



## Damp and disrepair

### How this guide helps

This guide provides you with information on what your rights as a tenant are regarding repairs in the house. It also gives you practical tips on how to address the disrepair problems with your landlord.

### Understand your rights to repairs

To understand your legal rights as a tenant regarding disrepair, you need to know what kind of agreement you have with your landlord. Do you have an Assured Shorthold Tenancy or are you a lodger (with a Licence)? If you are not sure, use the helpful Tenancy Checker tool [here](#).

Under the Assured Shorthold Tenancy your landlord has a legal responsibility to:

- Ensure all gas appliances are serviced and checked every 12 months by a Gas Safe registered engineer (you have the right to see a copy of the gas service record).
- Ensure national standards safety standards are met for electrical installations and that appliances are checked by someone suitably qualified every 5 years.
- Maintain the structure and exterior of the house, including rooves, guttering, windows, drains and garden walls
- Repairs to common areas including entrance halls and stairways
- Repair appliances included as part of the rental agreement
- Repair sinks, WC, hot water, electrical installations and appliances and central heating and gas appliances

Note: If you have a Licence (ie: you live with your landlord), your landlord is still responsible for making sure your home is in a proper condition.

### What are my responsibilities for repairs?

Although the landlord must address the issues listed above, you are responsible for behaving in a 'tenant like manner'. What this means is that you need to keep the home reasonably clean, carry out minor maintenance like changing batteries in smoke detectors, or changing a light bulb. You usually also need to keep the garden and outside areas (including around the bins), in an acceptable state.



## How do I know if my property is safe?

You may find the following guide on ['How to Rent a Safe Home'](#) useful in assessing your property. It gives you tips on what to look out for and what the acceptable standards are.

## How to report disrepair to the landlord?

Write a letter to your landlord to report problems. It is important that you report any repairs needed immediately, as the owner cannot be held responsible if they are unaware of the problem. Always report disrepair in writing, as a record of your report may be needed in the future if repairs are not carried out.

A **letter should include** the following basics:

- The date sent
- The details of the landlord
- A brief description of the disrepair
- A reasonable timescale for the completion of the work
- A contact for you so that the landlord/agency can arrange access to complete the repairs

An **example letter** for reporting disrepair can be found [here](#).

## What to do if the landlord does not respond to requests for repairs?

Contact Environmental Health for serious disrepair, or if you struggle to get your landlord to help out and your property disrepair is causing you serious problems. You can report it to Southampton City Council. More details can be found [here](#). The Council will respond to your report in 5 working days and will advise you of what steps they can take. In some cases, they may arrange an inspection to assess the issues.

## Can I ask for compensation for disrepair?

You can ask the landlord for a reduction in rent if the property was in very poor condition. If you suffered financial loss or your belongings were destroyed because of the bad conditions. If the landlord refuses, you may need to consider legal action. It is always good to start with a factual letter and requesting compensation from the landlord in writing, before starting legal action. For more information see this useful Shelter guide [here](#).

## How to deal with damp and condensation?



## Support Advice Centre

Responsibility for damp can be a complex issue. For example, disrepair or structural issues require action on the part of your landlord/letting agent. Condensation on the other hand may be a normal process occurring in the house where warm moist air comes into contact with cooler air, or a cold surface.

Often the steps for preventing condensation are simple:

- Close the bathroom door, open a window and use an extractor fan
- Cover boiling pans, open a window and use an extractor fan when cooking
- Dry clothes outside or in a room with an open window. Avoid drying clothes on radiators
- Keep your heating on a low temperature for a few hours a day
- Move large items away from walls to improve air circulation

If you have been following the above tips and the situation does not improve, you should write to the landlord reporting the issues (see section **How to report disrepair to the landlord?** above).

### Further guidance

For further help on housing disrepair, contact The Advice Centre. · 02380 592 085 · [advice@susu.org](mailto:advice@susu.org).

### Disclaimer/Date Published/Date for Review

Disclaimer: While care has been taken to ensure that information contained in The Advice Centre publications is true and correct at the time of writing, changes in circumstances after the time of publication may impact on the accuracy of this information. The Advice Centre and SUSU cannot accept responsibility for any actions taken as a result of advice given in this publication. Date: 09/20 Review 08/21