



The Landlord's Guide to  
**Damp & Mould Under the  
Renters' Rights Act 2025**



# Why This Guide Matters

The Renters' Rights Act came into force on 1 May 2026. It is the most significant change to private renting in England in a generation, and damp and mould sits right at the heart of it.

With fixed-term tenancies abolished, tenants can now leave on two months' notice at any time. A property with unresolved damp or mould is no longer just a maintenance problem, it is a void risk. Combined with stronger enforcement powers, higher civil penalties, and wider Rent Repayment Orders, the cost of getting it wrong has increased significantly.

This guide explains what has changed, what it means for you, and what practical steps you can take to protect yourself and your properties.

## **Key fact**

Under the Renters' Rights Act, Rent Repayment Orders have been extended and the maximum repayment has doubled. Tenants can now claim back up to 24 months of rent from landlords who fail to meet their obligations.



# What Has Changed Under the Renter's Rights Act?

The Act introduces a wide range of reforms, but the following are most relevant to damp and mould:

## Evidence Is Everything

Under the new regime, a poorly handled damp complaint can escalate quickly. Landlords who can demonstrate they investigated promptly, identified the root cause, and carried out appropriate remediation are in a far stronger position than those who cannot. Documentation is your best protection.

## Tenants Can Leave More Easily

Fixed-term tenancies have been abolished. All tenancies are now periodic, and tenants can give two months' notice at any time. If a tenant is living with damp or mould and feels their complaint has not been resolved, they are no longer locked into a fixed term. They can simply leave.

## Stronger Enforcement and Higher Penalties

Local authorities now have stronger investigatory powers and higher penalties for breaches. Landlords who repeatedly fail to meet obligations face escalating fines and even criminal prosecution. Rent Repayment Orders now cover more offences, with the maximum amount doubling to 24mths' rent.

# The Risk of Getting It Wrong

Many landlords underestimate how quickly a damp or mould complaint can escalate.

Under the new regime, the consequences of a poorly handled complaint are more serious than ever:

- **A tenant raises a damp complaint. You don't respond within the required timeframe.**
- **The tenant contacts the local authority or the new PRS Ombudsman.**
- **An inspection is carried out. The property is found to have damp issues linked to a building defect.**
- **The council issues an improvement notice. You face a civil penalty.**
- **The tenant applies for a Rent Repayment Order and is awarded up to 24 months of rent back.**

This is not a hypothetical. Landlords across the UK are facing exactly this situation. The difference between those who manage it well and those who don't often comes down to one thing: evidence.

# Understanding Damp & Mould: The Basics

Not all damp is the same. Misidentifying the cause is one of the most common mistakes landlords make.

There are three main types:

## Condensation

Caused when warm, moist air meets cold surfaces. Often associated with poor ventilation, inadequate heating, or lifestyle factors (cooking, drying clothes indoors). Building fabric issues (e.g. poor insulation, cold bridges) can also contribute.

## Penetrating Damp

Caused by water entering through the building fabric - defective roofing, failed pointing, blocked gutters, or damaged render. Often visible as damp patches or tide marks on walls and ceilings, especially after rain.

## Rising Damp

Water rising from the ground through porous masonry. Frequently misdiagnosed. A genuine rising damp issue requires professional investigation and usually involves a failed or absent damp-proof course.

# What Good Evidence Looks Like

In a world where complaints can escalate to the ombudsman or the courts, evidence is your most important asset. Here is what good evidence looks like:

## → Survey Reports

A professional damp and mould survey provides a written, dated record of conditions at a property. It identifies the likely cause, documents findings with photographs, and recommends appropriate remediation. This is the foundation of a defensible position if a complaint escalates.

## → Maintenance Records

A complete log of when complaints were received, what action was taken, and when works were completed. This demonstrates responsiveness and compliance with your legal obligations.

## → Written Communications

Keep records of all correspondence with tenants about damp and mould, including emails, text messages, and letters. If a complaint escalates, this trail demonstrates how you have responded.

## → Environmental Monitoring Data

Smart sensors that continuously track temperature and humidity provide time-stamped, objective data on conditions inside a property. Environmental monitoring is particularly powerful in dispute situations because it removes subjectivity. Instead of your word against the tenant's, you have data.

# Your Damp & Mould Compliance Checklist

Use this checklist to assess your current compliance position. If you are unable to tick every item, you may be at risk under the Renters' Rights Act.

## → Policy & Process

- I have a written damp and mould policy for my properties
- My policy includes defined response timeframes for complaints
- I have a clear process for investigating and documenting damp complaints

## → Property Condition

- My properties meet the Decent Homes Standard
- I have addressed any known damp or mould issues
- I have up-to-date inspection records for my properties
- Ventilation is adequate in bathrooms, kitchens, and habitable rooms
- There are no outstanding maintenance issues that could contribute to damp

## → Evidence & Documentation

- I have professional survey reports for any properties with damp complaints
- I keep records of all damp-related maintenance requests and actions
- I have records of all communications with tenants about damp and mould
- I can demonstrate the root cause of any damp issue with objective evidence

## → Response & Remediation

- Damp complaints acknowledged in writing promptly
- Investigations followed up with appropriate remediation works
- Tenants kept informed in writing throughout the process
- Properties revisited after remediation to confirm resolution

### Tip

A professional survey report is not just a diagnostic tool. It is a legal document. Commissioning one at the outset of a damp complaint demonstrates that you have taken the matter seriously and sought expert advice. This carries significant weight with ombudsman investigators and councils.

# What to Do When a Complaint is Raised

Speed and documentation are everything. Here is a simple process to follow:

## → Step 1: Acknowledge promptly

Respond to the complaint in writing within 24 hours, even if just to confirm you have received it and will be in touch. This creates a documented start point.

## → Step 3: Document everything

Keep copies of all written communications and dates: the complaint, your response, the survey, the findings, and the remediation plan.

## → Step 5: Follow up

Confirm the issue has been resolved after works have been completed. Consider installing environmental monitoring sensors to provide ongoing assurance.

## → Step 2: Arrange an investigation

Do not rely on a visual inspection alone. Commission a professional damp and mould survey to identify the root cause. This protects you if the complaint escalates.

## → Step 4: Carry out remediation

Act on the survey recommendations. Use qualified contractors, keep records of works carried out, and obtain completion certificates or invoices as evidence.

## → Step 6: Communicate with tenant

Keep the tenant informed throughout. Clear, written communication demonstrates good faith and reduces the risk of escalation to the ombudsman.

# How PM+ Can Help

PM+ provides professional surveying and project management services to landlords and housing providers across the UK. Our services are designed to help you manage damp and mould proactively, building the evidence trail you need to protect yourself under the Renters' Rights Act.



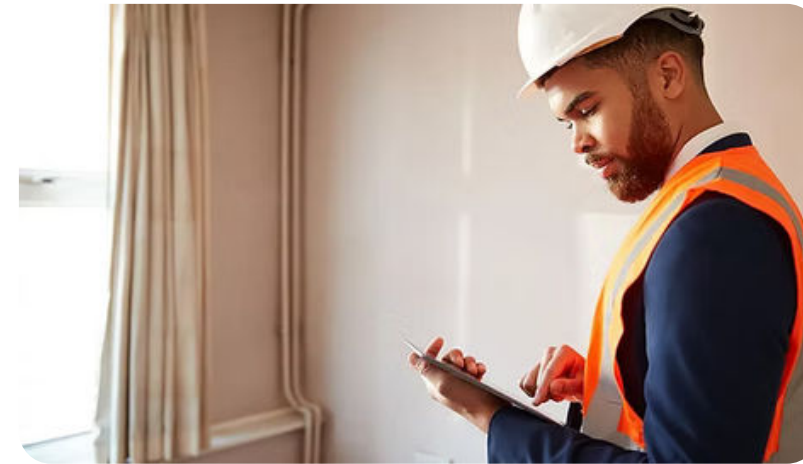
## Damp & Mould Surveys

Identify the root cause of damp & mould, document findings with photographs, and provide clear recommendations for remediation. Reports are written to a standard suitable for use in ombudsman investigations and legal proceedings.



## 4D Environmental Monitoring

Install smart sensors in your properties to continuously track temperature and humidity. Receive real-time data and alerts, giving you objective evidence of conditions over time and early warning of developing issues.



## Housing Disrepair Surveys

Where disrepair complaints have been raised, our survey reports provide the documented evidence you need to understand the condition of your property and respond to tenant complaints effectively.



## Project Management

Where remediation works are required, our project management service coordinates the delivery of works, monitors progress, and ensures outcomes align with agreed scopes and timeframes.

→ [Get Your FREE Quote Today](#)

