should not blame you for everyday tasks like cooking, bathing, washing and drying.

If your home if affected by penetrating damp, you may notice:

- Water droplets on the windows, walls or ceilings
- Damp / wet walls or carpets
- Mould growth

A general example has been provided below. This is purely for illustrative purposes. Not all cases of condensation will resemble the image below, nor do all the same signs need to be present. Furthermore, not all signs need to be visible. For example, dampness often causes a ‘musty’ smell.



This image has been generated using AI tools and is a representation of generic, potential indicators of condensation/mould in a domestic setting.

Traumatic damp

Traumatic damp is caused by sudden and severe events like overflowing sinks or damaged pipes. Depending on the cause of the issue, your landlord may be responsible for fixing the issue.



This image has been generated using AI tools and is a representation of generic damp/mould in a domestic setting that could be caused by a burst pipe or leak.

Step 2: Reporting damp or mould

You should report damp and mould to your landlord as soon as you notice it. You should do this via your landlord's usual process for raising repair issues. For example, you should avoid using social media to report an issue unless your landlord has confirmed that it as a suitable method for reporting problems.

Whilst you may reach out to other bodies for support, only your landlord will be subject to the Awaab's Law timescales.

Your landlord may ask you for further information to help them understand the nature of the problem and find a suitable person to investigate the issue. They might ask you about:

- the size, spread and location of the damp or mould.
- who lives in the home.
- any information that might mean people are at greater risk – for example your age and any health conditions which can make damp and mould more serious.

It's important to be ready with as much information as you can. However, you do not need disclose any personal information that you are not comfortable with sharing. Landlords should not ask proof of a health condition, unless you wish to share this.

Investigation process and timescales

Landlords must take action once they find out about damp or mould. This could be when:

- You or someone on your behalf reports a problem.
- A third-party, such as a contractor, raises a concern.
- The landlord notices an issue during a routine visit to your home.

Once your landlord is aware of the issue, they have 10 working days to investigate. As the investigation must be undertaken by someone with appropriate skills and experience, this could include housing maintenance staff or in some instances your landlord may ask a contractor to visit.

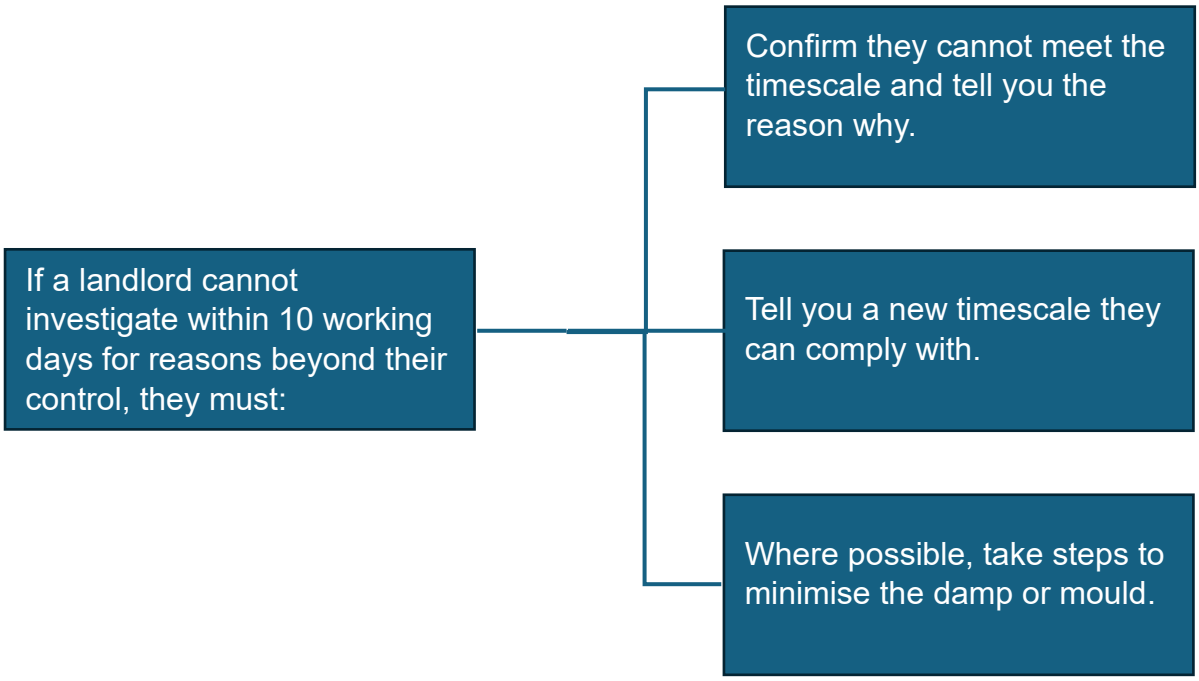
Your landlord will need access to your home to investigate and carry out repairs to make your home safe. As set out in your tenancy agreement, you should allow your landlord access to carry out repairs.

Your landlord should work with you to agree an appropriate time to visit and provide adequate notice. In some cases, a virtual investigation may be deemed appropriate, for example a video call. You should speak with your landlord if you have any questions or concerns with an in person or virtual investigation.

If you don't allow access and your landlord has tried to contact you and meet your needs, they are unlikely to be held responsible for delays.

In some cases, understanding the cause of damp or mould and what repairs are needed can be difficult. It may require a more complex or specialist inspection. This might not always be possible in 10 working days, particularly if a specialist is needed.

If your landlord cannot investigate the issue within 10 working days because of reasons beyond their control, they must write to you to explain why they can't meet the timescale and provide a revised timescale. They should also take steps where they can, to minimise the damp or mould in the meantime. This could be a temporary repair or taking steps to monitor the situation.



Written summary

Once the investigation has been completed, your landlord must send you a summary of the investigation findings within three working days. The three-day timescale relates to when the summary is sent, not when you receive it.

You should tell your landlord how you would like to receive the written summary and let them know if you have any accessibility needs, such as large print or a different language. Email is usually the fastest way for landlords to send the summary.

The written summary must include:

- The name of the persons or organisations who conducted the investigation.
- A summary of the investigation process and findings, with explicit confirmation as to whether the house in substantially free from damp and mould.
- Details of any action taken during the visit, if appropriate.
- If substantial damp or mould is identified, confirmation of the actions required and a target timeframe for beginning the work.
- If substantial damp or mould is not identified, an explanation of what was found and, if appropriate, whether any repair will be conducted through your landlord’s own repair policy, procedures or service standards instead (where they exist).

Step 3: Understanding what happens next

Once your landlord has sent you the written summary, they must start repair work to make your home safe within five working days after the investigation has been completed. The action they will take will be outlined in the written summary.

If you rent from a council or housing association, your landlord must complete this repair work within 20 working days. Private landlords do not have the same timescale as they often rely on contractors, but they must complete the repair work as soon as they can.

Your landlord also has a duty to ensure that your home continues to be substantially free from damp and mould. This means they may have to do further repairs. This must be completed as soon as possible. This may include sending you some advice, for example advice on ventilation strategies.

If you disagree with an outcome

If you disagree with your landlord's findings, you should contact them and explain why you disagree. Your landlord will consider any new information provided and whether a new investigation is required. If a new investigation is required, the timescales under Awaab's Law will begin again.

If the issue is out with scope of Awaab's Law or if there is no further action that a landlord can reasonably take, they should tell you this. It is the responsibility of your landlord to keep a clear record of their assessment and decision making.

If your landlord fails to comply

If your landlord doesn't comply with Awaab's Law, even after you have raised a formal complaint, there are a number of steps you can take.

If you rent from a housing association or local authority:

- you may be entitled to compensation under the Right to Repair Scheme (up to a maximum of £100.)
- you can also complain to the Scottish Public Sector Ombudsman (SPSO) who will then decide whether to investigate further. You can write to the SPSO at Freepost SPSO (this is all that is needed and there is no need for a stamp). The SPSO can also be contacted via their website www.spso.org.uk or by telephone on 0800 377 7330.

If you rent from a private landlord:

- you have the right to refer the matter to the First-Tier Tribunal for Scotland (Housing and Property Chamber) for a determination. They can order your landlord to carry out the necessary repairs. More information is available on their website: Repairs | Housing and Property Chamber
- in some instances, you may wish to contact your local authority's private renting or environmental health team.

There are several organisations who can also provide you general advice on housing repairs and issues. For example:

- Shelter Scotland – You can contact Shelter via telephone at 0808 800 4444 or find out more information online Repairs in your home - Shelter Scotland.
- Citizens Advice Scotland (CAS) - You can contact CAS via telephone at 0800 028 1456 or find your nearest Citizens Advice Bureau online at Free, impartial and confidential advice for everyone | Citizens Advice Scotland.
- Independent Advocacy can help people understand their rights and express their views. Further information is available online: Home - Scottish Independent Advocacy Alliance.

However, only your landlord is responsible for complying with Awaab's Law and the associated timescales.

If the issue re-occurs

Your landlord will try to tackle the root cause of the issue as part of the repair work; however, damp and mould can be complex.

If you notice an issue re-appearing, contact your landlord as soon as you can. A new investigation will likely be required.

Steps you can take to reduce moisture

Whilst some condensation is normal, there are steps you can take to reduce condensation and help prevent damp and mould in your home.

Increasing ventilation

If possible, you should try to:

- Ensure your air and window vents aren't covered.
- Open windows and use extractor fans if you have them, particularly when bathing or cooking. It can be particularly helpful to leave them on for about 15 minutes after.
- Leave space between furniture and the walls so air can circulate.

Reducing excess moisture

If possible, you should try to:

- Cover pots and pans with lids when cooking.
- Dry clothes outside when the weather is warm. If you need to dry your clothes indoors, avoid drying them on a radiator. Try using a drying rack near a slightly open window.
- Wipe down walls, windows and mirrors with a cloth or towel after showering.

Maintaining a reasonable temperature

If possible, you should try to:

- Maintain a consistent temperature where you can. Where the heating is off or at low temperatures in the colder months, this can cause condensation.
- Draught-proof windows and doors.

If you are struggling to with energy costs, support is available. This includes payments, benefits and practical advice on saving energy and making your home warmer. You can find more information at: Energy bills - Cost of Living Support Scotland

If you are a Gypsy/Traveller tenant on a site provided by a Registered Social Landlord (RSL) or council

Your landlord must meet similar standards. This is outlined in Annex C of the Minimum Site Standards Guidance.

If damp or mould is affecting your accommodation, you should follow the same steps to report an issue outlined above.

Your site provider should:

- ✓ investigate the issue within ten working days,
- ✓ issue you a written summary of the investigation findings within three working days,
- ✓ start any necessary repair work within five working days.

If you disagree with your site providers findings, you should contact them and explain why you disagree.

If your site fails to meet these standards, you should raise a formal complaint. If you remain dissatisfied with the outcome of any formal complaint process, you can raise a complaint with the Scottish Public Services Ombudsman (SPSO). You can also report a Significant Performance Failure to the Scottish Housing Regulator (SHR). A Significant Performance Failure would be something that a site provider does, or fails to do, that puts the interests of its tenants or service users at risk and will affect many, or all, of the site provider's tenants or service users. You can find further information in the Minimum Site Standards Guidance.



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