



# DAMP AND MOULD POLICY

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## 1.0 Scope

The policy applies to all Council housing properties, both General Needs and Independent Living. The policy does not include temporary accommodation, as this is occupied under licence.

Reports received about properties not owned by the Council will be investigated by the Council's Private Sector Housing team.

This policy does not cover cladding work. This is because remediating unsafe cladding is usually a longer-term project, and not an emergency repair. Instead, the Council has legal duties to assess and manage fire safety risks at their buildings under the Regulatory Reform (Fire Safety Order) 2005.

This Policy is an overview and is to be read in conjunction with the Reports of Damp & Mould (D&M) procedure, which sets out the legal mandatory response timescales for completion of works and roles and responsibilities.

## 2.0 Purpose

The policy reflects the changes to legislation aligned to Awaab's Law, meaning the Council will address all emergency hazards and all D&M hazards that present a significant risk of harm to tenants within fixed timeframes (as documented in this policy).

## 3.0 Aims and Objectives

The Policy will:

- Ensure that reports of D&M are responded to promptly, and that the Council works pro-actively to identify issues
- Provide a safe and healthy home for our tenants and residents Ensure that the Council protects our assets from deterioration and damage resulting from D&M
- Comply with all relevant guidance, statutory requirements and good practice

## 4.0 Regulatory Code and Legal Framework

The policy is aligned with the regulatory framework of the Regulator of Social Housing.

The recommendations from the Housing Ombudsman report 'Spotlight on D&M, It's not lifestyle' have also been considered.

Relevant legislation has been considered:

- Landlord and Tenant Act 1985
- Housing Health and Safety Rating System within the Housing Act 2004

- Decent Homes Guidance, particularly Section 5
- The Social Housing (Regulation) Act 2023 (Awaab's Law)
- The Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025

## 5. Principles to tackling D&M

### 5.1. Adhering to timeframes (refer to section 6 for specific detail):

The Council is committed to ensuring full compliance with the timescales and obligations under Awaab's Law, which form part of the Social Housing (Regulation) Act 2023 and subsequent legislation. This includes:

- investigating any potential emergency hazards or significant hazards within the advised timeframes.
- undertaking relevant safety work, supplementary preventative work and/or further work within the advised timeframes.
- satisfactorily complete all works within a reasonable time period.
- securing the provision of suitable alternative accommodation for the household if relevant safety work cannot be completed within specified timeframes.
- keeping the named tenant updated throughout the process (including the provision of written summaries) and providing information on how to keep safe, within the advised timeframes.
- Please note:
  - An initial assessment will be completed as soon as the potential hazard has been reported
  - Any emergency work is to be completed within 24 hours of the potential hazard being reported
  - Any significant work will be completed within 5 working days of the investigation being completed
  - Any further supplementary works that are required will be completed within 12 weeks of the investigation being completed

### 5.2. Proactive and Responsive Approach

D&M will be managed as a separate function overseen by the Repairs and Compliance Manager, and supported by the Senior Inspector. These roles will be responsible for ensuring the approach within this policy is adhered to.

The Council will take a dual approach to tackling D&M;

- **Proactive Prevention:** Identifying and addressing the root causes of D&M before they result in harm.
- **Responsive Action:** Providing clear, timely and effective resolution when a potential hazard is reported or becomes aware of a potential D&M hazard

### 5.3. Partnership Working and Collaboration

Although led by repairs, it is recognised that addressing D&M is not solely the responsibility of any one team or organisation. The Council will:

- **Work collaboratively across internal departments and contractors**, including responsive repairs, tenancy management and asset management, to ensure consistent and joined-up service delivery.
- **Continue to engage with local health professionals**, on individual cases that require collaborative intervention
- **Consult with other Local Authorities and Registered Providers** to compare performance, share good practice and remain responsive to new guidance and innovation.
- **Adopt a whole-household approach**, considering the needs of children, older residents, and those with disabilities or long-term health conditions.

### 5.4. Data-Driven decision making

Our focus on prevention will ensure we continue towards long-term, sustainable solutions that reduce risk and improve living conditions.

A wide range of data will be utilised to understand where D&M issues are most likely to occur. This includes (but is not limited to):

- Repairs history and disrepair claims
- Stock condition data
- Property archetypes and build types
- Socio-economic and vulnerability data linked to households
- Environmental risk indicators (e.g. ventilation, insulation performance)
- Customer complaints, surveys and feedback mechanisms

This data will be actively monitored to identify trends, high-risk property types, and emerging hotspots. It is envisaged that this data will be utilised to develop and implement targeted interventions to prevent D&M occurrence. This includes (but is not limited to):

- targeted inspections
- cyclical investment programmes
- enhanced ventilation installation projects
- targeted tenant education (n.b. support and advice will also be offered where behavioural changes can assist in managing condensation risks, but never as a substitute for remedies).

### 5.5. Proactive Inspections

Proactive inspections will be carried out to spot issues early before being raised by the tenant. This will be completed in the following ways:

- Through our stock condition survey programme, with a focus on environmental hazards and internal damp indicators.
- As follow-up to routine visits by repairs operatives, housing officers and tenancy support teams.

- In response to data triggers, such as repeat repair requests, complaints or vulnerability flags.

Information from these inspections will be fed back into the data to support trend analysis.

## **5.6. Monitoring and Reporting**

Robust reporting mechanisms monitor how D&M is managed. These include:

- Key performance indicators (KPIs) on response times, resolution rates, and tenant satisfaction.
- Regular reporting to senior management and elected members (via Housing Improvement Board and Portfolio Holder meetings)
- Oversight by resident panels and scrutiny groups to ensure transparency and accountability.

## **5.7. Design, Maintenance and Planned Investment**

D&M prevention is to be embedded within the design, maintenance, and capital investment of our housing stock. This will include:

- Ensuring all new-build schemes comply with high standards of thermal efficiency, ventilation, and moisture control, aligned with our Design Guide.
- Incorporating D&M prevention within planned programmes, including kitchen and bathroom renewals, window and door replacements, insulation upgrades, and ventilation improvements. This includes the completion of damp surveys (where required) when programmes are being implemented
- Considering adopting whole-property solutions where persistent or systemic issues are identified, rather than isolated repairs.
- Ensuring any planned investment work does not have a detrimental impact on preventing D&M

## **5.8. Tenant Feedback and Engagement**

Our residents are critical partners in improving how D&M is tackled. We will:

- Work with the Tenant Influence Panel to review policy and service delivery.
- Collect post-repair feedback on D&M cases to evaluate effectiveness.
- Analyse complaints and disrepair claims to learn from service failure.
- Provide clear, accessible information on how to report D&M and what to expect.

We will be transparent with residents about the actions we are taking.



## 6. Responsive measures

While prevention is key, we recognise that the Council must be responsive when a potential hazard is reported (e.g. by a resident via phone, email and/or using an online form) or becomes aware of a potential hazard (e.g. by an inspection).

### 6.1. Hazard categorisation

- When a potential hazard has been reported (e.g. by a resident or inspection), an initial triage assessment will be completed to decide whether the issue is potentially an 'emergency', 'significant' or 'out of scope' (refer to appendix 1 for definition).
- This initial assessment will be completed by the technical administrator and will be a desktop exercise.
- Data and information will be utilised (for example, vulnerability of household members / any previous reports of D&M) to complete the initial assessment.
- **This initial assessment will be completed as soon as the potential hazard has been reported (day 0, which is the day on which we first receive a report of a potential D&M hazard and marks the start of all statutory timeframes)**

#### 6.1.1. Potential emergency

- If the initial assessment suggests that the hazard could be an emergency ) the Senior will immediately investigate the issue further.
- This further investigation may include (but is not inclusive of);
  - Communicating with the tenant
  - Reviewing further evidence – such as photographs, historical data and complaints
  - Instructing a qualified specialist to complete an assessment
- This further investigation will determine whether the hazard is an emergency or not.
- **This further investigation will be completed as soon as the potential hazard has been reported (day 0)**
- N.b. initial assessments and/or further investigations could be completed remotely (if relevant data is available). However, a physical visit must be scheduled if the tenant requests one.

#### 6.1.2. Actual emergency

- If the further investigation declares that the hazard is actually an emergency, then the Senior Inspector will work with the technical administrator to arrange for the completion of all relevant safety works (refer to appendix 1) and make the property safe.
- **This is to be completed within 24 hours of the potential hazard being reported (day 1)**
- if the property cannot be made safe within 24 hours, the Senior Inspector will offer suitable alternative accommodation until the required safety works are completed (refer to section 7.3)

- the Senior Inspector will also provide a written summary of the investigation and its findings **within 3 working days of the conclusion that the hazard is an emergency (if required)**
- N.b. if the above investigation confirms that it is not an emergency hazard but rather a significant hazard, the Senior Inspector will follow the process in section 6.1.4

### **6.1.3. Potential significant hazard**

- If the initial assessment states that the hazard could be a 'significant issue', the Senior Inspector will instigate a further investigation, which is to be **completed within 10 working days of the potential hazard being reported.**
- This investigation may include (but is not inclusive);
  - Communicating with the tenant
  - Reviewing further evidence – such as photographs such as photographs, historical data and complaints
  - Instructing a qualified specialist to complete an assessment

### **6.1.4. Actual significant hazard**

- If the further investigation confirms a significant hazard, the Senior Inspector will;
  - provide a written summary of the investigation and its findings to the resident **within 3 working days of the investigation conclusion**
  - complete relevant safety works and take steps to begin any further supplementary works (refer to appendix 1) to prevent the hazard from reoccurring.
  - **This will be completed within 5 working days of concluding the investigation**
  - where further supplementary works are required, but it is not possible to begin them within 5 working days, the landlord must start these as soon as reasonably practicable **and within 12 weeks of the investigating concluding**
- N.b. if the above investigation confirms an emergency hazard the Senior Inspector will follow the process in section 6.1.2

### **6.1.5. Out of scope**

There may be occurrences where an investigation identifies a significant or emergency hazard but there is no required work under Awaab's Law or the hazard is not in scope of Awaab's Law. For example, the hazard is due to a deficiency in neighbouring land for which the landlord is not responsible. In these cases the Council is not required under Awaab's Law to temporarily or permanently rehouse the tenants. However, the Council may have other legal and regulatory obligations in these circumstances, outside of Awaab's Law.

## **6.2. Post-Work Inspection**

A follow-up inspection will be conducted to confirm that the issue has been fully resolved and that no secondary issues (e.g. staining, redecorating) remain unaddressed. These post-work inspections will be carried at an appropriate stage to ensure the remedial work has had time to resolve the issue. Residents will be asked to provide feedback on the outcome, which will be monitored to identify recurring issues or service failings.

## **6.3. Access**

The Council will seek to obtain access to the property to investigate and/or complete relevant safety works as quickly as possible. Records of access attempts will be kept. The Senior Inspector will work with the tenant to arrange a suitable time to visit the property, offering a range of timeslots and considering the tenants' needs (e.g. their working pattern).

If there are challenges with gaining access, staff and/or contractors will leave the tenant a notice stating that an attempt was made and providing contact details to arrange an alternative slot.

If a tenant is unwilling or unable to provide access, legislation states that the Council should not be found in breach for missing the timeframes (especially with evidence that all reasonable steps to comply have been implemented).

Tenants are expected to actively engage with the Council to arrange a convenient appointment, and the Senior Inspector will ensure clear communication that any delays in gaining access may lead to delays in completing the necessary work.

## **6.4. Out of Hours**

If a report of D&M is received via the Council's out-of-hours (OOH) service and the issue is assessed as a potential emergency, the on-call team will follow the OOH emergency protocols to make the property safe. The case will be passed to the relevant team the next working day for further investigation and follow-up action.

## **6.5. Continuity of service**

To ensure continuity of service, especially in response to emergency or significant D&M cases, the Council will maintain trained staff coverage across all key roles. Colleagues will be cross-trained to manage DMC cases so that service delivery is not compromised by staff absence, annual leave, or unexpected resourcing pressures. This includes the ability to triage cases, communicate effectively with residents, and coordinate emergency responses in line with legal duties.

## **6.6. Reasonable Endeavours**

The Council will endeavour to ensure full compliance with relevant legislation. However, there may be occasions where there is a failure to comply with Awaab's Law requirements even if all reasonable steps have been taken, but it has not been

possible for reasons genuinely beyond the Council's control. Examples (from the legislative guidance) include;

- Being unable to source specialist contractors or materials within the required timeframes, but has made reasonable efforts to do so.
- Not gaining building control approval from the Building Safety Regulator in time.
- not be able to gain access to the property to complete relevant safety works.
- Not be able to secure suitable alternative accommodation in time.
- Damage being the result of breach of contract by the tenant.

## **7. Tenant support**

### **7.1. Tenants with additional support needs**

Awaab's Law uses a person-centred approach; therefore, an assessment is to be made which considers the tenant's circumstances when assessing the risks presented by a hazard. The most at risk tenants are the very young, elderly and those with certain health conditions. Those with medical vulnerabilities such as asthma and allergies and those undergoing some medical treatments require urgent attention. Cases of D&M in properties where someone is at higher risk will be prioritised. Medical evidence should not be mandatory but may be considered if provided.

The Council will be supportive and responsive to the needs of our tenants, including adapting our approach when required to ensure that the issue is fully resolved.

### **7.2. Damp and Mould Caused by a Neighbouring Leaseholder**

If D&M in a Council property is caused by a neighbouring leaseholder (e.g., leaks, structural defects, or poor maintenance), the Council will:

- Investigate immediately and confirm the source of the problem.
- Require the leaseholder to take remedial action under the terms of their lease.
- Take enforcement action if necessary to protect the tenant and ensure compliance.

The Council will keep the affected tenant updated and take all reasonable steps to meet its duties under Awaab's Law, even where resolution depends on leaseholder action.

The Council will take legal action if necessary to obtain access to the property to confirm the source of the problem and ensure that the necessary works are undertaken.

In cases of financial hardship the Council will undertake the work and agree a payment plan with the leaseholder, to resolve the matter as quickly as possible.

### **7.3. Information and support for tenants**

In line with the Regulator of Social Housing's Tenant Satisfaction Measures (TSMs) and the person-centred duties set out in Awaab's Law, the Council is committed to supporting tenants to reduce the risk of damp and mould through practical advice and early intervention. Many D&M issues have contributory factors linked to how the home is used, often shaped by affordability, vulnerability, and awareness.

The Council will take a proactive approach to education and support, including:

- Energy efficiency advice – Helping residents manage their homes safely and efficiently, including ventilation, heating use, and understanding energy bills and tariffs.
- Support with bills – Assisting with water and energy debt, and helping tenants access discounts, relief schemes or financial assistance.
- Targeted home visits – Using vulnerability data to offer tailored advice and small efficiency measures (e.g. LED lighting, draught-proofing) where risk factors are present. When overcrowding is identified as a contributing factor, our tenants will be supported to make an application and register their interest for a mutual exchange.
- Health and wellbeing support – Recognising that cold or damp homes can seriously impact physical and mental health, especially for vulnerable residents, and working with partners where additional support is needed.
- Signposting to wider services – Where issues such as social isolation, mental health or cost of living pressures are contributing to risk, officers will offer relevant referrals.

By embedding this support into our wider D&M approach, the Council will reduce recurrence, improve outcomes for tenants, and meet its legal obligations under Awaab's Law, while also contributing to stronger TSM results relating to tenant satisfaction and safe, well-managed homes.

#### **7.4. Offer of temporary accommodation**

In some circumstances it may be necessary for the tenant to move out of their home whilst works are completed. This will only be in extreme cases, for example when safety works cannot be completed within the specified timescales. Wherever possible the tenant will be offered a decant to another property. In these circumstances the Decant Policy will be followed.

If a suitable decant is not available, or if the tenant needs to move out of the property quicker than a decant will be ready then other temporary accommodation will be offered. This may be in Council owned accommodation, bed and breakfast or a hotel.

#### **7.5. Complaints and compensation**

If the tenant wishes to make a complaint about how the Council has managed their D&M repair, or request compensation from the Council in regards to the D&M in their home then a formal stage one complaint will need to be raised. This is to ensure that all complaints and compensation payments are recorded and so that the Council can ensure that trends are identified and learning points are shared. The Senior Inspector will offer to raise a complaint on behalf of the tenant if they wish to complain.

## **8. Procedures, Training and Accountability**

### **8.1. Training**

The Senior Inspector will be responsible for ensuring all relevant staff are trained to mitigate D&M issues. For example, all staff within the contact centre, inspectors, and operational teams—will receive regular training on:

- Awaab's Law requirements
- Recognising and responding to signs of D&M
- Communicating effectively with residents in distress effectively and sensitively

This will initially be a Broxtowe Learning Zone on-line course, which will give colleagues an understanding of the fundamentals of D&M identification and treatment. More enhanced training will be provided for colleagues managing specific cases. Training will also be provided to visiting officers to help them identify D&M.

### **8.2. Quality assurance**

The Housing Repairs and Compliance Manager is responsible for monitoring the work of colleagues and contractors involved in resolving D&M cases and checking that inspections and follow up work are completed. This will be achieved using management reports and dip sampling on a monthly basis.

### **8.3. Innovation**

The Council is committed to exploring and adopting innovative approaches to tackle D&M more effectively. In line with our proactive and prevention-led approach, we will continue to assess and trial new technologies and techniques that support early identification and resolution of issues. This may include environmental sensors to monitor humidity and temperature trends, data analytics to predict risk areas across the housing stock, and specialist treatments or materials that prevent moisture build-up in hard-to-treat properties.

We will work in partnership with residents, industry experts and peer organisations to understand emerging best practice, and we will remain open to piloting solutions where there is evidence they can improve resident outcomes and prevent harm. Innovation will not be pursued for its own sake, but where it can demonstrably support our legal duties, improve health and safety, and reduce long-term costs by addressing root causes early.

## **9. Related Policies, Procedures and Guidelines**

This policy should be read in conjunction with the:

- Repairs Policy
- Reports of D&M procedure
- Person-Centred Housing Policy
- Financial Inclusion Policy
- Allocations Policy
- Tenancy Management Policy
- Decant Policy
- Compensation Policy
- Referral to Financial Inclusion procedure
- Referral for overcrowding procedure

## **10. Review**

The Council will monitor any proposed changes to legislation and prepare to adapt. For example, it is proposed that, in 2026 the regulations will be extended to include additional hazards and in 2027, regulations will extend to all remaining HHSRS hazards (apart from overcrowding).

the policy will be reviewed every 3 years if there are no changes to current legislation.

## 11. Appendix 1: Definitions

The Council adopts the following definitions, aligned with the Housing Health and Safety Rating System (HHSRS) and the statutory guidance under Awaab's Law:

### Emergency Hazard

An emergency hazard is a Category 1 hazard that poses an immediate and serious risk to the health, safety, or security of the occupants or the property. It requires urgent action to investigate and make safe within 24 hours of the issue being reported. Examples include:

- Severe and extensive mould in a sleeping area, particularly where a vulnerable resident (e.g. child or elderly person) is present.
- Damp-related structural failure, such as ceiling collapse or plaster falling off.
- Persistent black mould affecting multiple rooms or key living areas.
- Electrical hazards resulting from water ingress or damp.
- Leaks or floods causing active damp and further deterioration.

### Significant Hazard

A significant hazard may not be immediately dangerous but is a serious concern that;

- meets the criteria for a Category 1 hazard under HHSRS, but without immediate threat.
- Or presents an increased risk to health due to the vulnerability of occupants.
- Or is a persistent Category 2 hazard that has worsened or recurred.

Examples include:

- Damp and mould confined to one area but not improving despite prior works.
- Condensation-related mould in kitchens or bathrooms with poor ventilation.
- Surface mould in a child's bedroom, even if limited, due to health vulnerability.
- Rising damp or moisture ingress that is not yet severe but is worsening.

### Relevant safety work

This is any required work to make a property safe from a damp and mould hazard, excluding cladding work. It encompasses any action necessary to remove an emergency or significant hazard, regardless of whether further preventative or remedial work is needed. Examples include:

- Emergency;
  - Cleaning and removing mould in sleeping areas or communal spaces posing an immediate health risk.

- Dehumidifying areas with active water leaks or flooding causing rapid mould growth.
- Undertaking temporary roof, gutter, or pipe repairs to prevent further moisture entry.
- Isolating or repairing electrical systems damaged by damp to prevent shock or fire risks.
- Securing unstable, damp-affected surfaces, such as collapsing plaster or walls.
- Significant Hazards
  - Treating moderate mould infestations, including deep cleaning, mould remover use, and surface drying.
  - Repairing ventilation systems (e.g. restoring extractor fans or vents).
  - Fixing isolated leaks (e.g. tap or pipe patches) to prevent continued moisture ingress.
  - Minor structural repairs, like replacing small sections of damp-rot-affected timber.
  - Enhancing insulation or draught-proofing to reduce condensation hotspots.

### **Further supplementary works**

These are follow-on actions designed to prevent the recurrence of a damp and mould hazard, beyond the immediate safety works. Examples include;

- Repairing building fabric: Replacement of damaged plaster, boards, or skirting caused by damp.
- Improving insulation: Installing or upgrading insulation in walls, ceilings, or lofts to reduce condensation.
- Upgrading ventilation: Installing extractor fans, trickle vents, or airbricks to improve airflow.
- Fixing structural defects: Permanent repair of leaks, roof tiles, flashing, or guttering contributing to recurring moisture ingress.
- Permanent plumbing repairs: Replacing poorly performing pipes or taps that have caused damp issues.

### **Rising Damp**

This is the movement of moisture from the ground rising through the structure of the building. This is caused by building defects, such as a breakdown of a damp proof course, which allows moisture to enter the property. This can be identified by wet patches on walls; flaking or bubbling plaster and rotting skirting boards. If a damp proof course has broken down, there may also be a tide mark line around the perimeter of the room.

### **Penetrating Damp / water ingress**

Penetrating damp is water that gets into the building from outside due to defects in the walls, roofs, windows or floors.

## **Traumatic Damp**

Traumatic damp can be caused by leaking water from waste and heating pipes, overflowing baths or sinks, burst pipes or defective water storage vessels inside the building. Traumatic damp can also originate from outside the property, for example from another building or from environmental flooding.

## **Condensation**

Condensation occurs when moisture held in warm air comes into contact with a cold surface and then condenses producing water droplets. The conditions that can increase the risk of condensation include:

- Inadequate heating, including undersized radiators and tenant not using the heating
- Inadequate ventilation, including lack of vents and mechanical extraction and these not being used correctly
- Inadequate insulation, including missing or defective cavity wall insulation or loft insulation
- High humidity, including not covering pans when cooking or drying laundry inside
- Overcrowding, which increases moisture levels

## **Mould**

Mould is a natural organic compound that develops in damp conditions. Mould will only grow on damp surfaces. It is often present in situation where there is condensation. If moisture accumulates, mould growth will often occur on indoor surfaces.

In order to reproduce, mould produces tiny particles called spores. Spores are carried in the air and may cause health problems if inhaled by people who are sensitive or allergic to them. It is important to note that most people will not experience any health problems from coming into contact with mould. However, mould exposure can cause a runny or blocked nose and irritation of the eyes and skin.