

PE2143/E: Introduce legislation to require all landlords to tackle damp and mould to specified standards

Petitioner written submission, 28 November 2025

The Scottish Government responded to my petition stating that they would implement Awaab's Law on damp and mould by early 2026. Normally this petition would be closed down at this point following the above but I contend that this Petition should be kept open for several reasons.

The proposed Awaab's Law on damp and mould for Scotland is firstly wholly inadequate as it stands, in that there is a gaping loophole in the new law, which would allow homes to be only substantially free from rising and penetrating damp. This is a get out clause for bad landlords and it would allow some rising and penetrative damp to remain in those affected homes without resolution.

Secondly, bad landlords will only do the minimum required, meaning they will only do a basic paint job on the mould in a home knowing that mould will re-emerge months later.

This is completely unacceptable. The new Awaab's Law only mentions timescales for doing an investigation and for carrying out the work with no specific defined high standards for remediating damp and mould.

I mention in my petition that all work dealing with damp and mould has to be carried out by trained personnel working to defined high standards. That would mean putting together a detailed statutory framework through a Scottish Awaab's Law that would outline not only timescales but the defined high standards of work required to be done to properly remediate damp and mould in all social and private rented homes in Scotland.

A proper process would involve all social and private landlords within a statutory framework being required to train all their own staff in identification of damp and mould and for all contractors to be trained and certificated in remediating damp and mould to defined high standards.

All private and social landlords should be required to hold accurate and up to date property condition information based on comprehensive stock condition surveys and inspections to void homes.

All private and social landlords must investigate and remediate damp and mould through doing a thorough walkthrough inspection of external and internal parts of a home where precise measurements are taken and then to take a systematic approach to addressing the root causes of the problem ensuring long term resolution and prevention.

It is absolutely crucial irrespective of cost that remediation is about the removal of all mould from a home creating a healthy living environment. All such remediation work must be done to specified high standards as zero tolerance has to be at the heart of a proper Scottish Awaab's Law.

Where a dispute exists between the landlord and the tenant on damp and mould a publicly funded independent expert surveyor should survey the property to resolve matters.

Lastly, a Scottish Awaab's Law will only work if it is properly enforced and that should be done through a beefed up Scottish Housing Regulator, with more regulatory powers and more resources to properly take on bad private and social landlords, looking after the real interests of all tenants and not pandering to the interests of landlords.

In this way we can tackle damp and mould properly in Scotland facing up to the imminent public health crisis that it constitutes. Therefore because of all of the above I would ask the Committee to keep my petition open and bring the Cabinet Secretary for Housing Mairi McAllan in front of this committee to question her more closely on my concerns regarding the proposed Scottish Awaab's Law on damp and mould.