

Ref AWAAB IMP Jeff Charlton March 2025

Implementing Awaabs Law & minimising liability for Landlords

Executive Summary

Introduction

This initiative is designed to equip landlords' senior management with the information, tools, and actionable answers necessary to respond directly to the legal and ethical responsibilities brought about by Awaab's Law.

Awaab's Law seeks to safeguard tenants in rented properties. Historically, tenant health and housing safety were governed by inconsistent goodwill, mismanaged response systems, and limited legal enforcement. Prior reliance on the Housing Health & Safety Rating System (HHSRS) has been flawed—offering little scientific validity, especially regarding mould and biological risks. Notably, **Appendix D of the Operational Guidance excluded biological pollutants** entirely.

Tenants faced with mould-related illness or building-related health concerns have received minimal support. Awaab's Law is a step forward—but if implementation remains within the HHSRS framework, it risks repeating past failures.

Current Failures & Health Risks

- **No proven mould-killing product** exists despite marketing claims. Most products lack real-world efficacy.
- Mould-related health issues are **poorly understood**—even within the NHS. The WHO has labelled mould exposure the “*Great Masquerade of the 21st Century.*”
- Tenant illnesses are frequently dismissed or misunderstood—even by family members. However, WHO estimates **20% of the global population is susceptible** to mould-related illness.
- Recognising health risks, exposure routes, and vulnerability is essential for effective landlord response.

The Need for a New Approach

Building Forensics proposes a new, structured approach to mould management and tenant safety, supported by over 35 years of experience in remediation, investigation, and litigation support.

Training Programme Overview

1. Tenant Triage & Risk Response

- Prioritising cases based on health status and urgency

2. Management Systems

- 2.1 Remote monitoring of environmental conditions with real-time stakeholder alerts
- 2.2 Dewpoint and mould risk tracking with automated notifications
- 2.3 Application of rapid defence films to key risk areas
- 2.4 Substrate preparation to reduce condensation risk
- 2.5 Environmental condition assessments and substrate review

3. Mould Illness Overview

- Global understanding and emerging science
- 3.1 Symptoms, causation, diagnosis, and evidence-based protocols

4. Understanding Tenant Perspectives

- 4.1 Online groups can spread both helpful and harmful advice
- 4.2 Training for management to address misinformation and communicate with authority

5. Audit of Current Practices

- 5.1 Contractor knowledge and capability
- 5.2 Existing mould remediation protocols
- 5.3 Chemical use assessment
- 5.4 Improvement recommendations

6. Target & Goal Setting

- Metrics for properties, tenants, contractors, supervisors, and management

7. KPI Development

- 7.1 Legal compliance indicators
- 7.2 Confidentiality and data protection
- 7.3 Medical and health privacy considerations

8. Management Training

- 8.1 Risk and hazard assessments
- 8.2 Cost-benefit analysis
- 8.3 Strategic implementation

9. Contractor & Tenant Monitoring

10. Compliance Verification

- 10.1 Systems for monitoring and verifying contractor work

11. Sampling & Clearance Verification

Failure to verify results limits evidence of response

- Identifying reliable DIY and lab-based verification options for pre- and post-remediation
- Training in appropriate selection and use

12. Tenant Self-Diagnosis

This is likely to be a major issue in terms of tenants' concerns and liability

- 12.1 Private tests (£80–£500) and alternative healthcare diagnostics may form part of tenant claims
- Awareness of these channels is vital for effective triage and response

Liability Management

- 13.1 Awaab's Law creates **clearer routes for legal action** by tenants under CFA ("no win, no fee") models
- 13.2 Landlords previously shielded by vague legislation will face stricter scrutiny under new frameworks
- 13.3 Building Forensics has over two decades of experience supporting legal defence and expert witness services
- 13.4 Proactive management can reduce future liability through documented, verifiable systems

Conclusion

Led by Jeff Charlton, Building Forensics has been at the forefront of mould and building-related illness management for more than 30 years. Our training and consultancy offer real-world, scientifically grounded solutions to help landlords meet the demands of Awaab's Law.

Failure to act now will likely lead to an increase in tenant health claims and associated liability. The current contractor network is ill-equipped, often operating on flawed assumptions and minimal training.

We welcome the opportunity to discuss how Building Forensics can support your organisation in implementing a robust, compliant response.

About the Author

Jeff Charlton is the UK's leading expert on mould, building-related illness, and risk management.

- Founding Chairman, British Damage Management Association
 - Qualified Member, Chartered Institute of Environmental Health
 - Contributor, *Surviving Mold Consensus Statement*
 - Lifetime Achievement Award Winner (2013)
 - Disaster Recovery Winner – 20th and 21st Centuries (industry vote)
 - Protocol author for US Army Corps of Engineers (Gulf War)
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