



Glasgow and West of Scotland
Forum of Housing Associations

Awaab's Law in Scotland: an early opportunity to influence how it operates

GWSF note for members, September 2025

1 Introduction and background

GWSF has been asked by the Scottish Government for our preliminary views on proposals in the current Housing Bill to introduce what has become known as Awaab's Law in Scotland, which relates to how landlords deal with reports of damp and mould and a range of other potential hazards.

The SG is using the [UK Government's draft guidance for English social landlords](#), which will be finalised in October, as its starting point in looking at what will go into Scottish guidance. The English guidance will apply initially to cases of damp and mould, and will then go on to cover a wider list of hazards at a later date.

So whilst the new provisions in Scotland too will eventually apply more widely, when commenting on potential Scottish guidance we think it's helpful for us to have damp and mould cases most in our minds. These are probably among the more complex cases as, in our view, they can be about physical property issues and/or tenant behaviours (and potentially the interplay between the two factors), and this can make strict timescales and requirements for remedial action more tricky to get right.

2 Summary of the key timescales being adopted in England

To summarise some key aspects, the regulations mean that social landlords in England will be required to:

- investigate any potential emergency hazards and, if the investigation confirms emergency hazards, undertake relevant safety work as soon as reasonably practicable, both **within 24 hours** of becoming aware of them
- investigate any potential significant hazards **within 10 working days** of becoming aware of them
- produce a written summary of investigation findings and provide this to the named tenant **within 3 working days** of the conclusion of the investigation

- undertake relevant safety work **within 5 working days** of the investigation concluding, if the investigation identifies a significant hazard
- begin, or take steps to begin, any further required works **within 5 working days** of the investigation concluding, if the investigation identifies a significant or emergency hazard. If steps cannot be taken to begin work **in 5 working days** this must be done as soon as possible, and work must be physically started **within 12 weeks**
- satisfactorily complete works within a 'reasonable time period'
- secure the provision of suitable alternative accommodation for the household, at the social landlord's expense, if relevant safety work cannot be completed within specified timeframes

3 The SG's issues for consideration for Scottish social landlords

The Scottish Government has set out some questions to ascertain initial views on what the requirements should be in Scotland and how the guidance is framed:

- The UK Government has listed required timescales for landlords investigating and commencing repairs in England, informed by consultation. What is the impact of introducing the same timescales in Scotland? What are the exceptions that need to be considered?
- What learning can we take from the good work already being done in the sector to tackle damp and mould and addressing emergency repairs?
- What could be an appropriate and proportionate approach if landlords fail to remedy hazards after their tenants have made them aware?
- Is the UK Govt's definition of 'significant' and 'emergency' hazards suitable?
- How should damp and mould hazards be defined, balancing the need for clarity whilst ensuring a person-centric approach?

4 Initial GWSF observations

It may be the case that the suggested timescales don't in themselves present a big problem and may well reflect what is already being achieved by our member associations, especially in cases where – whatever the reasons for the problem occurring – there is an identifiable technical problem which needs remedied.

Initially GWSF sees some challenges as including the following:

- The need to allow for problems gaining access for initial inspections and then any required works (this implies a clear need for good record-keeping in terms of efforts to contact tenants to arrange access)
- The potential for disputes over when and whether work has been ‘completed’, especially in cases where tenant behaviour may be contributing to a recurrence of the problem
- Is the guidance’s distinction between ‘emergency’ and ‘significant’ hazards clear enough? Do members have suggestions for improving the distinction?
- Will it usually require a home visit to establish whether the problem is an emergency, or significant, or neither, or can this sometimes be diagnosed by telephone/email etc.? We suspect members will err on the side of caution here, with a home visit being the default position in most cases, but this may depend on how sophisticated a landlord believes its ‘triage’ process is
- The SG is not wedded to following the UK Government’s guidance – are there any climate or other issues which justify a different approach here?
- The English guidance is exclusively aimed at social landlords. The SG says it wants to see the same standards applied to both social and private landlords. Our initial view on this is that realistically, the likelihood of widespread compliance with the proposed standards across the private rented sector is not high, and the means by which private tenants can safely challenge non-compliance are significantly fewer and inferior to the routes normally available to tenants in the social sector
- The English guidance seems to suggest that all reports of damp and mould should be treated as building-related issues, and warns against making assumptions about ‘lifestyles’. It says that *‘everyday tasks such as cooking, bathing, washing and drying laundry will contribute to the production of indoor moisture and are unlikely to constitute a breach of contract on the tenant’s part’*. But the guidance – deliberately in our view – overlooks the notion that in some cases, these everyday tasks, when combined with other tenant behaviours (e.g. around ventilation) may cause or exacerbate damp and mould and may do so on a recurring basis. We will ask the Scottish Government to try to find a way of recognising this in their guidance, whilst still emphasising that making assumptions without thorough investigations of the property isn’t acceptable and is likely to constitute a breach of the law.