

Analysis of Impediments to Fair Housing Choice City of Cheyenne, Wyoming



Housing & Community Development Office

Draft February 24, 2020

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Executive Summary

This report is the 2020 update to the City of Cheyenne's Analysis of Impediments to Fair Housing Choice (AI) report and was prepared as a requirement of the U. S. Department of Housing and Urban Development (HUD). It was prepared by the Cheyenne Housing & Community Development Office following HUD's format as recommended in the Fair Housing Planning Guide, Volume 1.

The Analysis of Impediments is a thorough examination of a variety of sources related to fair housing and the protected classes of housing consumers. It involves primary research, which is the collection and analysis of raw data, and secondary research, which entails the review of existing data, studies, reports and publications. This data includes Census information, labor force data, personal income, poverty estimates, rental prices, vacancy rates, building permits, and a variety of other data depicting the current socio-economic context. Additionally, a series of telephone interviews were conducted with city staff and representatives of many of the participating agencies, organizations, and businesses. Impediments to fair housing choice are any actions, omissions, or decisions:

- Taken because of race, color, religion, sex (gender), disability, familial status, or national origin which restrict housing choices or the availability of housing choices; or
- Which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex (gender), disability, familial status, or national origin.

It is important to note that some of the information collected for this study and used to identify impediments was based on individual perceptions, as well as anecdotal information, which are not measurable or documentable. Also, some of the impediments identified are very broad topics, which may be difficult to change or impact at the local level.

The general public was involved in the preparation and review of this report through interviews that were conducted, as well as through the review of the draft report. The draft of this report was posted on the City of Cheyenne's website for a thirty-day comment period and will be presented to the Cheyenne City Council on March 23, 2020. Comments received during the public review will be summarized in Section 6.

2010 Impediments

The impediments to fair housing choice that were identified in 2010 are listed below. These items function as barriers or impediments to an individual or family's choices in finding housing. Recommended actions for each impediment was suggested as ways to minimize these impediments and are detailed in Section 7 of this report. The impediments are listed below, with

no particular order or priority. These impediments are common to most communities and are not unique to Cheyenne.

1. Lack of a Fair Housing Law
2. When it occurs, housing discrimination is an impediment
3. Development-related impediments
4. Limited supply of affordable housing
5. Language
6. Other impediments: lack of education and job skills; inadequate income; credit and foreclosure history; transportation; lack of adequate funding levels

2017 Impediments as identified in the Draft Assessment of Fair Housing

The fair housing goals that were identified in 2017 are listed below.

1. Promote development of affordable housing units in the City
2. Promote equitable access to credit and home lending
3. Increase the supply of housing units accessible to residents with disabilities
4. Reduce discrimination in rental market
5. Reduce NIMBYism and restrictive building codes and practices

Section 1 – Introduction

This report is the 2020 update to the City of Cheyenne’s Analysis of Impediments to Fair Housing Choice (AI) report and was prepared as a requirement of the U. S. Department of Housing and Urban Development (HUD). It was prepared by the Cheyenne Housing & Community Development Office following HUD’s format as recommended in the Fair Housing Planning Guide, Volume 1.

The Federal Fair Housing Act of 1968 made it illegal to discriminate in the area of housing because of a person’s race, color, religion, or national origin. Sex was added as a protected class in the 1970’s. In 1988 the Fair Housing Amendments Act added familial status and disability to the list, making a total of seven federally protected classes. Federal fair housing statutes are largely covered by the following three pieces of legislation:

- The U. S. Fair Housing Act
- The U. S. Housing Amendments Act
- The U. S. Americans with Disabilities Act

Provisions to affirmatively further fair housing are long-standing components of the U. S. Department of Housing and Urban Development’s (HUD) housing and community development programs. These provisions flow from Section 808(e)(5) of the Federal Fair Housing Act, which requires the Secretary of HUD to administer HUD’s housing and urban development programs in a manner which affirmatively furthers fair housing.

Impediments to Fair Housing

HUD defines impediments to fair housing as any actions, omissions, or decisions:

- taken because of race, color, religion, sex, disability, familial status, or national origin, which restrict housing choices or the availability of housing choice; or
- which have the effect of restricting housing choices or the availability of housing choice on the basis of race, color, religion, sex, disability, familial status, or national origin

HUD interprets these broad objectives to mean:

- identify, analyze and eliminate housing discrimination in the community;
- encourage and promote fair housing choice for all persons;
- provide opportunities for racially and ethnically inclusive patterns of housing occupancy;
- promote housing that is physically accessible to and usable by all persons, particularly persons with disabilities or special needs; and
- foster compliance with the nondiscrimination provisions of the Fair Housing Act.

Consequently, the intent of this report is to update the data and information gathered in the 2010 report; review the impediments that were identified at that time; review the actions that have since been taken and evaluate the effectiveness of the actions taken; and identify any new impediments that may exist, as well as any actions that may be recommended to address any newly-found impediments. The actions identified in this report are intended to affirmatively further fair housing choice, by reducing and/or eliminating the impediments that have been previously identified.

Lead Agency and Funding of the Study

This study was funded and prepared by the Cheyenne Housing & Community Development Office, as the agency responsible for the Consolidated Plan for the City of Cheyenne.

Research Methodology

The Analysis of Impediments is a thorough examination of a variety of sources related to housing and the protected classes. It involves primary research, which is the collection and analysis of raw data, and secondary research, which entails the review of existing data, studies, reports and publications. This approach, combining both qualitative and quantitative research components, provided a rich data set for analyzing impediments to fair housing choice.

Participating Agencies, Organizations, Businesses and General Public

Cheyenne Board of Realtors
Cheyenne Building & Development Department

Cheyenne Housing Authority
Cheyenne Leads
Cheyenne Planning and Development Department
Cheyenne Transit Program
Community Action of Laramie County
Family Promise of Cheyenne
Fannie Mae
Federal Financial Institutions Examination Council
Laramie County Assessor's Office
Laramie County Grants Office
Laramie County School District #1
Laramie County School District #2
Legal Aid of Wyoming
Metropolitan Planning Organization
National Center for Education Statistics
National Low-Income Housing Coalition
Peak Wellness Center
RealtyTrac
Safehouse Services
U.S. Bureau of Economic Analysis
U.S. Bureau of Labor Statistics
U.S. Census Bureau
U.S. Department of Health and Human Services
U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal
Opportunity, Region VIII
U.S. Department of Justice
U.S. Department of Labor
Wyoming Attorney General
Wyoming Center for Business & Economic Analysis
Wyoming Bankers Association
Wyoming Community Development Authority
Wyoming Department of Education
Wyoming Department of Family Services
Wyoming Department of Labor and Employment
Wyoming Department of Workforce Services
Wyoming Family Homeowner Program
Wyoming Housing Database Partnership
Wyoming Housing Network Inc.
Wyoming Independent Living
Wyoming Legislation

Section 2 – Jurisdictional Background Data

This section of the report is intended to give a snapshot of data centered on the City of Cheyenne. Most of the following information is from the U.S. Census Bureau¹, the Wyoming Department of Employment², the U.S. Bureau of Economic Analysis³, and the Wyoming Housing Database Partnership⁴, which were used to develop illustrations of Wyoming's population, race and ethnicity, households, current employment, income, and housing statistics and trends. Data from the 2010 Census was used. The time frames on which data is collected vary depending on who collects the data, as well as its subject. As a result, it is not always possible to present all data using the same time frame. On topics such as labor, employment, income and wages, data is only available at the county level, while other topics may have data specific to Cheyenne. In any case, the best available data has been used.

Demographic Data

The City of Cheyenne lies within Laramie County which is the most southeastern county in Wyoming. Cheyenne is strategically situated at a transportation hub (the intersection of Interstate 25 and Interstate 80 and two major railroads). The City of Cheyenne was settled July 4, 1867. The town site was first surveyed by General Dodge for the Union Pacific Railroad and is also the location of Fort D.A. Russell (which is now F. E. Warren Air Force Base). Map 1 outlines the city's boundaries and Census Tracts.

In 1990, the population of Cheyenne was 50,008 and in 2000, the population of Cheyenne was 53,011, an increase of 3,003 or 6.01%. In 2010, the population of Cheyenne was 59,466, an increase of 6,455 or 12.2%. By 2018 the population of Cheyenne increased to 63,957, an increase of 4,491 or 7% over the last 8 years.

There are five distinct areas or neighborhoods in Cheyenne. These are commonly referred to as the South side (south of the railroad tracks); Central area (between the railroad tracks and Dell Range Blvd.); East side (east of College Drive); the North side (north of Dell Range Blvd.); and the West side (west of I-25). City revitalization efforts have not been concentrated in just one of these areas.

On the south side of Cheyenne is a new development, Harmony Valley will include single family homes and twin homes, parks and trail system. Harmony Valley is located North of College Drive and West of Walterscheid.

On the north side of Cheyenne market rate apartments are being constructed along Yellowstone between Storey and Vandehei. The first phase of North Gate Village will include five units of four-plexes. The second phase incorporates four additional buildings along Yellowstone Road.

Central Cheyenne – In the heart of Cheyenne will be the future home of Blue Federal Credit Union's World Headquarters. The new facility design is a campus style to include the headquarter building, a new Blue

¹ <http://www.census.gov>

² <http://doe.wyo.gov/Pages/default.aspx>

³ <http://www.bea.gov>

⁴ <http://www.wyomingcda.com>

branch, a community center and retail space. The groundbreaking ceremony took place May 11, 2019. There has been recent interest in downtown development with four new townhouses proposed, four recently entering the market and four expected to be completed soon.

East of Cheyenne a new multi-phase community, Whitney Ranch, is being developed. Whitney Ranch will encompass 580 acres of land and includes mixed-use and open spaces. The first phase of development contains 87 single-family lots, 24 twin home lots, and a commercial lot and is located north of Dell Range Blvd and east of College Avenue. Another development is underway south of College Drive and east of Avenue C. Sweetgrass is a +2,350-acre community envisioned as a distinctive mixed-use master planned village. This community will feature integrated retail, entertainment, lodging, employment opportunities, and a variety of residential neighborhoods. This is a multi-phase plan and will include a minimum of 29 very low-density single-family homes, 809 low-density single-family homes, 665 medium density townhomes and patio homes, and 696 high density apartments and condominiums. US 30 Business Plaza is located within an opportunity zone. There are five lots available for development.

On the west side of Cheyenne Crow Creek is being revitalized. The City of Cheyenne, Board of Public Utilities and the Laramie County Conservation District have put together a Memorandum of Understanding for the planning and design phase. Also, the Wyoming Business Council approved \$4.3 million in state grants and loans for the development of a mixed-use residential and commercial site south of Happy Jack Road and west of Interstate 25 on roughly 74 acres. The City of Cheyenne purchased the Belvoir Ranch in 2003. The ranch is located 16 miles west of Cheyenne and their master plan included the construction of a wind farm. Plans for the wind farm are moving forward.

The City has seen a variety of infill development projects ranging from single-family to fourplex on pre-existing lots.

The City of Cheyenne lies within Laramie County along with the following towns; Albin, Burns, Pine Bluffs, and communities; Carpenter, Granite, Hillsdale, Horse Creek, and Meriden. Laramie County borders Colorado and Nebraska; Goshen County, Platte County and Albany County. Table 1 summarizes the population growth of communities and counties in south eastern Wyoming.

| <i>Table 1: Population Growth in South Eastern Wyoming, 2000 – 2018</i> | | | | |
|--|-------------------------------|-------------------------------|---|---|
| <i>Community</i> | <i>2000 Population</i> | <i>2010 Population</i> | <i>% Change from 2000 – 2010</i> | <i>2018 Estimated Population</i> |
| Albin | 120 | 181 | 50.84% | 208 |
| Burns | 285 | 301 | 5.62% | 309 |
| Cheyenne | 53,011 | 59,466 | 12.18% | 63,957 |
| Pine Bluffs | 1,153 | 1,129 | -2.09% | 1,169 |
| Albany County | 32,014 | 36,299 | 13.39% | 38,601 |
| Goshen County | 12,538 | 13,249 | 5.67% | 13,376 |
| Laramie County | 81,607 | 91,738 | 12.42% | 98,976 |
| Platte County | 8,807 | 8,667 | -1.59% | 8,566 |

Source: U. S. Census Bureau

Family households in Cheyenne accounted for 63.5% of all households in 2000, while female heads of household accounted for 2,373 (or 10.6%) of total households. The number of non-family households was at 8,150 (or 36.5%) of all households. By 2010, the number of family households in Cheyenne had dropped to 59.7% and female heads of household increased to 12.0% of all households. Meanwhile, non-family households increased to 40.3% of all households. Average household size in 2010 was 2.29 persons while average family size was 2.92 persons. This information is summarized below in Table 2.

| Table 2: Cheyenne Household Composition, 2000 - 2010 | | |
|---|---------------------------|---------------------------|
| Household Type | 2000 | 2010 |
| Family Household | 14,174 households / 63.5% | 15,269 households / 59.7% |
| Female Head | 2,373 households / 10.6% | 3,061 households / 12.0% |
| Male Head | 816 households / 5.76% | 1,190 households / 4.7% |
| Non-Family Household | 8,150 households / 36.5% | 10,288 households / 40.3% |
| Average Household Size | 2.33 persons | 2.29 persons |
| Average Family Size | 2.93 persons | 2.92 persons |

Source: U. S. Census Bureau

Gender distribution has remained fairly consistent over the past decade, with 49.3% of the population being male and 50.7% female in the 2010 Census. Aging trends are apparent in Cheyenne and are shown on Table 3. The median age was 36.5 years in the 2010 Census. In contrast, the median age in Laramie County was 37 years in 2010. The 2017 median age has been estimated by the U. S. Census Bureau for the City of Cheyenne to be 37.4 years. The data estimates also show the 25-29 age group to be the largest, with the 55-59 age group the next largest. Together, these two age groups are estimated to account for 16.3% of the city's population and many are children of the "baby boomer" generation. The "baby boomers", born after WWII between 1946 and 1960, make up 15.6% of the total population in Cheyenne, and as they age, they will continue to increase the demand for housing and other services. The 5-9 age group is one of the other largest and is estimated at 6.9% of the total population. These children are typically the grandchildren of the "baby boomers" and they have affected school enrollment numbers as they entered school. The 40 – 44 age group is the next largest, estimated to make up 6.8% of Cheyenne's population in 2017.

| Table 3: Gender and Age of Population, 2010 | | | | |
|--|---------------|-------------|-------------------|--------------------------------|
| Location | Female | Male | Median Age | Population 65 and Older |
| Cheyenne | 50.7% | 49.3% | 36.5 | 8,036 (13.52%) |
| Laramie County | 50.0% | 50.0% | 37.0 | 11,505 (12.55%) |
| Wyoming | 49.0% | 51.0% | 36.8 | 70,090 (12.44%) |
| United States | 50.8% | 49.2% | 37.2 | 40,267,984 (13.5%) |

Source: U.S. Census Bureau

Table 4 below compares 2000 and 2010 Census data for race and Hispanic origin for Cheyenne and reflects an increasingly diverse community. All races show an increase over the past ten years, with the largest increases (in percentages) occurring in persons of the Asian, Pacific Islander category (37.10%) and Native American, Eskimo or Aleut (32.56%). Persons of Hispanic origin percentage increased from 12.54% in 2000 to 29.31% in 2010. The White (or Caucasian) population in Cheyenne dropped from 88.11% of the total population in 2000 to 87.4% in 2010.

| Table 4: Cheyenne Race and Hispanic Origin, 2000 | | | | |
|---|--------------------|--------------------|------------------------------------|---------------------------------|
| Race/Origin | 2000 Census | 2010 Census | % of Change 2000 – 2010 | % of 2010 Population |
| African American | 1,472 | 1,715 | 16.51% | 2.9% |
| Asian, Pacific Islander | 620 | 850 | 37.10% | 1.4% |
| Native American, Eskimo or Aleut | 430 | 570 | 32.56% | 1.0% |
| White | 46,707 | 51,999 | 11.33% | 87.4% |
| Other/2 or more races | 3,782 | 4,332 | 14.55% | 7.3% |
| TOTAL | 53,011 | 59,466 | 12.18% | 100% |
| Hispanic Origin | 6,646 | 8,594 | 29.31% | 14.5% |

Source: U.S. Census Bureau

Map 2 shows poverty rate in Cheyenne by block group and Map 3 shows race by block group. Table 5 below compares the minority and Hispanic population by Census Tract, as well as the percent of the population that are below poverty. Table 5 shows the highest concentration of minority to be in Census Tracts 15.01, 2, and 3 while the highest Hispanic concentration is in Census Tracts 4.02, 2, and 3. The highest concentrations of people below the poverty level are in Census Tracts 2, 4.02 and 15.02.

| Table 5: Cheyenne Census Tract Percent Minority and Below Poverty and Hispanic Population | | | |
|--|-------------------|----------------------------|------------------------|
| Census Tract | % Minority | Hispanic Population | % Below Poverty |
| 2 | 16.1% | 31.4 % | 22.8 % |
| 3 | 10.08% | 30.0 % | 17.5 % |
| 4.02 | 1.88% | 32.4 % | 22.1 % |
| 5 | 6.72% | 12.4 % | 10.1 % |
| 6 | 2.9% | 11.1 % | 10.4 % |
| 7 | 6.24% | 13.2 % | 15.2 % |
| 8 | 6.62% | 10.1 % | 4.6 % |
| 9 | 8.66% | 13.1 % | 2.2 % |
| 10 | 9.02% | 19.8 % | 15.4 % |
| 12 | 4.85% | 6.3 % | 1.8 % |
| 13 | 4.15% | 10.7% | 6.0 % |
| 14 | 5.76% | 17.6 % | 15.6 % |
| 15.01 | 17.17% | 11.7% | 7.8 % |
| 15.02 | 7.28% | 15.3 % | 19.5 % |

Source: Statistical Atlas⁵ U.S. Census Bureau, 2008-2012 American Community Survey 5-year estimates⁶

In the 2017 American Community Survey, persons with disabilities between the ages of 5 to 17 totaled 1,202; ages 18 to 34 totaled 1,214; ages 35 to 64 totaled 4,750; ages 65 to 74 totaled 2,284 and ages 75+ totaled 2,466 of the population. In 2017, 46% of persons with a disability between the working ages of 16 – 64 were employed, while persons of this same age range without disabilities had an employment rate of 81.6%. As the general population continues to age and the number of age-related disabilities increases, this number is expected to significantly increase, particularly as the baby boomers become seniors.

⁵ <https://statisticalatlas.com/place/Wyoming/Cheyenne/Race-and-Ethnicity#data-map/tract>

⁶ <http://worldpopulationreview.com/us-cities/cheyenne-population/>

Education Data

One school district serves the residents of Cheyenne, Laramie County School District #1⁷. Table 6 below shows enrollment data from Fall 2018 for the district, the county and the state, as well as pupil/teacher ratios and graduation and dropout rates. Laramie County School District #1 has a graduation rate of 79.8% which is lower than either the state of Wyoming (81.7%) or Laramie County School District #2⁸ (82.8%) and also has the highest drop-out rate at 3.19%.

| <i>Table 6: School Districts, 2017 - 2018</i> | | | | |
|--|-----------------------------------|--------------------------------|--------------------------------------|---------------------|
| <i>District</i> | <i>Enrollment - Fall 2018</i> | <i>Pupil/Teacher Ratio</i> | <i>Graduation Rate 2017-2018</i> | <i>Dropout Rate</i> |
| Laramie County School District #1 | 14,152 | 14.01 | 79.8 | 3.191 |
| Laramie County School District #2 | 1,051 | 11.32 | 82.8 | 1.59 |
| Wyoming | 93,029 | 13.1 | 81.7 | 2.636 |

Source: Wyoming Department of Education Website⁹; National Center for Education Statistics

Educational attainment is fairly high in Cheyenne. Of the 25 and older population, 93.9.0% are high school graduates or higher and 30.8% have a bachelor's degree or higher. Table 7 below summarizes this information and compares Cheyenne educational attainment with the educational attainment statewide. Cheyenne has a lower percentage of high school graduates at 24.3% of the population over the age of 25, while Wyoming has 28.7% of this population as high school graduates. Cheyenne has a similar percentage of persons over the age of 25 who have some college education (without a degree), and has a higher percentage of Associate, Bachelor, and Graduate or Professional Degree's. There is one post-secondary educational institution located in Cheyenne. Students at Laramie County Community College totaled over 3,236 FTE students in 2017.

| <i>Table 7: Cheyenne & Wyoming Educational Attainment, 2017</i> | | | | |
|---|---|--|--|---|
| <i>Education Level</i> | <i>Cheyenne Number of Population 25 Years +</i> | <i>Cheyenne % of Population 25 Years +</i> | <i>Wyoming Number of Population 25 Years +</i> | <i>Wyoming % of Population 25 Years +</i> |
| High School Graduate (includes GED) | 10,345 | 24.3% | 111,594 | 28.7% |
| Some College, no degree | 11,212 | 26.3% | 102,720 | 26.4% |
| Associate Degree | 5,364 | 12.6% | 42,219 | 10.9% |
| Bachelor's Degree | 8,160 | 19.1% | 67,798 | 17.4% |

⁷ <http://www.laramie1.org>

⁸ <http://laramie2.org>

⁹ <https://edu.wyoming.gov>

| <i>Education Level</i> | <i>Cheyenne Number of Population 25 Years +</i> | <i>Cheyenne % of Population 25 Years +</i> | <i>Wyoming Number of Population 25 Years +</i> | <i>Wyoming % of Population 25 Years +</i> |
|--|---|--|--|---|
| Graduate or Professional Degree | 4,976 | 11.7% | 36,156 | 9.3% |
| High School Graduate or higher | (X) | 93.9% | (X) | 92.8% |
| Bachelor's Degree or higher | (X) | 30.8% | (X) | 26.7% |

Source: U.S. Census Bureau

Early childhood education is available to Cheyenne preschoolers through the Head Start program, which has been operated by Community Action of Laramie County¹⁰ (CALC) for over 30 years. Basic skills are taught to pre-natal children to age 5 to help prepare children for kindergarten. CALC also runs the Early Head Start program that provides services to pregnant mothers and children from birth to 3 years of age. Services are provided for income-qualifying families.

Income Data

The median estimated annual income for 2017 in Cheyenne is \$32,205. This translates to a weekly rate of \$619.33 and an hourly wage of \$15.48 based on a 40-hour work week. Table 8 shows employment by industry sector and related employment figures for Cheyenne for 2017. The sectors having the largest percentage of jobs were the Educational services, and health care and social assistance sector and the Retail Trade sector.

| <i>Table 8: Cheyenne Employment by Industry Sector - 2017</i> | | |
|---|--|-------------------------|
| <i>Sector</i> | <i>Estimated Number of Jobs</i> | <i>% of Jobs</i> |
| Agriculture, forestry, fishing and hunting, and mining | 668 | 2.1% |
| Construction | 1,888 | 6.1% |
| Manufacturing | 905 | 2.9% |
| Wholesale Trade | 393 | 1.3% |
| Retail Trade | 4,450 | 14.3% |
| Transportation and warehousing, and utilities | 1,835 | 5.9% |
| Information | 878 | 2.8% |
| Finance and insurance, and real estate and rental and leasing | 1,516 | 4.9% |
| Professional, scientific, and management, and administrative and waste management services | 2,961 | 9.5% |

¹⁰ <http://www.calc.net>

| <i>Sector</i> | <i>Estimated Number of Jobs</i> | <i>% of Jobs</i> |
|--|---------------------------------|------------------|
| Educational services, and health care and social assistance | 7,179 | 23.1% |
| Arts, entertainment, and recreation, and accommodation, and food services | 2,844 | 9.1% |
| Other services, except public administration | 1,189 | 3.8% |
| Public administration | 4,424 | 14.2% |
| TOTAL | 31,130 | 100% |

Source: U.S. Census Bureau

The median family income for FY 2017 for the Cheyenne Area was set by HUD at \$60,400. The 2017 estimates prepared by the U.S. Census Bureau for the City of Cheyenne shows a median household income of \$60,878.

The Cost of Living Index is a measurement of the price of a variety of typical consumer goods and services, such as housing, utilities, and transportation costs. The Cheyenne area cost of living index was 99.6. Based on a national average of 100, this means that the cost of living in the metro area was slightly lower than the national average. Comparing the cost-of-living with the City of Casper, WY and the City of Fort Collins, CO, Casper has a cost-of-living index of 95.5 with the City of Fort Collins, CO having a cost-of-living index of 118.3.

Data on Cheyenne household income showed 1,260 families (7.9%) and 6,660 individuals (10.7%) living below the poverty level, based on 2017 ACS data. Of these the largest group was individuals 18 years of age and older, which accounted for 4,057 (or 10.6%) of the individuals living below poverty. Of the families living in poverty, 2,790 (or 28%) were families headed by a female. In contrast, 7.3% of all Wyoming families and 11.1% of individuals were living below poverty, based on the 2017 ACS. Of the Wyoming individuals living below poverty, 11.2% were 18 years and older and of Wyoming families living in poverty, 28.3% had a female head of household. Poverty levels are set each year by the U.S. Department of Health and Human Services¹¹ and provide income levels for households of all sizes. Table 9 below summarizes this data. Of the 6,660 individual households living at or below poverty levels in the 2017 Census, 850 (or 9.2%) of these households were people 65 years or older.

| <i>Table 9: Poverty in Cheyenne, 2017</i> | | | | |
|---|-----------------------------------|---------------------------------------|-------------------------|------------------------------|
| | <i>Household of 1</i> | <i>Household of 2</i> | <i>Household of 3</i> | <i>Household of 4</i> |
| 2017 Poverty Level | \$12,060 | \$16,240 | \$20,420 | \$24,600 |
| | <i># of Families</i> | <i>% of all Families</i> | <i># of Individuals</i> | <i>% of all Individuals</i> |
| 2017 ACS | 1,260 | 7.9% | 6,660 | 10.7% |
| | <i># of Female Head of Family</i> | <i>% of all Female Head of Family</i> | <i>65 and older</i> | <i>% of all 65 and Older</i> |
| 2017 ACS | 2,790 | 28.0% | 850 | 9.2% |

Source: U.S. Census Bureau

¹¹ <http://www.hhs.gov>

The National Low-Income Housing Coalition's *Out of Reach 2019*¹² report calculates the level of income needed to afford housing in the United States by state and county. Using the 2019 Area Median Income for Cheyenne, a housing wage of \$16.44 per hour, working 40 hours per week, 52 weeks per year, is the minimum needed to afford a two-bedroom apartment unit at fair market rents. This hourly wage correlates to an annual income of \$34,200 needed to afford rent on a two-bedroom apartment unit with a rent of \$855. A two-income household earning the minimum wage of \$7.25 per hour still falls short by \$1.94 per hour to earn a wage that is sufficient to pay for housing. Another way to consider these numbers is that in Cheyenne, a minimum wage earner must work 91 hours per week to afford rent for a two-bedroom unit, or 2.3 minimum wage workers must each work 40 hours per week, 52 weeks a year to jointly earn enough to pay for housing. The average hourly wage in Cheyenne in 2018 was \$19.12; however, industries such as the food preparation and serving related average hourly wage was only \$10.57 – well below the needed housing wage of \$16.44. Table 10 below shows the average weekly wages by occupational group for Cheyenne and the United States for 2018.

| Table 10: Cheyenne & United States Average Hourly Wage, 2018 | | |
|---|-----------------|----------------------|
| Major Occupational Group | Cheyenne | United States |
| Management | \$43.35 | \$50.11 |
| Business and Financial Operations | \$28.26 | \$32.86 |
| Computer and Mathematical Science | \$30.48 | \$41.51 |
| Architecture and Engineering | \$31.61 | \$38.55 |
| Life, Physical, and Social Science | \$32.19 | \$31.77 |
| Community and Social Services | \$24.65 | \$21.62 |
| Legal | \$31.17 | \$38.85 |
| Education, Training, and Library | \$23.43 | \$23.89 |
| Arts, Design, Entertainment, Sports, and Media | \$20.13 | \$23.70 |
| Healthcare Practitioner and Technical | \$32.44 | \$31.94 |
| Healthcare Support | \$15.45 | \$14.30 |
| Protective Service | \$23.50 | \$19.54 |
| Food Preparation and Serving Related | \$10.57 | \$11.09 |
| Building and Grounds Cleaning and Maintenance | \$12.85 | \$12.91 |
| Personal Care and Service | \$12.32 | \$11.74 |
| Sales and Related | \$12.40 | \$13.55 |
| Office and Administrative Support | \$17.00 | \$17.19 |
| Construction and Extraction | \$21.94 | \$22.12 |
| Installation, Maintenance, and Repair | \$24.24 | \$21.89 |
| Production | \$20.66 | \$16.86 |
| Transportation and Material Moving | \$17.38 | \$15.74 |

Source: U.S. Department of Labor¹³

Employment Data

In 2018, the estimated annual average number of persons employed in Cheyenne was 45,280 from a work force of 50,167. The estimated average annual unemployment rate in Cheyenne for 2019 was 3.3% and the state was 3.6% according to the Bureau of Labor Statistics¹⁴.

There are six major sectors that form much of the economic base of Cheyenne. These six sectors are Military, Government, Education, Health Care, Retail, and Transportation. These sectors have a fairly

¹² <https://nlihc.org>

¹³ <https://www.dol.gov>

¹⁴ <http://www.bls.gov>

notable presence in Cheyenne. The ten largest employers in Cheyenne are shown on Table 11. Together, they accounted for nearly 18,065 jobs in Cheyenne in 2018.

| <i>Table 11: Cheyenne's Ten Largest Employers, 2018</i> | | |
|--|-------------------------------|-----------------------------------|
| <i>Company</i> | <i>Product/Service</i> | <i>Number of Employees</i> |
| F. E. Warren AFB | Military | 4,177 |
| State of Wyoming | Government Services | 3,755 |
| Laramie County School District #1 | Education K-12 | 2,289 |
| Cheyenne Regional Medical Center | Health Care | 1,900 |
| Federal Government | Government Services | 1,728 |
| Wyoming National Guard | Military | 1,130 |
| Veterans' Affairs Medical Center | Health Care | 980 |
| Sierra Trading Post | Outlet Catalog/Retail | 878 |
| Union Pacific Railroad | Transportation, Rail | 660 |
| City of Cheyenne | Government Services | 568 |
| TOTAL JOBS | | 18,065 |

Source: Cheyenne LEADS¹⁵

The Wyoming Department of Workforce Services¹⁶ has two locations in Cheyenne. The Main Office and Employment Services and Vocational Rehabilitation are located at 5221 Yellowstone Road; Disability Determination Services is located at 2617 East Lincolnway, #B.

These centers are located in areas that are accessible by the public transit system maintained by Cheyenne Transit Program¹⁷ (CTP). In addition to the fixed route service (Monday – Saturday) CTP also offers a Curb-to-Curb service and contracts with local groups and agencies. All of the buses are wheelchair accessible and CTP modifies their routes for road construction and Cheyenne Frontier Days, etc. Map 2 shows the CTP bus routes.

Housing Profile

Changes in the community's housing composition are evident over the past decade. Between 2000 and 2010, the number of housing units in Cheyenne increased from 23,782 to 27,283 units – an increase of 8.7%. The majority, or 63.1% (18,382) of housing units in Cheyenne are single-family detached units, with 10-19-unit apartments making up the smallest percentage, at 2.3% (or 659) of the existing housing units. Of all housing units in Cheyenne, 63.4% were built before 1980 and as a result, may have the potential for lead-based paint, which was not prohibited in the United States until 1978. Paint containing lead may have been in use for another year or longer, until supplies were used up.

In Cheyenne between 2014 and 2018, building permits were issued for 2,410 new housing units. Table 12 below shows the number of new residential units by year the building permit was issued and by residential type. Since 2014, there has been a steady increase in the number of all residential units. The majority of the new units were single family units, with the largest number, 387, issued in 2017. Multi-family units have increased from 0 units in 2014 to 166 units in 2018.

¹⁵ <http://www.cheyenneleads.org>

¹⁶ <http://www.wyomingworkforce.org>

¹⁷ <http://www.cheyennecity.org/252/Transit>

| Table 12: New Housing Units, 2014 – 2018 | | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|--------------|
| Units | 2014 | 2015 | 2016 | 2017 | 2018 | TOTAL |
| Single-Family | 313 | 369 | 355 | 387 | 368 | 1,792 |
| Tri & Four Plex | 4 | 68 | 15 | 82 | 88 | 257 |
| Multi-Family | 0 | 0 | 93 | 102 | 166 | 361 |
| TOTAL | 317 | 437 | 463 | 571 | 622 | 2,410 |

Source: City of Cheyenne Building Department¹⁸

In the 2000 Census, 66% of all occupied housing units in Cheyenne were owner-occupied, while rental units accounted for 34% of the occupied units. By 2010, the percentage of owner-occupied units had increased to 63.8% while rental units rose to 36.2%. Estimates for 2018 put these percentages at 64.9% units being owner-occupied and 35.1% as renter-occupied units. Based on 2010 Census data, 59.2% of White households were owner-occupied in Cheyenne, while 57.7% of Asian households were owner-occupied. The lowest percentage of owner-occupied housing units was by Pacific Islanders. Home ownership rates for other races ranged from 38% for African American households up to 50.29% for households who are some other race alone.

| Table 13: Occupied Housing Units by Race 2018 | | | |
|--|-------------------------------|-----------------------|------------------------------------|
| Race | Occupied Housing Units | Owner Occupied | % of Owner-Occupied Housing |
| White | 23,023 | 15,115 | 65.65% |
| African American | 691 | 263 | 38.06% |
| American Indian and Alaska Native | 222 | 98 | 44.14% |
| Asian | 248 | 143 | 57.66% |
| Pacific Islander | 37 | 17 | 45.95% |
| Some other race alone | 861 | 432 | 50.02% |
| Two or more races | 475 | 233 | 49.05% |

Source: U.S. Census Bureau

A review of recent home sales publications for existing homes within Cheyenne found nine housing units under \$100,000 with the lowest being a \$8,000 mobile home and the highest listing a 5-bedroom home for \$1,300,000. Table 14 compares the number of active listings with the number of sold listings in Cheyenne over the last three years. The median sales price for homes sold in Cheyenne has risen from \$226,500 in 2017, to \$259,500 in 2019 – an increase of 14.6% over this three-year period.

| Table 14: Area Median Home Sales Prices, Active Listings & Homes Sold | | | |
|--|---------------------------|------------------------|----------------------|
| Month & Year | Median Sales Price | Active Listings | Sold Listings |
| December 2019 | \$259,500 | 127 | 112 |
| December 2018 | \$240,500 | 174 | 93 |
| December 2017 | \$226,500 | 196 | 108 |

Source: Cheyenne Board of Realtors¹⁹

Laramie County has the highest number of homes in foreclosure in Wyoming at 38 in 2019 per RealtyTrac.

HB 06-1387, known as the 2006 Foreclosure Act, went into effect July 1, 2006. Several other related provisions went into effect July 1, 2007. These changes were the first major set of revisions to the real estate

¹⁸ <http://www.cheyennecity.org/index.aspx?NID-211>

¹⁹ <http://www.cheyennerealtors.com>

foreclosure laws since 1990. They give homeowners a greater period of time to retain ownership of their homes by combining the period allowed to cure the default (45 – 60 days before foreclosure sale) with the time that previously allowed the owner to redeem the property by paying all outstanding costs (75 days after foreclosure sale; 120 days after sale for agricultural property). This combined time period (120 – 135 days) now occurs before a foreclosure sale and allows homeowners more time to learn about the foreclosure process and their options. It was intended to help reduce predatory activity against homeowners, by eliminating the post-sale redemption period. The property owner will no longer be entitled to redemption of the property since they have a longer period to correct their default. Other legislation related to foreclosures was enacted in 2006 to regulate foreclosure consultants and equity purchasers (SB 06-71); registration of mortgage brokers (HB 06-1161); and HB 06-1323, which addressed theft by deception in residential real estate mortgage lending. More recently, the Protecting Tenants at Foreclosure Act of 2009 was adopted requiring landlords to give tenants living in properties that are in foreclosure a 90-day advance notice to vacate the property. This legislation was intended to protect tenants who may not be aware that the housing they are renting is in or going into foreclosure.

Table 15 summarizes the estimated number of foreclosures per census tract in Laramie County in 2019.

| <i>Table 15: Estimated Number of Foreclosures per Census Tract</i> | |
|---|--|
| <i>Census Tract</i> | <i>Estimated Number of Foreclosures</i> |
| 2.00 | 2 |
| 3.00 | 3 |
| 4.02 | 3 |
| 5.00 | 3 |
| 6.00 | 4 |
| 7.00 | 3 |
| 8.00 | |
| 9.00 | 4 |
| 10.00 | 1 |
| 15.01 | 3 |
| 15.02 | 1 |
| County | 11 |

Source: RealtyTrac²⁰

Manufactured or mobile homes are a more affordable housing option for some households. There are three mobile home parks in Cheyenne and nine mobile home parks in Laramie County, close to Cheyenne. Average apartment and mobile home rents in Cheyenne have generally stayed fairly stable over the past five years, whereas, single-family rent has slowly increased. Table 16 below compares the average monthly rents for a 2-3-bedroom house, apartment, or mobile home in Cheyenne.

| <i>Table 16: Average Monthly Rents</i> | | | |
|---|---------------------|-------------------------|---------------------------|
| <i>Quarter/Year</i> | <i>House</i> | <i>Apartment</i> | <i>Mobile Home</i> |
| 2Q18 | \$1,215 | \$779 | \$882 |
| 4Q17 | \$1,180 | \$785 | \$868 |
| 2Q17 | \$1,164 | \$782 | \$882 |
| 4Q16 | \$1,129 | \$787 | \$848 |

Source: Economic Indicators for Greater Cheyenne²¹

²⁰ <https://www.realtytrac.com>

²¹ <https://www.wyomingeconomicdata.com/economic-indicator-analysis>

According to the semiannual Survey of Rental Properties conducted June 2019, the vacancy rate of single-family rental units in City of Cheyenne was 1.7%. Table 17 provides five years of data reflecting rental vacancy rates in Laramie County. Vacancy rates have ranged from a low of 1.7% in 2019, to a high of 5.7% in 2017. Since 2017, vacancy rates in Laramie County have been decreasing.

| <i>Table 17: Average Vacancy Rate in Laramie County</i> | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|
| <i>Unit Type</i> | <i>2015</i> | <i>2016</i> | <i>2017</i> | <i>2018</i> | <i>2019</i> |
| Single Family | 2.9 | 5.5 | 5.7 | 3.4 | 1.7 |
| Apartments | 2.6 | 4.8 | 3.6 | 3.5 | 3.0 |

Source: Wyoming Housing Database Partnership²²

Between 2016 and 2019, building permits were issued for 361 new multi-family units in Cheyenne. These units will take some time to be absorbed by the market, and as a result, will contribute to the vacancy rate. Even with these higher vacancy rates, there are still few vacant, affordable apartment units for households of very low incomes, or those families whose incomes were under 50.0% of the Area Median Income (AMI) for families. Most of the vacancies in rental units tend to occur at the higher rent levels. The percentage of housing units that are renter-occupied has decreased slightly in Cheyenne from 36.2% in 2010, to 35.1% by 2017, whereas, owner-occupied units have slightly increased from 63.8% in 2010, to 64.9% by 2017.

The Fair Market Rents (FMR) for FY 2019 for existing housing in Cheyenne was released by HUD last year. These rent levels represent the maximum which can be charged for public-assisted housing. These rates are \$640 for an efficiency apartment; \$646 for a one-bedroom; \$855 for a two-bedroom; \$1,185 for a three-bedroom apartment; and \$1,502 for a four-bedroom apartment. Fair Market Rents for larger units are calculated by adding 15% to the FMR for each additional bedroom. With an average market rent of \$852 for a two-bedroom apartment in Cheyenne, some units may still not be affordable for those low- and moderate-income individuals or families.

Summary

The following information provides a current snapshot of Cheyenne:

- Population in Cheyenne has increased between 2010 and 2018 by 7.55%. Persons of Hispanic origin increased by .2% during this same period.
- The disabled population is increasing in size, particularly with the aging of the baby boomer generation. In 2017, 13% of Cheyenne's population had a disability and 36.3% of persons 65 years and older had a disability.
- Average hourly wages in Cheyenne range from a low of \$10.57 (food preparation and serving) to a high of \$43.35 (management); however, unemployment rates have continued to increase, as layoffs occur at many local businesses.
- The vacancy rate for rental units in Cheyenne was 4.7% at the end of 2019, which is still a fairly high vacancy rate. This means rents may level off or drop until a greater percentage of vacant units are absorbed.

²² <https://www.wyomingcda.com/wp-content/uploads/2019/11/Laramie-County.pdf>

- By 2010, the rate of owner-occupied housing units in Cheyenne was 63.8% while renter-occupied housing units was 36.2% of all housing units. Estimates for 2017 show an increase in owner-occupied units, to 64.9%, while renter-occupied units decreased to 35.1%.
- There is still a gap between income and housing costs for many households, as an hourly wage of \$16.44 is needed to pay rent for a two-bedroom apartment in Cheyenne. The state law sets the minimum wage is \$5.15 per hour, the federal minimum was of \$7.25 per hour supersedes the state rate for the vast majority of workplaces.

Maps

The following maps are included in the Appendix of this report.

Map 1: City of Cheyenne Census Tracts

Map 2: City of Cheyenne Poverty Rate by Block Group

Map 3: City of Cheyenne Race by Block Group

Map 4: City of Cheyenne Transit Routes

Section 3 – Evaluation of Jurisdiction’s Current Fair Housing Legal Status

Fair Housing Complaints or Compliance Reviews

Federal fair housing laws prohibit discrimination on the basis of race, color, religion, sex (gender), national origin, mental or physical disability, or familial status in the sale or rental of housing; home mortgage lending; and the purchase of homeowner’s or renter’s insurance. Also, it is against the law to refuse to make reasonable accommodations for persons with disabilities, or to harass or interfere with anyone exercising their fair housing rights.

In Wyoming, housing discrimination complaints are filed with the Department of Housing and Urban Development’s (HUD)²³ Office of Fair Housing and Equal Opportunity (FHEO)²⁴ in Denver. HUD also maintains an office in Casper that primarily administers single-family mortgage insurance programs. The office also coordinates a variety of agency programs, including some fair housing activities. For example, the office provides information to builders about the fair housing regulations under the Building Certification Program and briefs real estate agents on changes in fair housing. The office does not handle fair housing complaints but refers them to the Denver regional office.

Throughout the United States, many agencies receive funding from HUD as Fair Housing Assistance Programs (FHAPs). HUD also funds Fair Housing Initiative Programs (FHIPs). The fundamental difference between the two programs is that FHAP programs require an ordinance or law that empowers a governmental agency to enforce the Fair Housing Act; they are thus considered “substantially equivalent” to federal agency enforcement activities. HUD contracts with that agency to process fair housing complaints and reimburse the jurisdiction on a per case basis.

FHIPs, on the other hand, may be a government agency, a private non-profit or for-profit organization. This competitive grant program provides funds to organizations to carry out projects and activities designed to enforce and enhance compliance with the Fair Housing Act. Eligible activities include education and outreach to the public and the housing industry on fair housing rights and responsibilities, as well as enforcement of fair housing complaints including testing and litigation.

To create a substantially equivalent agency, a state or local jurisdiction must first enact a fair housing law that is substantially equivalent to the Federal Fair Housing Act. In addition, the local jurisdiction must have both the administrative capability and fiscal ability to carry out the law. With these elements in place, the jurisdiction may apply to HUD in Washington D.C. for substantially equivalent status. The jurisdiction’s law would then be examined, and the federal government would make a determination as to whether it was substantially equivalent to federal fair housing law.

Several nearby or adjoining states to Wyoming have Fair Housing Assistance Program (FHAP) Agencies, such as the Colorado Civil Rights Division; the Nebraska Equal Opportunity Commission, Lincoln Commission on Human Rights and Omaha Human Relations Department; the North Dakota Department of Labor; and the Utah Anti-Discrimination Division.

When substantially equivalent status has been granted, complaints of housing discrimination are dually filed with both, the state or local agency and with HUD. The state or local agency investigates most complaints; however, when federally subsidized housing is involved, HUD will typically investigate the

²³ <http://www.hud.gov>

²⁴ http://portal.hud.gov/portal/page/portal/HUD/program_offices/fair_housing_equal_opp

complaint. Still, the state or local agencies are reimbursed for complaint intake and investigation and are awarded funds for fair housing training and education.

Attempts to create a state fair housing law in Wyoming have occurred. During the 2005 Wyoming Legislative session, several state representatives and senators co-sponsored House Bill 0267, entitled the Wyoming Fair Housing Act, but it died in committee on March 3, 2005.²⁵ On January 12, 2007, the proposed Wyoming Fair Housing Act was again introduced to the legislative session and assigned a bill number. On January 15, H.B. 0207 was received for introduction and the proposed legislation was referred to the housing committee the next day. It died in committee on February 28, 2007. As proposed, the 2007 Wyoming Fair Housing Act had very few differences from the Federal Fair Housing Act statutory language. If it had been passed by the 2007 legislative assembly, the Wyoming Fair Housing Act would likely have been deemed substantially equivalent and the Wyoming Attorney General, as the designated enforcement agency, would be entitled to reimbursement from HUD for outreach, education, testing, and enforcement activities. Wyoming would likely have had a FHAP entity.

On July 1, 2015, Senate File No. SF0132, Wyoming Fair Housing Act, became effective. This act protects state residents from discrimination in the housing market on the basis of race, color, religion, sex, disability familial status, or national origin; the same groups that are protected under the federal Fair Housing Act. The Wyoming Fair Housing Act does not identify a specific agency or official as the enforcing authority but stipulates that this authority must be a Wyoming state agency or nonprofit incorporated in Wyoming that has been accepted as an enforcing authority for Wyoming by the Department of Housing and Urban Development. This agency or nonprofit will be responsible for receiving and investigating fair housing complaints, enabling and encouraging the conciliation of those complaints, and, if efforts at conciliation fail, assessing fines or penalties against violators of the state Fair Housing Act.

With the assistance of Montana Fair Housing out of Missoula, Montana, the Wyoming Fair Housing (WFH) office first opened in August of 2000. Located in Casper, the organization provided education and outreach to the public and housing industry on fair housing rights and responsibilities as well as enforcement of fair housing complaints including testing and litigation.

Wyoming Fair Housing became a separate operating entity in October of 2002 and was awarded its first FHIP grant, spanning a period from March 1, 2003 to January 31, 2005. During this time, WFH performed the following enforcement activities as a part of their FHIP grant, as follows:

- 51 rental tests and 1 sales test
- 33 complaint referrals to HUD Regional Office in Denver
- 6 education and outreach workshops

Unfortunately, after January 31, 2005, Wyoming Fair Housing was unable to secure continuing and stable funding and therefore the WFH office closed. Wyoming currently has no FHIP or FHAP grant recipients operating in the State, nor does Wyoming have an organization dedicated to fair housing education, outreach, testing or enforcement.

Legal Aid of Wyoming, Inc. is a federally funded, non-profit law firm, providing legal assistance to low-income individuals living in Wyoming. Legal Aid provides representation in many, though not all, types of civil cases. Legal Aid of Wyoming cannot represent defendants in criminal cases. Legal Aid of Wyoming maintains an office in Cheyenne at the following address:

²⁵ <http://legisweb.state.wy.us/2005/HBIndex.HTM>

Legal Aid of Wyoming, Inc.
1920 Thomes Avenue, Ste 320
Cheyenne, WY 82001
307-432-0807
1-877-432-9955 (Toll Free)

Individuals who believe they have been discriminated against in a Wyoming housing transaction may file a complaint with the HUD enforcement division in Denver, Colorado.

Denver Regional Office of FHEO
U.S. Department of Housing and Urban Development
1670 Broadway
Denver, Colorado 80202-4801
303-672-5437
1-800-877-7353
TTY – 303-672-5248

Individuals can find additional information about Fair Housing and how to file a complaint from the Fair Housing and Equal Opportunity Internet site, located at:

https://www.hud.gov/program_offices/fair_housing_equal_opp.

The first step in filing a complaint with HUD is to submit a Housing Discrimination Complaint form pertaining to the alleged fair housing violation. Housing discrimination complaint forms, entitled HUD-903, are available on the Internet at:

<https://portalapps.hud.gov/FHEO903/Form903/Form903Start.action>

HUD may also be reached by calling the Fair Housing Complaint Hotline at 800-669-9777, or by writing to the following address:

Office of Fair Housing and Equal Opportunity
Department of Housing and Urban Development
Room 5204
451 Seventh St. SW
Washington, DC 20410-2000

After receiving the complaint, HUD notifies the alleged violator of the complaint, and that person must submit a response. HUD will investigate the complaint and determine whether reasonable cause exists that the Fair Housing Act has been violated.

If reasonable cause has been determined, HUD will try to reach a conciliation agreement with the respondent. If an agreement is reached, HUD will take no further action on the complaint. If HUD finds reasonable cause to believe the discrimination occurred, and no conciliation is reached, the case will be heard in an administrative hearing within 120 days. The case may be handled by the Department of Justice²⁶ (DOJ) and heard in U.S. District Court if one of the parties so desires.

²⁶ <https://www.justice.gov>

In the administrative hearing, HUD lawyers will litigate the case for the complainant before an Administrative Law Judge (ALJ). If the ALJ decides that discrimination occurred, the respondent can be ordered:

- To compensate for actual damages, including humiliation, pain, and suffering.
- To provide injunctive or other equitable relief, for example, to make housing available.
- To pay the federal government a civil penalty to vindicate the public interest. The maximum penalties an ALJ may impose under Sec. 812 (g) (3) (A-C) of 42 U.S.C. 3612 are:
 - Up to \$11,000 for the first offense;
 - Up to \$27,500 for the second offense during the 5-year period; and
 - Up to \$55,000 for the third or more offenses during the 7-year period.
- The maximum penalties a U.S. District Court Judge may impose under Sec. 814 (d) (1)(C) (i-ii) of 42 U.S.C. 3614 are:
 - Up to \$55,000 for the first offense; and
 - Up to \$110,000 for subsequent offenses.
- To pay reasonable attorney's fees and costs.

The Department of Housing and Urban Development (HUD) maintains records of all complaints filed with the agency. Upon formal request, records of the housing discrimination complaints were made available by HUD. These records were examined over federal fiscal years 2009 through 2019, as illustrated in Table 18.

| Table 18: Wyoming Fair Housing Complaints Filed with HUD Basis of Complaint by Federal Fiscal Year | | | | | | | | |
|---|-------------|---------------|-------------------|------------------------|------------------------|--------------------|--------------------|-------------------------|
| <i>Year</i> | <i>Race</i> | <i>Gender</i> | <i>Disability</i> | <i>National Origin</i> | <i>Familial Status</i> | <i>Retaliation</i> | <i>Total Basis</i> | <i>Total Complaints</i> |
| 2009 | 1 | 1 | 2 | | | 1 | 5 | 3 |
| 2010 | 1 | | 1 | | | | 2 | 2 |
| 2011 | 1 | | 3 | 1 | | 1 | 6 | 5 |
| 2012 | | 1 | 2 | | | | 3 | 3 |
| 2013 | 2 | | 2 | | 1 | | 5 | 4 |
| 2014 | 1 | | 1 | | | | 2 | 2 |
| 2015 | | 1 | 2 | | | | 3 | 3 |
| 2016 | | | 2 | | | | 2 | 2 |
| 2017 | | | | | 1 | | 1 | 1 |
| 2018 | | | 1 | | | | 1 | 1 |
| 2019 | | | 2 | | | 1 | 3 | 2 |
| Total | 6 | 3 | 18 | 1 | 2 | 3 | 33 | 28 |

Source: U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Denver, CO.

Over the ten-year period, a total of 28 complaints were received. The basis of the complaints, or protected class upon which the complaints were based, may be one or more per complaint. Hence, over the period, some 33 bases were lodged in Cheyenne. During this period, disability had the greatest number of bases, with some 18. Race, gender and retaliation followed with 6, 3 and 3 bases.

Fiscal year 2011 had the highest number of basis complaints followed by, 2009 and 2013 with the number of basis complaints at five. The other fiscal years had either one, two, or three complaints filed with HUD. The number of complaints has decreased, and the actual number of housing complaints filed with HUD and attributable to Cheyenne is actually quite low.

Of the 6 bases that were race-related in Cheyenne, two of the complaints were found to have no cause, one complaint was withdrawn by complainant without resolution, two conciliation/settlements were successful, and one complainant failed to cooperate

The information provided by HUD over the 2009 through 2019 period also included the city in which the complaint occurred. Consequently, ten years of data can be segmented by geographic area. Table 19 separates the number of complaints filed with HUD between Cheyenne, and the remainder of the State. This was done because both Cheyenne and the State of Wyoming have their own AI documents. Overall, Cheyenne had 28 complaints and 59 occurred throughout the remainder of the State. Disability seems to have a higher frequency in the remainder of the State than in Cheyenne, about 44 percent versus 21 percent of the complaints.

| Table 19: Fair Housing Complaints Filed With HUD Basis of Complaint by Area – 2009 Through 2019 | | | |
|--|-----------------|----------------------|--------------------|
| Basis | Cheyenne | Rest of State | Total Basis |
| Race | 6 | 4 | 10 |
| Gender | 3 | 4 | 7 |
| Retaliation | 3 | 7 | 10 |
| Disability | 18 | 38 | 56 |
| Familial Status | 2 | 12 | 14 |
| National Origin | 1 | 7 | 8 |
| Religion | | 1 | 1 |
| Color | | 1 | 1 |
| Total Basis | 33 | 74 | 107 |
| Total Complaints | 28 | 59 | 87 |

Source: U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Denver, CO.

Table 20 presents the discriminatory actions cited in the complaints, or what is termed the “issues” from 2009 – 2019. The discriminatory issue having the greatest degree of frequency is “discriminatory terms, conditions, privileges – rental,” with some 16 issues alleged. Next is “Failure to make reasonable accommodation” with another 14 issues.

| Table 20: Cheyenne Fair Housing Complaints Filed With HUD Issues of the Complaint: 2009 - 2019 | | | | | | | | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------|
| Issue | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | Total |
| Failure to make reasonable accommodation | 2 | 1 | 3 | 1 | 2 | 1 | 1 | 1 | | 1 | 1 | 14 |
| Discriminatory terms, conditions, privileges, or services and facilities | 1 | | 3 | 1 | 4 | 2 | 3 | 2 | | | | 16 |
| Otherwise deny or make housing available | 1 | | 1 | 1 | 1 | 2 | 1 | 1 | 1 | | 2 | 12 |

| <i>Issue</i> | <i>2009</i> | <i>2010</i> | <i>2011</i> | <i>2012</i> | <i>2013</i> | <i>2014</i> | <i>2015</i> | <i>2016</i> | <i>2017</i> | <i>2018</i> | <i>2019</i> | <i>Total</i> |
|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------|
| Discriminatory refusal to rent | | 1 | 1 | 1 | 1 | | 1 | | | | | 5 |
| Discriminatory acts under Section 818 (coercion, etc.) | 1 | | 1 | | | 1 | | | | | 1 | 4 |
| Discriminatory advertising, statements and notices | | | 1 | 1 | 1 | | 1 | 1 | 1 | | | 7 |
| Discrimination in term, conditions or privileges relating to rental | | | | | | | | | 1 | | 1 | 3 |
| Failure to permit reasonable modification | 1 | | | 1 | | | | | | | | 2 |
| Discriminatory refusal to negotiate for rental | | | 1 | | | | | | | | | 1 |
| Non-compliance with design and construction requirements (handicap) | | | | | | | | 1 | | | | 1 |
| Total Issues | 6 | 2 | 11 | 6 | 9 | 6 | 7 | 6 | 3 | 1 | 5 | 65 |
| Total Complaints | 3 | 2 | 5 | 3 | 4 | 2 | 3 | 2 | 1 | 1 | 2 | 28 |

Source: U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Denver, CO.

Other issues that tend to be somewhat frequent are; otherwise deny or make housing available, as well as discriminatory advertising, statements and notices and discriminatory refusal to rent. In fact, these five issues registered some 83 percent of all discriminatory actions in the last 9 years. Essentially, the rental market has been generating the vast majority of housing complaint activities.

Four of the 62 complaints, or some 15.5 percent of the total filed with HUD over the last 10-year period, were determined to have no cause, as noted in Table 21. Nearly 13 percent more, or another 8 complaints, failed to cooperate or were withdrawn without resolution. On the other hand, some 13 complaints, or 21 percent, were resolved with agreement. Three cases are still open.

| Table 21: Cheyenne Fair Housing Complaints Filed With HUD Disposition of the Complaint: 2009 - 2019 | | | | | | | | | | | | |
|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------|
| <i>Outcome of the Complaint</i> | <i>2009</i> | <i>2010</i> | <i>2011</i> | <i>2012</i> | <i>2013</i> | <i>2014</i> | <i>2015</i> | <i>2016</i> | <i>2017</i> | <i>2018</i> | <i>2019</i> | <i>Total</i> |
| Conciliated / Settled | 1 | | 3 | 2 | | 2 | 2 | 2 | | 1 | | 13 |
| Complainant Failed to Cooperate | | 1 | 1 | | 2 | | 1 | | | | | 5 |
| No Cause | 2 | 1 | | 1 | | | | | | | | 4 |
| Withdrawal Without Resolution | | | 1 | | 2 | | | | | | | 3 |
| Open | | | | | | | | | 1 | | 2 | 3 |
| Total Issues | 6 | 2 | 11 | 6 | 9 | 6 | 7 | 6 | 3 | 1 | 5 | 62 |

Source: U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Denver, CO.

Table 22 inspects the resolved complaints (conciliated/settled or no cause) by basis of the complaint, with 20 bases noted therein. Of these, disability comprises the major share, 11 or 55 percent of all resolved fair housing complaints. Race is the next most frequent, with some 4 bases followed by gender with 3 bases.

| Table 22: Cheyenne Fair Housing Complaints Filed with HUD Basis of Resolved Complaints: 2009 - 2019 | | | | | | |
|--|-------------|-------------------|---------------|--------------------|--------------------|-------------------------|
| <i>Year</i> | <i>Race</i> | <i>Disability</i> | <i>Gender</i> | <i>Retaliation</i> | <i>Total Basis</i> | <i>Total Complaints</i> |
| 2009 | 1 | 2 | 1 | 1 | 5 | 3 |
| 2010 | 1 | | | | 1 | 1 |
| 2011 | 1 | 2 | | 1 | 4 | 3 |
| 2012 | | 2 | 1 | | 3 | 3 |
| 2013 | | | | | 0 | 0 |
| 2014 | 1 | 1 | | | 2 | 2 |
| 2015 | | 1 | 1 | | 2 | 2 |
| 2016 | | 2 | | | 2 | 2 |
| 2017 | | | | | 0 | 0 |
| 2018 | | 1 | | | 1 | 1 |
| Total | 4 | 11 | 3 | 2 | 20 | 17 |

Source: U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Denver, CO.

Table 23 presents the discriminatory issue associated with these same 17 resolved complaints. The most frequently seen violation is failure to make reasonable accommodation. Discriminatory terms, conditions, privileges, or services and facilities follows closely behind this issue.

| Table 23: Cheyenne Fair Housing Complaints Filed With HUD Issues of Resolved Complaints: 2009 - 2019 | | | | | | | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------|
| Issue | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | Total |
| Failure to make reasonable accommodation | 2 | 1 | 3 | 1 | | 1 | 1 | 1 | | 1 | 11 |
| Discriminatory terms, conditions, privileges, or services and facilities | 1 | | 2 | 1 | | 2 | 2 | 2 | | | 10 |
| Discriminatory refusal to rent | | | 1 | 1 | | | | | | | 2 |
| Otherwise deny or make housing available | 1 | | | 1 | | 2 | 1 | 1 | | | 6 |
| Discriminatory acts under Section 818 (coercion, etc.) | 1 | | 1 | | | 1 | | | | | 3 |
| Discriminatory advertising, statements and notices | | | 1 | 1 | | | | 1 | | | 3 |
| Failure to permit reasonable modification | 1 | | | 1 | | | | | | | 2 |
| Discriminatory refusal to negotiate for rental | | | 1 | | | | | | | | 1 |
| Non-compliance with design and construction requirements (handicap) | | | | | | | | 1 | | | 1 |
| Total Issues | 6 | 1 | 9 | 6 | 0 | 6 | 4 | 6 | | 1 | 39 |
| Total Complaints | 3 | 1 | 3 | 3 | 0 | 2 | 2 | 2 | | 1 | 17 |

Source: U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Denver, CO.

Conclusion: Based on housing discrimination complaint data provided by HUD's FHEO, four complaints were found to have "no cause determinations," three were withdrawn by the complainant without resolution, four were the complainant failed to cooperate, and twelve were resolved successfully.

The State of Wyoming's Attorney General Office was contacted, and they have no documented cases of Fair Housing Complaints.

Fair Housing Discrimination Suit Filed by the Department of Justice or Private Plaintiffs

If a complainant chooses to resolve a complaint in federal court rather than through an Administrative Law Judge, the U.S. Department of Justice (DOJ) files the case. DOJ records list no cases filed in Wyoming within the last ten years.²⁷

Discussion of Other Fair Housing Concerns or Problems

Additional evaluation of Wyoming's Fair Housing Profile was conducted during the Assessment of Fair Housing (AFH) process through five main avenues: the 2016 Fair Housing Survey, a series of in-person meetings with the residents and managers of public housing agencies throughout Wyoming; surveys distributed to residents of those housing authorities; in-person and web-based workgroups pertaining to disability and access to opportunity; and a series of five fair housing forum presentations, one of which was held in Cheyenne.

The Wyoming Community Development Authority posted documentation of the AFH on their website to reach the broadest possible audience. A press release was syndicated statewide through various news and media outlets. Multiple advocacy groups were contacted as well. The purpose of the 2016 Wyoming Fair Housing Survey was to gain the insight of stakeholders and citizens throughout the state on fair housing issues and challenges facing state residents.

There were 336 respondents to the survey. The respondents consisted of 95 local government officials, 53 in property management, 26 service providers, 21 advocate/service providers, 21 in real estate, 15 in construction/Development, 13 in banking/finance, 6 in law/legal services and one appraiser. Of the respondents 113 were somewhat familiar with fair housing laws, 76 were very familiar and 60 were not familiar.

One hundred ninety-four respondents agree that fair housing laws serve a useful purpose. One hundred eight respondents did not feel that the fair housing laws were difficult to understand. One hundred eight respondents do not think the fair housing laws should be changed. One hundred nine do not feel that the fair housing laws are adequately enforced.

The majority of respondents were unaware of fair housing training and felt that there was too little outreach and education. The majority of respondents were unaware of any city or county fair housing ordinance, regulation or plan and the majority did not feel that there were any specific geographic areas that have fair housing problems. The majority of respondents were not aware of any questionable practices or barriers to fair housing choice within any identified market.

In 2019 the Housing & Community Development Office distributed a Fair Housing Survey, Attachment 1, to government agencies, non-profit agencies, churches and the general public. There were 49 respondents to the survey. Forty-five of the respondents were white, two were African American/Black, two were other/multiple races and three were Latino/Hispanic. There were fourteen male respondents, thirty-three female with two respondents choosing not to say. The majority of the respondents were between the ages of 35 and 44. One being under 18 years old, two between 18 and 24, eight between twenty-five and thirty-

²⁷ <https://www.justice.gov/crt/housing-cases-summary-page#riga>

four, eleven between forty-five and fifty-four, eleven between fifty-five and sixty-four, and four over sixty-five.

Of the respondents nine identified that someone within their household had a physical disability and four identified a mental disability. The special accommodations that were identified were an ADA ramp and bathroom, no stairs, stability bars, a therapy/emotional support animal and educational assistance through an IEP. No language other than English was identified.

When asked if they have ever experienced housing discrimination thirteen said yes and four were unsure. Table 24 best describes the person or organization that discriminated against them.

| Table 24: Which of the following best describes the person or organization that discriminated against you? (Check all that apply) | |
|--|---------------|
| Person/Organization | Number |
| A real estate agent | 4 |
| A landlord or property manager | 8 |
| A government employee | 1 |
| A loan office/mortgage broker | 3 |
| A homeowner's association | 1 |
| Not applicable | 34 |

Source: Fair Housing Survey (City of Cheyenne)

Table 25 identifies why the respondents were discriminated against.

| Table 25: On what basis do you believe you were discriminated against? (Check all that apply) | |
|--|---------------|
| Basis | Number |
| Race/ethnicity | 2 |
| Color | 1 |
| Religion | 0 |
| National origin | 0 |
| Sex | 6 |
| Familial status | 3 |
| Disability | 3 |
| Not applicable | 35 |

Source: Fair Housing Survey (City of Cheyenne)

When asked if they did not file a report, why not? Five respondents stated they did not think it would help, two did not know where to file, five did not realize it was a violation of fair housing and three were afraid of retaliation.

When asked if they thought certain geographic areas or neighborhoods of Cheyenne were undesirable places to live forty responded affirmatively. Thirty-three felt that affordable housing options were concentrated within certain areas or neighborhoods. The majority of the respondents identified the following areas as undesirable and where affordable housing was concentrated: south, west and east side of Cheyenne and areas with mobile home parks.

Twenty-nine respondents felt that they understood their fair housing rights. When asked what additional groups should be protected under the fair housing law the responses were: Low-income, students, youth, homeless, gender identity sexual orientation, any and all minorities.

When asked if they were aware of any barriers to fair housing in the rental housing market their responses were: Price; accessibility; handicapped parking; color; refusal to accept housing subsidies; lack of property upkeep by landlords; LGBT; race; refusal to rent to recovering addicts or alcoholics because of the stigma and homeless.

When asked if they were aware of any barriers to fair housing in the real estate industry their responses were: Price; only shown properties in certain areas; pets; and color.

When asked if they were aware of any barriers to fair housing in the mortgage and home lending industry their responses were: lack of up-front money; higher interest rates for women and racial minorities; LGBT and devaluing property owned by individuals of color.

When asked if they were aware of any barriers to fair housing in the housing construction or housing design fields their responses were: Newer houses are not wheelchair or walker friendly with massive steps; poorly designed sidewalks, too many steps, no elevator, bathrooms too small to accommodate a wheelchair, no handicapped parking spaces; built with substandard materials and no access to transportation in certain areas.

When asked if they were aware of any barriers to fair housing in any other housing services their responses were: Limited supply of affordable city lots, domestic violence victims, Cheyenne Housing Authority often judges people with felonies even though they were old felonies and neighbors protesting.

Section 4 – Identification of Impediments to Fair Housing Choice

Public Sector

Zoning and Site Selection: The Greater Cheyenne Chamber of Commerce supported a public process to create a master vision for the Cheyenne area. It provided strategic direction and set the foundation for *PlanCheyenne*²⁸. *PlanCheyenne* was completed in 2006 and incorporates the community-defined Vision 2020. *PlanCheyenne* is based on four building blocks:

- **Snapshot:** Provides information and analysis about the state of the community today. The information benchmarks, the community's population, employment, parks and recreation, transportation, and other data.
- **Structure:** Determines the Cheyenne Area's architectural identity and describes the elements that make neighborhoods, districts (like downtown) livable and unique. Parks and Transportation have Structure elements, described in those plans.
- **Shape:** Incorporates details about individual elements the community must consider in the future, including neighborhoods, parks, economic development, transportation, and more. Shape contains the goals, policies, and physical plan directions to guide decisions in the future.
- **Build:** Provides implementation tools to carry out the many ideas of the Plan.

Within the **Structure** segment are design principles for new development for Single-Family Residential, Multi-Family Residential, and Neighborhood/Downtown Commercial. The Single-Family Residential design principles allow for flexibility in setbacks to provide variation in the orientation and distance of houses to the street. This flexibility could affect zoning and density to allow for more affordable housing. The residential street widths should be at a scale that creates intimacy and that are not too wide. This could also affect the zoning and density of the neighborhood. The Multi-Family Residential design principles note that if it is attractively designed and does not have a "barracks-like" appearance it would be more acceptable to adjoining neighborhoods. The Neighborhood/Downtown Commercial design principle allows for a balanced, mixed-use form of development that incorporates a variety of types of uses. This will allow for housing above a business in the downtown area.

Within the **Shape** segment is The Community Plan for the future. In keeping with the Vision2020 grass roots public effort, the Cheyenne community and plan advisory committees participated throughout the planning process to create *ShapeCheyenne*. In addition to two charrettes in December 2004 and January 2005, where over 30 committee members attended and 45 members of the public participated at each event, the planning process involved on-going Technical and Steering Committee meetings every few months. In July 2005, the Wyoming Tribune-Eagle newspaper printed information about the process and policy choices, and it solicited comments from readers. It also advertised upcoming meetings and events.

One of the key concepts of the plan is the notion of mixed-use activity centers. These are places designed to be pedestrian-oriented, with high quality of design and cohesive site development, and with a mix of

²⁸ <https://www.plancheysenne.org/about-cheyenne-mpo/plancheysenne-cheyennne-area-master-plan/>

complementary uses, such as retail services and higher density housing (even loft style apartments). The plan promotes land use patterns in the Urban Growth Boundary that are conducive to supporting a variety of transportation alternatives and mobility in the community. For example, the mixed-use activity centers should include a mix of compatible land uses and be designed to be safe and comfortable for pedestrians and should be located along future transit corridors. Developing land use patterns that are more mixed can allow people to live in neighborhoods where they are able to drive shorter distances to services and jobs, and where they may be more inclined to walk, ride a bike, or use transit.

ShapeCheyenne strongly encourages using a variety of housing types and models, sizes, and price ranges in new neighborhoods to provide expanded housing options. Incorporating a mix of housing types at both the neighborhood scale and the block scale helps create varied and interesting streetscapes and a diverse community. Also, higher density and senior housing should typically be located near activity centers and transportation corridors (arterial and collector streets) to provide for convenient access, and should include common areas such as courtyards, playgrounds, or open space.

The Cheyenne community has a growing concern about the availability of attainable or workforce housing for low and moderate-income families. Workforce housing is essential to the strength of our community to allow multiple generations to live, work, and settle here (from families with young children to senior citizens). A variety of housing types, ranging from apartments to single family homes, will help meet these needs. Workforce housing should be dispersed throughout the community and not concentrated in one area. It should be placed in locations that are accessible to major transportation corridors and near activity centers. Affordable or (workforce) housing can and should be of high quality.

ShapeCheyenne also addresses Senior and special needs housing and feels that it should be dispersed throughout the community, integrated into and part of neighborhoods, and not concentrated in one area. It should be placed in locations that are accessible to major transportation corridors and near activity centers. The development of senior facilities and housing should be near downtown, activity centers, near medical facilities, and other community facilities, such as community centers.

Transportation is also of great importance to *ShapeCheyenne*. In planning for new construction, the design of the roadways is critical. The community will design and construct arterial and collector streets to be "multimodal," by providing travel lanes for automobiles, bikes, buses, bike lanes, and sidewalks. *ShapeCheyenne* also wants to avoid locating new housing adjacent to major thoroughfares and arterial roads should not cut through new neighborhoods; conversely new neighborhoods should not be built in front on arterial roads. This will help with the environmental concerns with Community Development Block Grant Funding. *ShapeCheyenne* also recommends that the city should enhance the public transportation system to increase mobility choices and increases per capita riders.

ShapeCheyenne also looks at hazardous areas and proposes that to the extent possible, the community should limit or restrict development in potential natural hazard areas, including floodplains and steep unstable slope areas. This is another environmental concern with Community Development Block Grant Funding.

ShapeCheyenne also has an extensive future land use plan in place that includes a balanced mix of housing and jobs, and neighborhoods with housing choices, including urban neighborhood design principles. The Future land Use Plan does not predetermine all land uses on individual parcels and is intended to provide some flexibility for the market to help determine which uses are needed at a given time. However, when the city and county evaluate land uses for a proposed development, the city and county will consider whether diverse and integrated mixes of uses are provided throughout the entire Cheyenne area.

Within the **Build** segment are Code revisions (new or revised zoning requirements, design standards or guidelines, incentives, overlay districts, subdivision requirements, conservation design approaches, clustered development, and others). *BuildCheyenne* recommends the adoption of new incentives for cluster development in rural areas to minimize service demands from dispersed development and to conserve open space and elements of rural character. Other types of code revisions include:

- New or revised zoning and/or subdivision requirements (to remove development “barriers” or improve quality standards),
- Procedural improvements (e.g., neighborhood meetings, or pre-application meetings),
- Design standards or guidelines,
- Incentives to achieve quality design, or conservation, or other goals (e.g., density bonus, streamlined review procedures for preferred development patterns).
- Overlay districts,
- Conservation design approaches and clustered development, and
- Others.

BuildCheyenne is also looking at new residential development standards. The approach recommended to implement new neighborhoods in Cheyenne should be a balance of incentives and standards. Zoning Code should be amended by adding new provisions entitled “Residential Development Standards.” The new provisions might include some generally applicable standards relating to, among others, housing type mix for both single- and multi-family, lot size variety, connectivity and sidewalk provisions, and housing model mix (anti-monotony) in current LR-2, MR-2, and HR-2 districts—districts that apply to developing neighborhoods, not established neighborhoods. Consideration should also be given to amending the Cheyenne Road, Street, and Site Planning Design Standards Manual regarding the profile of streets in residential neighborhoods—making provision for more pedestrian/neighborhood friendly design (e.g., narrower cart way widths with on-street parking). To implement the new urban residential category this plan recommends amending current residential zone districts to apply to a wide variety of conditions ranging from suburban to old mature city neighborhoods. The city/county should consider specific subsections within the new residential design standards section that would be locationally specific (e.g., block lengths in old Cheyenne would be limited to the existing city block length and cul-de-sacs might be prohibited). The multi-family section would contain more specific, but still relatively straightforward standards, to ensure that such structures avoided box-like or barrack-like structures, use quality building materials on the front-façade, address the location and design of multi-bay garages and carports, and address the relationship of buildings on a site to provide for useable outdoor common spaces.

PlanCheyenne was updated in 2014 to update the baseline data, maps, and analysis that underlie the Plan to reflect current trends and conditions. To evaluate what has been accomplished since the Plan was first adopted and identify areas for improvement. To confirm and refine the Plan’s seven Foundations and supporting principles and policies with input from the community to ensure they continue to align with the community’s vision for the future. To identify priority actions and measures of success to support the Plan’s implementation and track the community’s progress over time, and to fine-tune the Plan’s organization and content to make it more user-friendly and accessible.

In 2011 the City of Cheyenne adopted the Unified Development Code (UDC). Infill standards developed as part of the City's UDC will help protect the character of established neighborhoods. As part of the UDC, a variety of new mixed-use districts were established to support the implementation of the different intensities and types of mixed-use development designated by the Future Land Use Plan (*ShapeCheyenne*). In addition, some existing zone districts were modified to promote more compact, pedestrian-oriented development patterns.

The design principles identified in the *Structure* section of the Plan highlight the importance of gateways, streetscape, landscaping, signage and other features in defining community character within the public realm. Numerous transportation projects have been completed or are underway that enhance both the multimodal functionality and appearance of the community's gateways and corridors, such as: I-25 Vandehei Interchange roundabout; I-25 High Plains Road interchange roundabout; West Lincolnway Enhancements, and archer Complex Planned Unit Development.

Adopted in 2007, the Parks and Recreation Master Plan is a key element of *PlanCheyenne*. Major goals include the continued implementation of planned trails and greenways and a more even distribution of park space throughout the community. Since then, total parkland areas, developed and undeveloped, have nearly doubled and greenway trails have more than doubled. Two new parks have also been developed; Romero South Cheyenne Community Park, located within a low-income census tract; and Saddle Ridge Neighborhood Park.

The City of Cheyenne is working on another update to *Plan Cheyenne*. Connect 2045 is Cheyenne's new Long-Range Transportation Plan (LRTP) and should be adopted in August 2020.

Conclusion: The City of Cheyenne is looking at various ways to incorporate mixed-use space into developments that will allow for a variety of housing types that will meet all income levels and age of residents. The plan does not specifically address affordable housing, but discussions have occurred for ways to address the affordable housing issue in Cheyenne.

Neighborhood Revitalization, Municipal and Other Services, PHA and Other Assisted Insured Housing Provider Tenant Selection Procedures: Within *ShapeCheyenne* it is recommended that the city should identify neighborhoods in need of revitalization and assess needs for and provide physical infrastructure improvements to give them a boost. Policy 2.1.d. Conversions of Homes Along Arterials. Residential structures along the following roads qualify: Dell Range (east of Yellowstone), Pershing (west end), and Ridge Road.

The Historic South Side Association (HISSA) put together a South Side Neighborhood Revitalization Strategy in 2003. The HISSA Board consisted of residents of the neighborhood. They received funding from the Community Development Block Grant for two years to assist the residents of the neighborhood with exterior repairs to their homes.

Since then the south side neighborhood, Cheyenne's Original City, has been declared a historic district. Also, two new high schools, South High and the alternative high school, Triumph, have been located on the south side, along with a new elementary school. The David R. Romero Community Park was constructed along with a youth activity and community center. The south park is located on 37.5 acres and includes a multi-purpose playing field, picnic shelter, and greenway path. The youth activity center includes a large community room and exercise and game courts.

The Tortilla Factory built a new and larger restaurant about one mile south of its current location. Pizza Hut has also relocated to the south side. Frontier Refinery just built new corporate offices west of the refinery and the Boys and Girls Club built a new club. Wyoming Community Development Authority (WCDA) approved funding for two developments on the southside in 2015. Crow Creek Apartments, containing 59 units, is located just out of the city limits and Grand Harmony Apartments, containing 33 units. Grand Mesa Apartments, an affordable housing complex, that includes 62 units has been completed. It consists of 1-, 2- & 3-bedroom apartments. It is in close proximity to schools. Annie Morgan 4-Plexes, an affordable housing complex, that includes 40 units has been completed.

On the east side in 2006 Saddle Ridge development was platted with 208 acres. This includes 284 single family lots, 444 duplex/townhome lots, and 17 acres set aside for multi-family or assisted units. This development has been completed. J. L. Ranch was also platted in 2006 with, 147 single family lots, this project has been completed. Southridge Apartments, an affordable housing complex, that includes 40 units has been completed. It consists of 2- & 3-bedroom apartments just minutes from shopping and dining. In 2016 the first phase of a new single-family development was completed. Thomas Heights consists of 193 homes between Ridge Road and College Drive. Magpul Industries, an ammunition-magazine and gun-accessory manufacturer relocated its manufacturing, distribution and shipping operations to Cheyenne in 2015.

On the north side, Converse Place Apartments, an affordable housing complex, that includes 72 units is under construction. It consists of 2- & 3-bedroom apartments. It is within walking distance of shopping and dining. Mission Village, an affordable housing complex, that includes 41 units has been completed. It consists of 2- & 3-bedroom garden style homes and is in close proximity to dining, shopping and recreational activities.

On the west side, in 2018 Microsoft began work on expanding its data center operations. The expansion added 25 permanent jobs to the data center. An Enhanced Use Lease (EUL) Infrastructure Project is moving forward. On January 8, 2020, The Wyoming Business Council approved \$400,000 for the City of Cheyenne to begin designs for the development of 75.3 acres south of Happy Jack Road. This project will increase housing and commercial activity within Cheyenne. F.E. Warren Air Force Base is one of three bases identified for the Ground Based Strategic Deterrent (GBSD) program to replace the current ICBM missile system, Minuteman III.

The City of Cheyenne partnered with The Greater Cheyenne Chamber of Commerce, Cheyenne Depot Museum and Microsoft to bring a broadband solution to the community. Microsoft provided a \$150,000 strategic grant for the installation of free public broadband at the Cheyenne Depot. The Civic Center Commons was completed in 2019. A former parking lot has been transformed into a park that doubles as flood control for downtown Cheyenne. Cheyenne hopes this redevelopment will attract people and businesses to the area and ultimately make a significant economic impact on the central business district and historic downtown Cheyenne.

Stag Arms LLC and Precious Cat, Inc. will be relocating to Cheyenne. In 2018 SkyWest Airlines brought American Eagle Flights from Cheyenne to Dallas-Ft Worth.

The City of Cheyenne was one of 35 Champion Cities selected as finalists in the 2018 U.S. Mayors Challenge. The City proposed to catalyze core revitalization by matching owners of underutilized commercial properties with entrepreneurs. Unfortunately, the City of Cheyenne was not selected as the winner.

Transportation is a service provided by the Cheyenne Transit Program. Map #4 shows the bus routes in Cheyenne. Cheyenne Transit works to assist the residents of Cheyenne with their fixed route service. CTP's fixed-route buses are lift-equipped, making them accessible for people who use a mobility device or cannot climb stairs. Their drivers receive special training in assisting people with disabilities. CTP's curb-to-curb, ADA complementary paratransit service provides comparable service to their regular fixed-route service for citizens whose disabling conditions prevent their use of the regular bus service. Free bus tokens are available at Needs, Inc. for low-income individuals.

Transportation is a barrier, especially for the low income. *PlanCheyenne* is aware that transportation is critical and has addressed transportation issues. Creating mixed-use neighborhoods where residents are able to walk from home to work will decrease the transportation barrier. *Connect 2045* is a land use and transportation update to *PlanCheyenne*. An open house was held on November 5, 2019.

The Cheyenne Housing Authority operates a variety of programs serving lower income households, including:

- Public Housing: 341 units including 75 units in Laramie,
- Housing Choice Voucher: nearly 1,800 tenant-based Vouchers throughout Wyoming,
- Project Based Contract Administration (PBCA): 51 properties with more than 2,100 Section 8 project-based Vouchers throughout Wyoming,
- Veterans Affairs Supportive Housing (VASH): 158 Vouchers in several Wyoming communities including 91 in Cheyenne,
- HUD Multifamily: 50 Section 8 project-based subsidized multi-family units,
- USDA Rural Development: a 16 unit 515/Section 8 project,
- 19 HOME funded units,
- Units managed on behalf of the Wyoming Housing Partnership,
- 7 single family homes,
- 51 properties with 2,165 rental units through the Project-Based Section 8 Program,
- Senior Programs: Nutrition, Family Caregiver, RSVP, and Resident Services,
- Welcome Home Wyoming home ownership down payment assistance program,

The eligibility determination for most programs is based primarily on income eligibility, meaning that the CHA serves most households with incomes at or below 50% of the area median income. Once an income eligible applicant submits a pre-application they are placed on the waiting list(s) of their choice. The CHA manages the waiting list on a first-come first-served basis. Pre-applicants are provided a preference based on the following:

- Person(s) that currently live and/or are employed or hired to work in the areas where the Cheyenne Housing Authority has jurisdiction.
- Person(s) over the age of 62 and/or that have a verifiable disability in accordance with Cheyenne Housing Authority policies.
- Individuals or families that have been victims of domestic violence.

- Displaced person(s): Individuals or families displaced by government action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.
- Homeless person(s) referred to the Cheyenne Housing Authority by a local agency currently providing the applicant with case management to support to eliminate chronic homelessness.
- (For Public Housing Only) Applicants with an adult family member enrolled in an employment training program currently working 20 hours a week or attending school on a full-time basis.

As their pre-application nears the top of the waiting list the applicant is invited to a meeting where the program is explained, and forms are provided for determining final eligibility - primarily 3rd party verifications of all sources of income and assets. The CHA then offers the next available unit, or issues the next available voucher, to the appropriately sized household once those required verifications are provided. The occupancy standards for the CHA are basically that there are two persons per bedroom - for example a household with five people would be eligible for a three-bedroom voucher or to occupy a three-bedroom public housing unit.

The CHA current waiting lists include:

- 2,051 vouchers
- 1,286 public housing
- 87 Laramie public housing
- 43 Pine Bluffs
- 28 Foxcrest II
- 155 Indian Hills Manor
- 6 Weaver Road Apartment
- 3 College houses
- 2 WRAP houses

Community Action of Laramie County (CALC) offers transitional housing. Their program consists of single-occupancy apartments that are offered to homeless individuals, as well as, larger apartment and/or homes to assist low-income families. Both single occupancy and family housing opportunities include case management. CALC also has a VA Bridge Housing Program which is a short-term program (90 days or less) offering case management and temporary housing to low-income veterans. CALC collaborates with the U.S. Department of Veteran Affairs, the local VA Medical Center, and Volunteers of America to obtain the goal of permanent housing for program participants. Prior to acceptance into the program, the participating veteran will have been issued a housing voucher. While in the program, veterans have the opportunity to work closely with a case manager on matters of employment, budgeting, communication, and everyday life skills.

Conclusion: There does not appear to be any impediment to fair housing choice related to neighborhood revitalization, municipal and other services; however, the lack of mixed-use neighborhoods may be an impediment to fair housing choice for those who do not have their own transportation.

Sale of Subsidized Housing and Possible Displacement: The housing authority and the City's Community Development program adhere to HUD regulations regarding displacement. If displacement does occur, relocation assistance will be provided as per the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Optional relocation assistance may also be provided from CDBG funds but must be made available to all eligible residents that are affected by relocation. If housing assistance contracts are not renewed, and units become market rate, there may be a potential for

displacement if households cannot afford market rate rents; however, there are no known contracts expected to expire.

Conclusion: Loss of any housing units and displacement of those residing in these units is an impediment to fair housing choice, as tenants may not be able to afford higher market rate rents.

Property Tax Policies: The State of Wyoming Legislature budgets funding to assist Veterans of foreign wars in paying property taxes. The County Assessor's Office administers the exemption based on statute and Department of Revenue Rules and Regulations. In 2007 the \$800 lifetime maximum was removed and any disabled veteran with a compensable service-connected disability is eligible for the exemption regardless of the time of service. The surviving spouse of a qualifying Veteran may be eligible to continue this exemption also.²⁹ The County Treasurer's office offers property tax relief to qualifying taxpayers. If a low-income resident of Cheyenne qualifies they may receive a refund from the Wyoming Department of Revenue. The County Treasurer's office also offers tax rebates for the elderly and disabled. This is a statewide program that is managed by local Senior Citizen Centers.

Conclusion: The property tax exemption programs are supportive of fair housing choice, as they provide property tax relief to disabled veterans, elderly and disabled.

Planning and Zoning Boards: The City of Cheyenne operates as a Mayor-Council form of government and is classified as a first-class City pursuant to Wyoming Statutes. The Cheyenne City Council is composed of nine members elected on a non-partisan basis. The Governing Body is comprised of all nine Council members and the Mayor, who is elected at-large for a four-year term.

The Governing Body serves as the City's legislative body, having responsibility including:

- Enacting ordinances
- Approving City growth and development
- Establishing rules and regulations
- Appropriating funds to conduct City business

The following board members have various skills and knowledge and are all appointed to their respective boards by the Mayor.

The Airport Board is comprised of 5 members. The Airport Board is responsible for the operation and maintenance of Airport property; promotion and development of air transportation.

The Board of Adjustments is comprised of 7 members. The Board of Adjustments meets to hear and decide appeals from decisions made by the City and the Development Director, and to make legal interpretations of the pertinent provisions in order to correct any possible misinterpretations, and to review variance applications.

The Building Code – Board of Appeals is comprised of 9 members. The Building Code – Board of Appeals meets to hear and rule on appeals of an aggrieved party from decisions of the Building Official, the Historic Preservation Board, and other proceedings as provided by City Code in order to determine the suitability of alternate materials and types of construction, and to provide for reasonable interpretations of Building and Technical Codes adopted by the city.

²⁹ Wyoming Statutes ~ 2009 Amended 39-13-105. Exemptions; veterans.

The Cheyenne Community Forestry Committee consists of 10 members. The Cheyenne Community Forestry Committee is dedicated to the preservation, protection, and enhancement of our community forest through professional efforts in planning, planting and the maintenance of trees for the enrichment of our residents. The Committee will strive to build an effective and positive partnership among citizens, industry, local government, schools and volunteers.

The Cheyenne Housing Authority Board is comprised of 5 members. The Cheyenne Housing Authority Board meets to alleviate unsanitary or unsafe substandard dwellings and shortages of safe and sanitary dwellings existing in the community for senior citizens and persons in the low-income bracket by finding rentals or housing at prices they can afford.

The Community Action of Laramie County Board is comprised of 12 members. The Community Action of Laramie County Board is a Private, non-profit organization, that represent the needs of the community as a whole; to stimulate a better focusing of both public and private resources, upon the goal of enabling low-income persons to attain the skills, knowledge, and motivation to secure the opportunities needed for them to become self-sufficient. The Board acts as a catalyst to make the community more responsive to the needs and interests of the poor by mobilizing resources and maintaining every effort to guarantee that the resources, once mobilized, are not reduced or eliminated.

The Contractor Licensing Board is comprised of 9 members. The Contractor Licensing Board sets the qualification and examination standards for licensing of building contractors. They also conduct hearings and investigations as necessary to enforce the provisions of the Cheyenne City Code.

The Cheyenne Downtown Development Authority is comprised of 11 members. The Cheyenne Downtown Development Authority meets to plan and implement the restoration and improvement of the property within its boundaries.

The Cheyenne-Laramie Co. Economic Development Joint Powers Board is comprised of 7 members. The Joint Powers Board meets to facilitate and promote the sound economic growth of the State of Wyoming. Develop Wyoming's natural resources and protect its natural environment. They also promote employment opportunities for the citizens of Wyoming by creating or encouraging the expansion of manufacturing and industrial plants, processing facilities, and all kinds of businesses which contribute payrolls and tax base to the State of Wyoming.

Greenway Advisory Committee is comprised of 17 members. The Greenway Advisory Committee provides community representation and specialized expertise to the Greenway Project. It helps direct, set priorities, and make recommendations for Governing Body decisions.

The Historic Preservation Board is comprised of 9 members. The Historic Preservation Board meets to protect, enhance and perpetuate historic structures and other areas of historical value and to promote use of historic districts and landmarks for the education, pleasure and welfare of the community.

The Housing & Community Development Advisory Council is comprised of 9 members. The Housing & Community Development Advisory Council meets to consider specific activities to be funded with Community Development Block Grant Funds.

The Mayor's Council for People with Disabilities is comprised of 15 members. The Mayor's Council for People with Disabilities mission is to serve as a network, catalyst, and referral organization that will enhance equality and self-advocacy for people regardless of their disability.

Metropolitan Planning Organization (MPO) Citizen's Advisory Committee is comprised of 5 members. The MPO Citizen's Advisory Committee provides input on the MPO's plans, products and project priorities. It also communicates the goals and proposals to the general public.

The Planning Commission is comprised of 5 - 7 members. The Planning Commission hears testimony from the public regarding development actions and gives a recommendation to City Council. The Commission reviews zone changes, plats, vacations and revisions to the Zoning Ordinance.

The Public Transit Advisory Board is comprised of 9 members. The Public Transit Advisory Board meets to review the Transit Development Program, to present recommendations and updates. They also create a forum for the exchange of ideas among City personnel, Public Transit Advisory Board, and concerned citizens and to act in an advisory capacity to the City of Cheyenne, concerning the transit system, and disseminate information to the public on planned transit improvements.

Conclusion: There does not appear to be any impediment to fair housing choice in the membership of City boards and commissions.

Building Codes (accessibility): The Building Safety Department enforces safe building practices by monitoring the building process through construction. They also provide building code inspections to ensure that all work being done is up to code.

Conclusion: There does not appear to be any impediment to fair housing choice with the building codes.

Private Sector

Lending Policies and Practices: Since the 1970s, the federal government has enacted several laws aimed at promoting fair lending practices in the banking and financial services industries. Although the record is improving, discriminatory practices have not been entirely eliminated; education remains an important part of promoting fair treatment in lending. A brief description of selected federal laws aimed at promoting fair lending is presented below.

The 1968 **Fair Housing Act** prohibits discrimination in housing based on race, color, religion, or national origin. Under the FHA, it is illegal to discriminate against any of the protected classes in residential real estate transactions that include making loans to buy, build or repair a dwelling; selling, brokering or appraising residential real estate; or selling or renting a dwelling.

The **Equal Credit Opportunity Act (ECOA)** was passed in 1974 to prohibit discrimination in lending based on race, color, religion, national origin, sex, marital status, age, receipt of public assistance, or the exercise of any right under the Consumer Credit Protection Act.

Congress enacted the **Home Mortgage Disclosure Act (HMDA)** in 1975 and amended the act from 1988 through 1991. The act requires both depository and non-depository lenders to collect and publicly disclose information about housing-related loans and applications for such loans. Under the act, financial institutions are required to report the race, sex, loan amount, and income of mortgage applicants and borrowers by Census Tract. Examination of HMDA data can reveal if loans are denied at higher rates for certain races or in certain areas.

This information provides an overview of mortgage lending practices within the Cheyenne area for 2017, which is the most recent year available. It does not provide information specific to Cheyenne or Laramie County and the nature of this information is very general and open for interpretation. It is included to be used to give a very broad overview of mortgage lending in the area and does not include information on individual loan applicants. Specific areas to evaluate (which may suggest potential discriminatory practices or trends) include high denial rates for minority and female applicants; very low denial rates; unusually low

levels of applications from women, minorities and low and moderate-income persons; and a high number of applications withdrawn by minority applicants, as compared to non-minority applicants. Table 28 shows the disposition of loan applications by loan type. There was a total of 2,906 loans originated in Cheyenne with 1,370 loans either being denied, withdrawn, incomplete, or not accepted.

| Table 28: 2017 Disposition of Loan Applications – Loans for 1-4 family dwellings | | | | | |
|---|--|-------------------------------|----------------------------|---------------------------------------|------------------------------------|
| Disposition of Application | FHA, FSA/RHS & VA Loans | Conventional Loans | Refinance Loans | Home Improvement Loans | Total Loan Applications |
| Loans Originated* | 783 | 830 | 1,115 | 178 | 2,906 |
| Approved, Not Accepted* | 12 | 21 | 67 | 4 | 104 |
| Application Denied* | 58 | 125 | 405 | 78 | 666 |
| Application Withdrawn* | 76 | 102 | 263 | 24 | 465 |
| Incomplete* | 3 | 31 | 90 | 11 | 135 |

Source: Federal Financial Institutions Examination Council³⁰, MSA/MD Aggregate Report

*Note: This information is mainly for the City of Cheyenne, minimal county information is included.

Table 29 shows how many loans were originated within the different census tracts of Cheyenne. It shows that refinancing loans were the most common.

| Table 29: 2017 Loans Originated, by Location and Loan Type – Loans for 1-4 family dwellings | | | | | |
|--|--|-------------------------------|----------------------------|---------------------------------------|------------------------------------|
| Census Tract | FHA, FSA/RHS & VA Loans | Conventional Loans | Refinance Loans | Home Improvement Loans | Total Loan Applications |
| 2.00 64.96% AMI | 71 | 54 | 50 | 9 | 184 |
| 3.00* 37.96% AMI | 57 | 44 | 83 | 10 | 194 |
| 4.02* 67.7% AMI | 60 | 51 | 51 | 10 | 172 |
| 5.01* 28.91% AMI | 113 | 102 | 157 | 24 | 396 |
| 6.00 45.82% AMI | 84 | 68 | 107 | 11 | 270 |
| 7.00 46.35% AMI | 30 | 49 | 40 | 10 | 129 |
| 8.00 30.8% AMI | 15 | 28 | 32 | 3 | 78 |
| 9.00 30.96% AMI | 20 | 43 | 54 | 7 | 124 |
| 10.00 63.94% AMI | 33 | 49 | 34 | 6 | 122 |
| 12.00* 20.74% AMI | 34 | 70 | 90 | 13 | 207 |
| 13.00* 24.4% AMI | 84 | 136 | 172 | 43 | 435 |
| 14.01 29.61% AMI | 59 | 35 | 78 | 9 | 181 |
| 15.01* 27.79% AMI | 70 | 60 | 99 | 12 | 241 |
| 15.02* 59.95% AMI | 53 | 41 | 68 | 11 | 173 |
| Total | 783 | 830 | 1,115 | 178 | 2,906 |

Source: Federal Financial Institutions Examination Council, MSA/MD Aggregate Report

*Note: This information is mainly for the City of Cheyenne, minimal county information is included.

Table 30 provides information on mortgage loans for one – four dwelling units, broken out by race. The lowest percentage of loan applications approved was for persons of American Indian/Alaska Native and Native Hawaiian/other Pacific Islanders races at 60% each. The Hispanic or Latino race had a lower percentage rate at 78.2% then the not Hispanic or Latino race, 84.2%, a difference of 6%. Females had a lower percentage rate at 82.3% then males who were at 82.8%, a difference of 0.5%. Denial of applications was lowest for African American and White/Minority at 4% each. The highest denial rates were for Native

³⁰ <http://www.ffiec.gov/reports.htm>

Hawaiian/Other Pacific Islander applicants at 40% and race not available at 9%. The Hispanic or Latino had a higher denial rate at 8% then the not Hispanic or Latino, 6.6%, with a difference of 1.4%. Male's had a lower denial rate at 6.9% then females, 7.7%, with a difference of 0.8%.

| Table 30: 2008 Disposition of Applications for FHA, FSA/RHS, and VA Home Purchase Loans, by Race and Gender – Loans for 1-4 family dwellings* | | | | | | |
|--|------------------------------|---|--|--|---|--|
| Race/Gender | Applications Received | Loans Originated/ % of Number Received | Application Approved but not accepted/ % of Number Received | Applications Denied/ % of Number Received | Applications Withdrawn/ % of Number Received | Applications Incomplete/ % of Number Received |
| <i>Am. Indian/ Alaska Native</i> | 5 | 3/60% | | | 2/40% | |
| <i>Asian</i> | 15 | 13/86% | | 1/7% | 1/7% | |
| <i>African American</i> | 28 | 24/85% | | 1/4% | 3/11% | |
| <i>Native Hawaiian/ Other Pacific Isl.</i> | 5 | 3/60% | | 2/40% | | |
| <i>White</i> | 1,088 | 915/84% | 15/1.4% | 67/6.2% | 86/7.9% | 5/.5% |
| <i>White/Minority race</i> | 26 | 25/96% | | 1/4% | | |
| <i>Race not available</i> | 55 | 41/75% | 1/2% | 5/9% | 7/13% | 1/2% |
| <i>Hispanic or Latino</i> | 87 | 68/78.2% | 3/3.4% | 7/8% | 7/8% | 2/2.3% |
| <i>Not Hispanic or Latino</i> | 1,038 | 874/84.2% | 11/1.1% | 65/6.6% | 84/8.1% | 4/.4% |
| <i>Male*</i> | 495 | 410/82.8% | 9/1.8% | 34/6.9% | 40/8.1% | 2/.4% |
| <i>Female*</i> | 181 | 149/82.3% | 1/.06% | 14/.7.7% | 14/7.7% | 3/1.7% |

Source: Federal Financial Institutions Examination Council, MSA/MD Aggregate Report

*Note: Numbers do not always equal total number of applications received. In some cases, race, ethnicity, and/or gender were not available and are not included. Loans filed jointly are not included in the totals.

Table 31 provides information on mortgage loans for one – four dwelling units, broken out by the income of the applicant. The highest number of applications received was from applicants with incomes of 50-79% AMI followed by those with incomes of 80% - 99% AMI. The loan approval rates were the highest for those applicants with income of 110-119% AMI, while the lowest approval rates were for the less than 50% AMI group. Loan denial rates ranged from a low of 4.1% for applicants with incomes of 120% or more AMI to a high of 12.1% for applicants with incomes less than 50% AMI. This may be due to the limited income of this group.

Table 31: 2008 Disposition of Applications for FHA, FSA/RHS, and VA Home Purchase Loans, by Income of Applicants – Loans for 1-4 family dwellings*

| Income of Applicants | Applications Received | Loans Originated/ % of Number Received | Application Approved but not accepted/ % of Number Received | Applications Denied/ % of Number Received | Applications Withdrawn/ % of Number Received | Applications Incomplete/ % of Number Received |
|-----------------------------|-----------------------|---|--|--|---|--|
| <i>Less than 50% AMI</i> | 190 | 145/76.3% | 3/1.6% | 23/12.1% | 17/8.9% | 2/1.1% |
| <i>50-79% AMI</i> | 462 | 393/85.1% | 3/.6% | 26/5.6% | 38/8.2% | 2/.4% |
| <i>80-99% AMI</i> | 252 | 215/85.3% | 5/2% | 13/5.2% | 18/7.1% | 1/.4% |
| <i>100-119% AMI</i> | 114 | 101/88.6% | 1/.9% | 6/5.3% | 6/5.3% | |
| <i>120% or more AMI</i> | 194 | 162/83.5% | 3/1.5% | 8/4.1% | 20/10.3% | 1/.5% |
| <i>Income not Available</i> | 10 | 8/80% | 1/10% | 1/10% | | |

Source: Federal Financial Institutions Examination Council, MSA/MD Aggregate Report

*Note: Numbers do not always equal total number of applications received. In some cases, race, ethnicity, and/or gender were not available and are not included. Loans filed jointly are not included in the totals.

Although the MSA/MD data is not conclusive or detailed enough for a thorough analysis, it does show loan distributions at proportions somewhat indicative of the population makeup and it does show American Indians/Native Hawaiian applicants are generally receiving lower rates of loan approvals and minority applicants are receiving higher denial rates. Data for female applicants does not indicate any discrimination, as females are securing loans at lower rates than males by only 0.5%, with the number of total applications by females lower than males. This may be indicative of the fact that women often have lower incomes than men and may not be able to afford a home purchase.

Mortgage data should be evaluated periodically to ensure that there are no racial or demographic trends occurring, nor any discrimination on the basis of gender. MSA/MD information available to the public does not provide the level of detail for a comprehensive analysis of lending practices or on individual lending decisions.

One of the biggest obstacles to purchasing a home in Cheyenne is the cost of housing, as well as income levels and credit history. Those going through foreclosure will find their credit rating and history is severely diminished as a result of the foreclosure and it may be five years or longer before they can be in a position to have a decent credit score.

The **Community Reinvestment Act (CRA)** was enacted in 1977 to require each federal financial supervisory agency to encourage financial institutions to help meet the credit needs of their entire community—including low- and moderate-income neighborhoods within those communities. New regulations went into effect at the beginning of 1996.

The **Americans with Disabilities Act (ADA)** of 1990 bans discrimination against people with disabilities in the provision of goods and services, including credit services.

Furthermore, HUD works with the lending industry to promote “**Fair Lending-Best Practices Agreements.**” The agreements represent voluntary efforts to improve individual banks’ performance in providing homeownership opportunities to minorities and low-income persons by eliminating discriminatory barriers.

Wyoming Community Development Authority (WCDA)³¹ offers several programs for single family home buyers. Their first-time homebuyer program offers low fixed interest rates for first time homebuyers. **Home\$stretch** Down Payment Assistance (DPA) program offers a maximum of \$10,000 for their down payment, closing costs, and prepaids. **Advantage** home purchase or refinance product offers financing to first-time homebuyers and current homeowners. **Spruce Up** - single family loan program that addresses the purchase and rehabilitation for a first-time homebuyer.

Conclusion: Area lending practices do not appear to be impediments to fair housing choice; however, the number of foreclosures and credit history are impediments to fair housing choice.

Public and Private Sector

Fair Housing Enforcement: Fair housing enforcement is handled by the U. S. Department of Housing and Urban Development Office of Fair Housing in Denver. The area housing authorities and other local housing organizations and advocates refer housing discrimination complaints to the Civil Rights Division or to HUD. There are fair housing enforcement mechanisms in place and area agencies provide information on how to file housing complaints. Three complaints (out of 28) filed for properties located in Cheyenne over the past ten years were withdrawn without resolution, while four complaints had “no cause determinations” made, meaning that these complaints were unfounded. Five complainants failed to cooperate. The remaining 13 had a successful conciliation.

Conclusion: Based on information provided by HUD’s FHEO, 13 out of 28 complaints had successful conciliation while the remaining cases were either dismissed, withdrawn or were found to have “no cause determination.” This shows that minimal, housing discrimination has occurred in Cheyenne over the past ten years and complaints were related to discriminatory terms, conditions, privileges and reasonable accommodation requirements. The fact that Wyoming does not have a Fair Housing Office could be an impediment to fair housing choice.

Section 504 of the Rehabilitation Act of 1973: Section 504 of the Rehabilitation Act of 1973 is a federal law, codified at 29 U.S.C. § 794, that prohibits discrimination on the basis of disability in federally assisted programs or activities. Specifically, Section 504 states: No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, service or activity receiving federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service. This means that Section 504 prohibits discrimination on the basis of disability in any program or activity that receives financial assistance from any federal agency, including HUD as well as in programs conducted by federal agencies including HUD. The H&CD Office provides Section 504 information to all of their sub-grantees.

Conclusion: There does not appear to be any impediment to fair housing choice with Section 504.

³¹ <http://www.wyomingcda.com>

Informational Programs:

Cheyenne Housing Authority provides a copy of the HUD pamphlet "Fair Housing -Equal Opportunity for All" (HUD-1686-1-FHEO) to every tenant and voucher holder. They also discuss the topic briefly during the issuance meetings and public housing lease up meetings.

COMECA, Inc. provides information to all residents, singles or families and are required to contact Cheyenne Housing Authority, Family Promise, Community Action's Project Home, and any other housing opportunities.

Wyoming Independent Living Rehabilitation (WILR) offers information on a per consumer basis as needed or as a presentation. WILR had a presentation that they presented to the Cheyenne Landlords & Property Managers Association. The presentation had information regarding legal responsibilities of landlords and property managers according to the Fair Housing Law and the American Disabilities Act. This included property modification for disabled persons and acceptance of companion animals.

My Front Door works with first time homeowners. They cover Fair Housing as part of their curriculum. They show their clients the various protective entities websites, phone numbers, and procedures for complaint filing. When their clients have issues, they help them file their complaints with HUD.

The Housing & Community Development (H&CD) Office has copies of the HUD pamphlet "Fair Housing -Equal Opportunity for All" (HUD-1686-1-FHEO) in English and Spanish. Has put together a small flyer with local Fair Housing Information. Attachment 2. Provides Fair Housing posters in several languages to all sub-grantees. The H&CD Project Manager will be attending resource fairs and will hand out Fair Housing information.

The Wyoming Tribune Eagle publishes approximately two Fair Housing ads each week in the classifieds section of the newspaper. Attachment 3.

Conclusion: Local informational programs are supportive of fair housing choice; however, some residents and landlords may not be aware of the availability of this information, or what constitutes housing discrimination.

Section 5 – Assessment of Current Public and Private Fair Housing Programs and Activities in the Jurisdiction

The following narrative provides enumeration of both public and private agencies and organizations contributing to affirmatively furthering fair housing in the City of Cheyenne.

MAJOR PUBLIC AGENCIES AND ORGANIZATIONAL RELATIONSHIPS

The U.S. Department of Housing and Urban Development: The U.S. Department of Housing and Urban Development has an office in Casper³², but it functions primarily to administer single-family mortgage

³² <http://www.hud.gov/states/wyoming/offices#casper>

programs. Housing discrimination complaints are referred to the agency's Fair Housing Enforcement Division in Denver, Colorado.

The HUD.gov website³³ provides educational tools about harassment and also has harassment videos and fact sheets.

Fair Housing Initiative Program: The Department of Housing and Urban Development established the Fair Housing Initiatives Program (FHIP) in 1987 as a demonstration program aimed at strengthening the agency's enforcement of the Fair Housing Act. The Housing and Community Development Act of 1992 established the FHIP as a permanent program. HUD provides grants through FHIP to organizations that work on fair housing issues. FHIP organizations partner with HUD to help people identify government agencies that handle complaints of housing discrimination. They also conduct preliminary investigation of claims, including sending "testers" to properties suspected of practicing housing discrimination.

In addition to funding organizations that provide direct assistance to individuals who feel they have been discriminated against while attempting to purchase or rent housing, FHIP also has initiatives that promote fair housing laws and equal housing opportunity awareness.

In November of 2000, the Wyoming Fair Housing Office (WFH) opened in Casper, Wyoming. WFH provided education and outreach to the public and the housing industry on fair housing rights and responsibilities as well as enforcement of fair housing complaints, including testing and litigation. WFH was awarded a FHIP grant allowing the office to operate from March 1, 2003 to January 31, 2005. Unfortunately, WFH was unable to renew its HUD funding and the State of Wyoming currently lacks any FHIP organization.

Legal Aid of Wyoming³⁴: Legal Aid of Wyoming provides legal assistance to low-income individuals in Wyoming for many civil cases, including legal matters related to housing, such as landlord/tenant issues and violations of fair housing law.

OTHER AGENCIES AND ORGANIZATIONAL RELATIONSHIPS

Wyoming Bankers Association³⁵: The Wyoming Bankers Association offers 'webinars' (Web seminars) on its Web site to aid banking and lending professionals in their ongoing fair lending education. One such seminar, entitled "Fair Lending Laws and Regulations" provides a thorough review of requirements of the Equal Credit Opportunity Act, Fair Housing Act, Home Mortgage Disclosure Act, Servicemember's Civil Relief Act and military Lending Act.

Wyoming Realtors: The Cheyenne Board of Realtors³⁶ Web site offers a variety of links to continuing education courses for Realtors and real estate professionals in the State of Wyoming. They are also the local advocate for the real estate industry, providing resources that enhance the professionalism and integrity of its members. The Wyoming Real Estate Commission³⁷ offers continuing education; each course is approved for continuing education.

³³ <https://www.hud.gov/fairhousing/sexualharassment#cat>

³⁴ <https://www.lawwyoming.org>

³⁵ <http://www.wyomingbankers.com>

³⁶ <https://www.cheyennerealtors.com>

³⁷ realestate.wyo.gov

Fannie Mae³⁸: Fannie Mae is a leading source of financing for mortgages in the United States. They serve the people who house America. Together with their partners, they make sure that homeowners, homebuyers, and renters across the country have access to affordable financing opportunities.

Fannie Mae aspires to be America's most valued housing partner. They provide their customers with products and tools they need to enable mortgage lending in the 21st century. They provide technology and risk tools to help their customers advance their businesses. They listen to and support their customers to make the mortgage process more efficient and effective.

WYOMING LEGISLATIVE INITIATIVES

Wyoming Fair Housing Act: During the 2005 Wyoming Legislative session, several state representatives and senators co-sponsored House Bill 0267, entitled the Wyoming Fair Housing Act. On January 18, 2005, the bill number was assigned. On January 20, 2005, the House introduced and referred the bill to the Judiciary committee. The bill died in committee on March 3, 2005. On January 12, 2007, the proposed Wyoming Fair Housing Act was again introduced to the legislative session and assigned a bill number. On January 15, H.B. No 0207 was received for introduction and the proposed legislation was referred to housing committee the next day. The bill died in committee on February 28, 2007.

As proposed, the 2007 Wyoming Fair Housing Act had very few differences from the federal Fair Housing Act statutory language. The Wyoming Act proposed prohibiting discrimination in the sale, rental and financing of dwellings, and in other housing-related transactions, based on race, color, religion, sex, disability, familial status, or national origin.

The Act defined prohibited housing practices, such as the refusal to rent to an individual or the publication of advertisement that discriminates against prospective tenants based on the aforementioned seven protected classes; and described and provided for conciliation and hearings and penalties. If this had been passed by the 2007 legislative assembly, the Wyoming Fair Housing Act would likely have been deemed substantially equivalent and the Wyoming Attorney General, as the designated enforcement agency, would have been entitled to reimbursement from HUD for outreach, education, testing, and enforcement activities. Wyoming would likely then have had a FHAP entity.

On July 1, 2015, Senate File No. SF0132, Wyoming Fair Housing Act, became effective. This act protects state residents from discrimination in the housing market on the basis of race, color, religion, sex, disability, familial status, or national origin; the same groups that are protected under the federal Fair Housing Act. The Wyoming Fair Housing Act does not identify a specific agency or official as the enforcing authority but stipulates that this authority must be a Wyoming state agency or nonprofit incorporated in Wyoming that has been accepted as an enforcing authority for Wyoming by the Department of Housing and Urban Development. This agency or nonprofit will be responsible for receiving and investigating fair housing complaints, enabling and encouraging the conciliation of those complaints, and, if efforts at conciliation fail, assessing fines or penalties against violators of the state Fair Housing Act.

CHEYENNE AGENCIES AND ORGANIZATIONAL RELATIONSHIPS

The Cheyenne Housing & Community Development (H&CD) Office administers the City of Cheyenne's CDBG and HOME programs. While the city has internal policies that are supportive of affordable housing and fair housing choice, there are no formally adopted city programs that offer incentives to promote and encourage affordable housing. The City of Cheyenne has provided a variety of grants for the development

³⁸ <https://www.fanniemae.com>

and/or rehabilitation of public facilities and private housing, through the use of CDBG and HOME funds. The recipients of the funding include non-profit agencies, as well as agencies that provide homeless prevention and supportive services to Cheyenne residents.

The H&CD Office has a housing rehabilitation program that is for properties located within the City of Cheyenne. Low-interest loans are available for owner-occupant households who qualify based on their income, family size, and the ability to repay the loan. Deferred loans are also available.

Wyoming Independent Living (WIL) educates and empowers Wyoming Citizens with disabilities by providing the necessary tools to live with independence and dignity. Independent living (IL) specialists help identify barriers to independence, develop personal goals and a step-by-step plan to meet them. The 5 core services include: Information and Referral; Skills Training, training in alternate techniques to help accomplish activities such as cooking, cleaning, grooming, and more; Peer Support, provides opportunities to connect with others who have tackled similar challenges; Systems Advocacy, offers counseling on rights as a person with a disability; and Transition Services, specialized assistance and support groups for youth as they transition into the community.

Weatherization and low-income energy assistance are also available for Cheyenne residents through the Wyoming Department of Family Services (DFS)³⁹ and the Low-Income Energy Assistance Program (LIEAP)⁴⁰ program. LIEAP is a federally funded program that gives priority to households that include elderly (60+), disabled and/or young children (5 and under). Seasonal LIEAP benefits are applied to a household's main heat source (the fuel your heat system uses to heat the home; not the power source needed to turn on the furnace). The Weatherization Assistance Program (WAP) helps households save money on home heating costs by improving energy efficiency. WAP applications are accepted year-round.

The Cheyenne Housing Authority (CHA) administers low income rental housing assistance for nearly 2000 households throughout Wyoming. At the same time the CHA also has a waiting list of several hundred applicants needing rental assistance and administers the statewide Section 8 program. The various programs that the CHA administers includes: 341 units for Public Housing, 77 senior units at the Burke High Rise, 54 units at the Stanfield Manor, 38 apartments at Storey Boulevard, 91 VASH vouchers, 19 HOME funded units that are leased to Southeast Wyoming Mental Health Center, 7 Market rate units scattered throughout Cheyenne, and 51 properties with more than 2,165 Section 8 project-based vouchers.

Conclusion: The existing housing actions and programs offered by the City of Cheyenne's Housing & Community Development Office and non-profit agencies are supportive of fair housing choice. Also, the area rental subsidies are supportive of fair housing choice; however, assistance is needed to serve additional families and individuals.

Emergency and transitional housing units are provided by the COMEA Shelter, Community Action of Laramie County (CALC)⁴¹, Safehouse⁴², Family Promise⁴³ and Peak Wellness Center⁴⁴. The COMEA Shelter has a two-story facility that provides "dorm" style SRO transitional living spaces. It also provides 12-unit transitional housing, 2 units that are handicapped accessible. CALC provides transitional housing to homeless individuals and families, as well as, affordable housing to low-to-moderate income families.

³⁹ <https://dfs.wyo.gov>

⁴⁰ <https://www.lieapwyo.org>

⁴¹ <http://www.calc.net>

⁴² <http://www.wyomingsafehouse.org>

⁴³ <https://familypromiseofcheyenne.org>

⁴⁴ <https://www.peakwellnesscenter.org>

Both housing programs include case management. In addition, CALC works with the Veterans Administration to provide a comprehensive program that provides housing, treatment programs and case management to homeless veterans. Safehouse operates a shelter for persons who are in a violent or potentially violent environment. It is a residential center designed to provide a comprehensive set of services for these victims and their children. Cheyenne Family Promise provides shelter, meals, comprehensive assistance, and encouragement to three homeless families at a time. They utilize a collaborative effort of congregations of all faiths by taking turns (a week at a time) providing overnight lodging and home-cooked meals. Peak Wellness Center operates a self-sufficiency program for homeless or low-income men with addictions.

Conclusion: The lack of an adequate supply of emergency and transitional housing is an impediment to fair housing choice.

Section 6 – Public Involvement

The draft of this report was posted on the City of Cheyenne website and a copy was provided at the Laramie County Library, City Clerk’s Office and the H&CD office for review and public comment. A news release announcing that the draft report was available for public comment was e-mailed to over 150 residents and agencies and posted on Facebook and LinkedIn. A public hearing will be held during the City Council Meeting on March 23, 2020. Comments received on the draft will be summarized below.

Section 7 – Conclusions and Recommendations

A series of impediments to fair housing choice have been identified through this study and recommended actions for removing or minimizing these impediments are included below. Impediments have been identified through survey/interviews with agency, business, and organization representatives. Impediments are grouped together where there is a common theme, such as with the development-related impediments; however, they are not listed in any particular order or priority, nor are the actions prioritized. Each action includes a brief description, as well as what organizations may potentially be involved in implementing each action. These actions are based on a five-year time period, so target time periods are given for each action to be undertaken and completed. Some actions will be on-going and are noted as such.

It is also important to note that the City of Cheyenne may be limited in its ability to implement some of the recommendations contained within this report. As a result, there is an “other impediments” category and it includes lack of education and job skills; inadequate incomes; credit history; NIMBYism. These items were identified during the course of this study and they all have much broader application and implications than to just the City of Cheyenne; however, they are included, along with several general recommendations and actions.

Impediments to Fair Housing Choice:

1. Wyoming does have a Fair Housing Law in place which protects state residents from discrimination in the housing market on the basis of race, color, religion, sex, disability, familial status, or national origin. The Wyoming Fair Housing Act does not identify a specific agency or official as the enforcing authority but stipulates that this authority must be a “Wyoming state agency or nonprofit incorporated in Wyoming that has been accepted as an enforcing authority for Wyoming by the Department of Housing and Urban Development. This agency or nonprofit will be responsible for receiving and investigating fair housing complaints, enabling and encouraging the conciliation of those complaints, and, if efforts at conciliation fail, assessing fines or penalties against violators of the state Fair Housing Act. The local fair housing office is the Denver Fair Housing and Equal Opportunity office.

Action 1A: The City of Cheyenne Housing & Community Development Office along with other city and state entities will continue to stress the importance of identifying an agency or official as the enforcing authority -- begin 2020 and complete prior to December 2025.

2. Housing discrimination – Housing discrimination, based on HUD complaint data, may be occurring on a very limited basis related to discriminatory terms, conditions and privileges for rental property, as well as disabilities and a lack of understanding and awareness about reasonable accommodation requirements.

Action 2A: The City of Cheyenne Housing & Community Development Office will continue to work with Cheyenne Housing Authority and agencies, HUD-FHEO, and other groups and organizations to increase awareness and understanding of fair housing -- on-going action

Action 2B: The City of Cheyenne Housing & Community Development Office will support efforts of the Cheyenne Housing Authority to increase distribution of fair housing information at every opportunity, including at resource fairs, and other housing-related conferences and seminars -- on-going action

3. There is a limited supply of affordable housing, particularly for low-median income households, large families, emergency and transitional housing units, and units for persons with disabilities that can accommodate their special needs – There is a continuing need for additional housing units for all households at the lowest and median income levels, as well as larger units to accommodate families with several children. There is also a continuing need for emergency shelter space at domestic violence shelter and transitional housing for households who are able to work toward self-sufficiency. Housing that provides for the special needs of persons with disabilities are also in short supply and this demand is expected to continue to increase. Mobility is often the first disability considered; however, there are other disabilities that may require special housing, such as vision or hearing impairment, or disabilities that require specific air quality controls.

Action 4A: The City of Cheyenne Housing & Community Planning and Development Office will promote and encourage the development of affordable housing by directing grants and subsidies to developments that propose to serve these populations -- this action is on-going.

Action 4B: The City of Cheyenne Planning and Development Office will continue to promote a mix of housing unit types in all neighborhoods and new developments for residents of all economic levels, in locations where alternative transportation modes are available -- this action is on-going.

Action 4C: The City of Cheyenne Housing & Community Development Office will continue to assist in the provision of services for the homeless, including emergency shelter space and transitional housing, as well as supportive services, by directing grants to the agencies that provide these services - this action is on-going.

Action 4D: The City of Cheyenne Housing & Community Development Office and the Cheyenne Housing Authority will continue to distribute information about housing rehabilitation programs, as well as down payment assistance, and other area sources of funding to encourage home ownership for households that are able to qualify for and maintain ownership -- this action is on-going.

Action 4E: The City of Cheyenne Planning and Development Office will work with developers to ensure compliance with ADA and FHA accessibility requirements in newly constructed housing -- on-going.

4. Other impediments – During the course of this study, a number of other items were noted as being impediments to fair housing choice for many households; but which are, for the most part, beyond the City's ability to influence. These included a lack of education and job skills that makes it difficult to earn a livable wage; a lack of credit history, or bad credit and/or foreclosure history; a lack of transportation, particularly for those households who do not have a car; and a lack of adequate federal and state funding to carry out the necessary actions to further fair housing choice.

Action 6A: The City of Cheyenne will support organizations such as the Laramie County Community Partnership, Economic Development agencies, and other educational institutions to assist in improving area income levels by increasing the number of higher-paying jobs, increasing job skills -- on-going.

Action 6B: The City of Cheyenne will support organizations such as My Front Door, Laramie County Community Partnership, and financial institutions to reduce disparities in home lending application outcomes through participating in credit education and outreach -- on-going.

Action 6C: The City of Cheyenne will support organizations such as the Laramie County Community Partnership, Cheyenne Housing Authority, Economic Development agencies, and other agencies in Cheyenne to assist in improving the understanding of Federal fair housing law, who is protected, the types of activities that constitute unlawful actions, and how to report a fair housing claim -- on-going.

Action 6D: The City of Cheyenne will provide outreach and education to help reduce NIMBYism and restrictive building codes and practices -- on-going.

Section 8 – Signature Page

**ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE
City of Cheyenne
Cheyenne, Wyoming**

Mayor, City of Cheyenne

Date

Section 9 – References

2018 Wyoming Profile of Demographics, Economics and Housing
Cheyenne/Laramie County Profile – 2018
Fair Housing Survey (City of Cheyenne)
Federal Financial Institutions Examination Council, MSA/MD Aggregate Report
Laramie County Community College, 2017-2018 Annual Enrollment Report
National Center for Education Statistics, 2018-2019 School Year
National Low-Income Housing Coalition
U.S. Department of Labor, Bureau of Labor Statistics
Wyoming Statutes ~ 2009 Amended 39-13-105. Exemptions; veterans.
<http://doe.wyo.gov/Pages/default.aspx> Wyoming Department of Employment
<http://legisweb.state.wy.us/2005/HBIndex.HTM> 2005 General Session 58th Legislature House Bills Index
http://portal.hud.gov/portal/page/portal/HUD/program_offices/fair_housing_equal_opp U.S. Department of Housing and Urban Development Fair Housing / Equal Opportunity
<http://worldpopulationreview.com/us-cities/cheyenne-population/>
<http://www.bea.gov> U.S. Department of Commerce Bureau of Economic Analysis
<http://www.bls.gov> U.S. Bureau of Labor Statistics
<http://www.calc.net> Community Action of Laramie County
<http://www.census.gov> U.S. Census Bureau
<http://www.cheyennecity.org/252/transit> City of Cheyenne Transit Department
<http://www.cheyennecity.org/index.aspx?NID=211> City of Cheyenne Building Department
<http://www.cheyenneleads.org> Cheyenne LEADS
<http://www.ffiec.gov/reports.htm> Federal Financial Institutions Examination Council
<http://www.hhs.gov> U.S. Department of Health & Human Services
<http://www.hud.gov> U.S. Department of Housing & Urban Development
<http://www.laramie1.org> Laramie County School District #1
<http://laramie2.org> Laramie County School District #2
<http://www.wyoec.org> Wyoming Energy Council, Inc.
<http://www.wyomingbankers.com> Wyoming Bankers Association
<http://www.wyomingcda.com> Wyoming Community Development Authority
<http://www.wyomingsafehouse.org> Safehouse Services
<http://www.wyomingworkforce.org> Wyoming Department of Workforce Services

<https://dfs.wyo.gov> Wyoming Department of Family Services

<https://edu.wyoming.gov> Wyoming Department of Education

<https://familypromiseofcheyenne.org> Cheyenne Family Promise

<https://nlihc.org> National Low-Income Housing Coalition, Out of Reach 2019

<https://statisticalatlas.com/place/Wyoming/Cheyenne/Race-and-Ethnicity#data-map/tract>

<https://www.cheyennerealtors.com> Cheyenne Board of Realtors

<https://www.dol.gov> U.S. Department of Labor

<https://www.fanniemae.com/portal/index.html> FannieMae

<https://www.hud.gov/states/wyoming/offices> U.S. Department of Housing & Urban Development, Casper HUD Office

<https://www.justice.gov>

<https://www.lawyoming.org> Legal Aid of Wyoming, Inc.

<https://www.lieapwyo.org> Wyoming Department of Family Services, Low Income Energy Assistance Program (LIEAP)

<https://www.peakwellnesscenter.org> Peak Wellness Center

<https://www.plancheyenne.org> City of Cheyenne PlanCheyenne

<https://www.realtytrac.com>

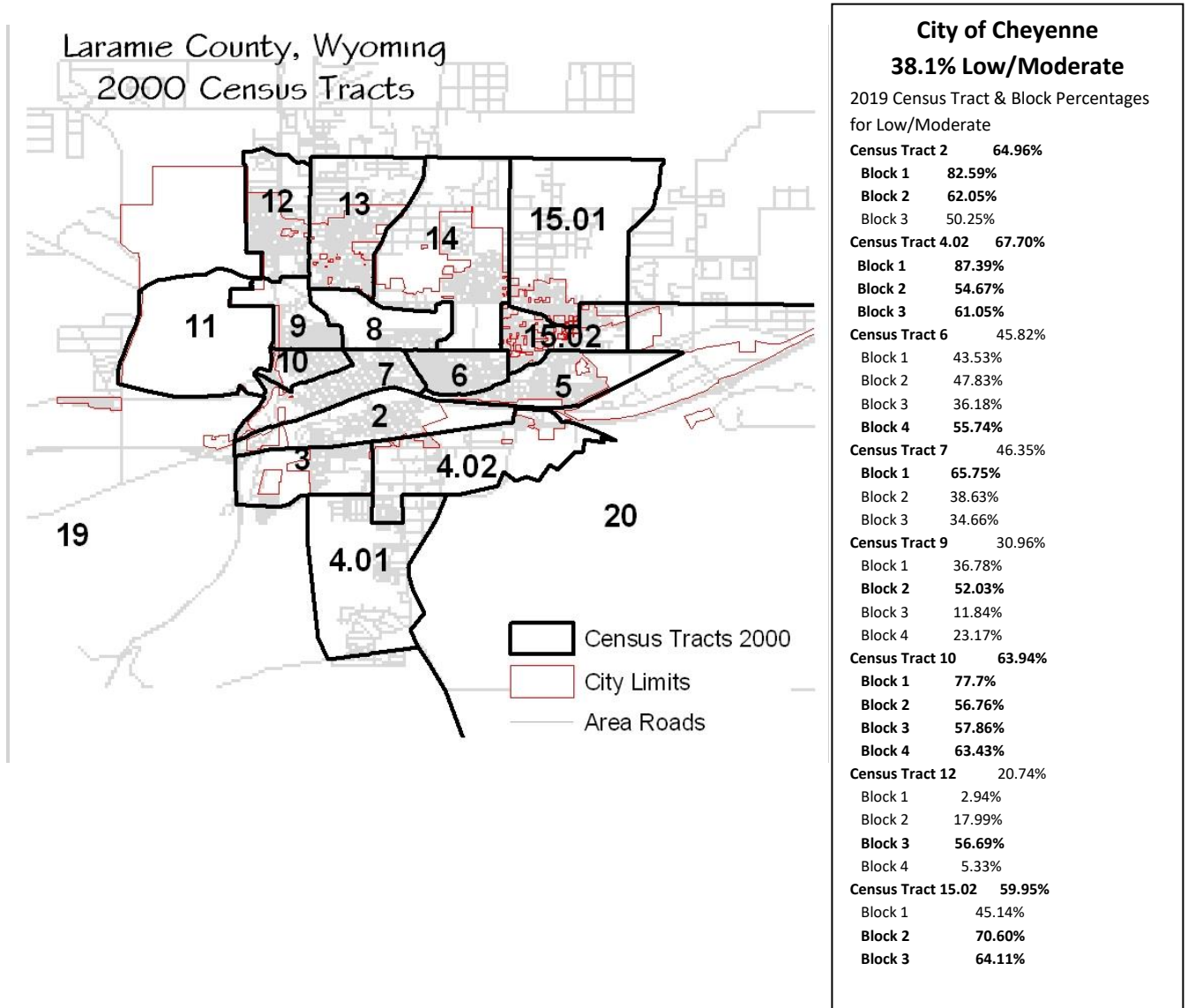
<https://www.wyomingcda.com/wp-content/uploads/2019/11/Laramie-County.pdf> Wyoming Housing Database Partnership, June 2019

<https://www.wyomingeconomicdata.com/economic-indicator-analysis> Economic Indicators for Greater Cheyenne

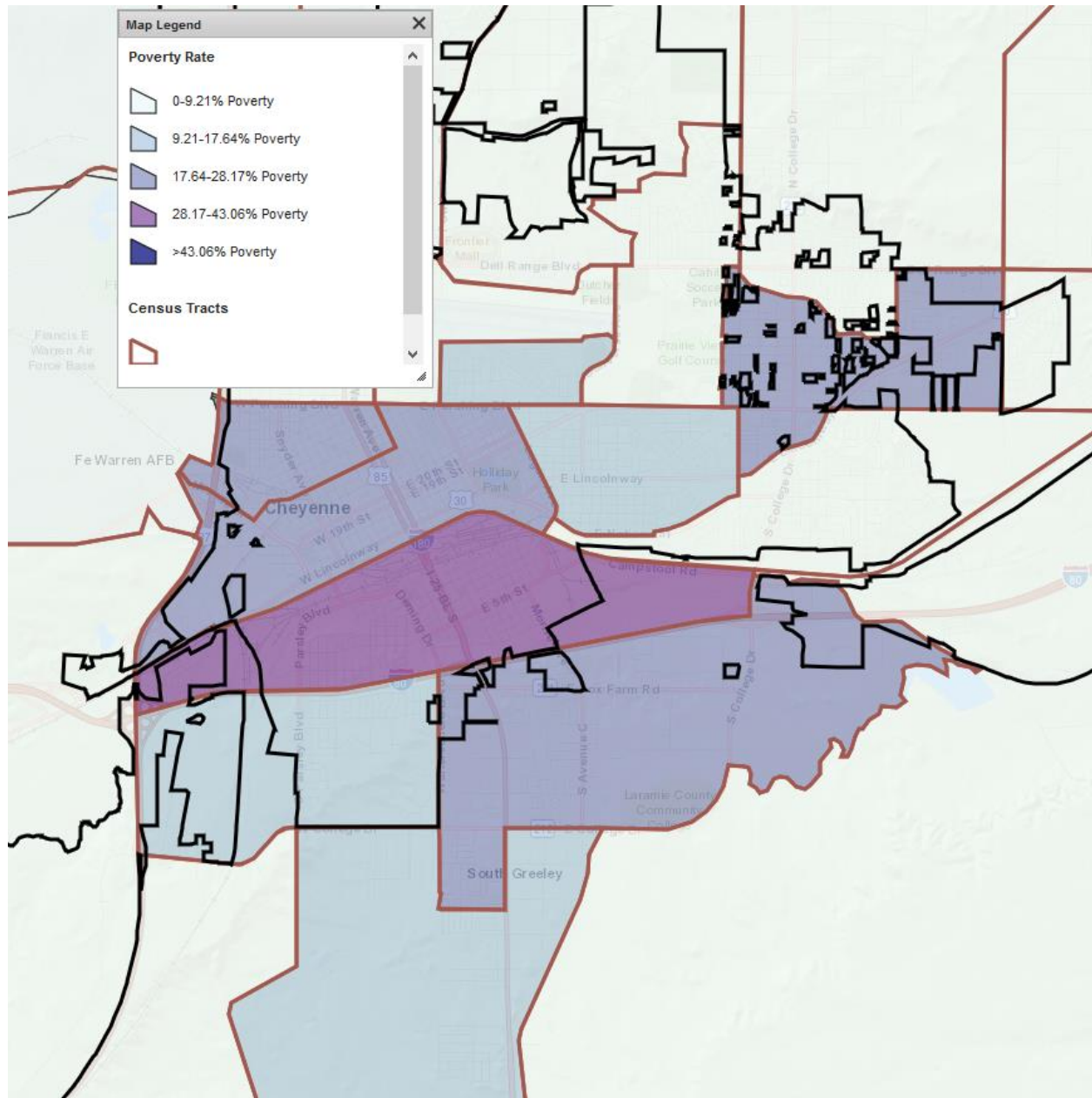
realestate.wyo.gov

www.wyomingworkforce.org Wyoming Department of Workforce Services

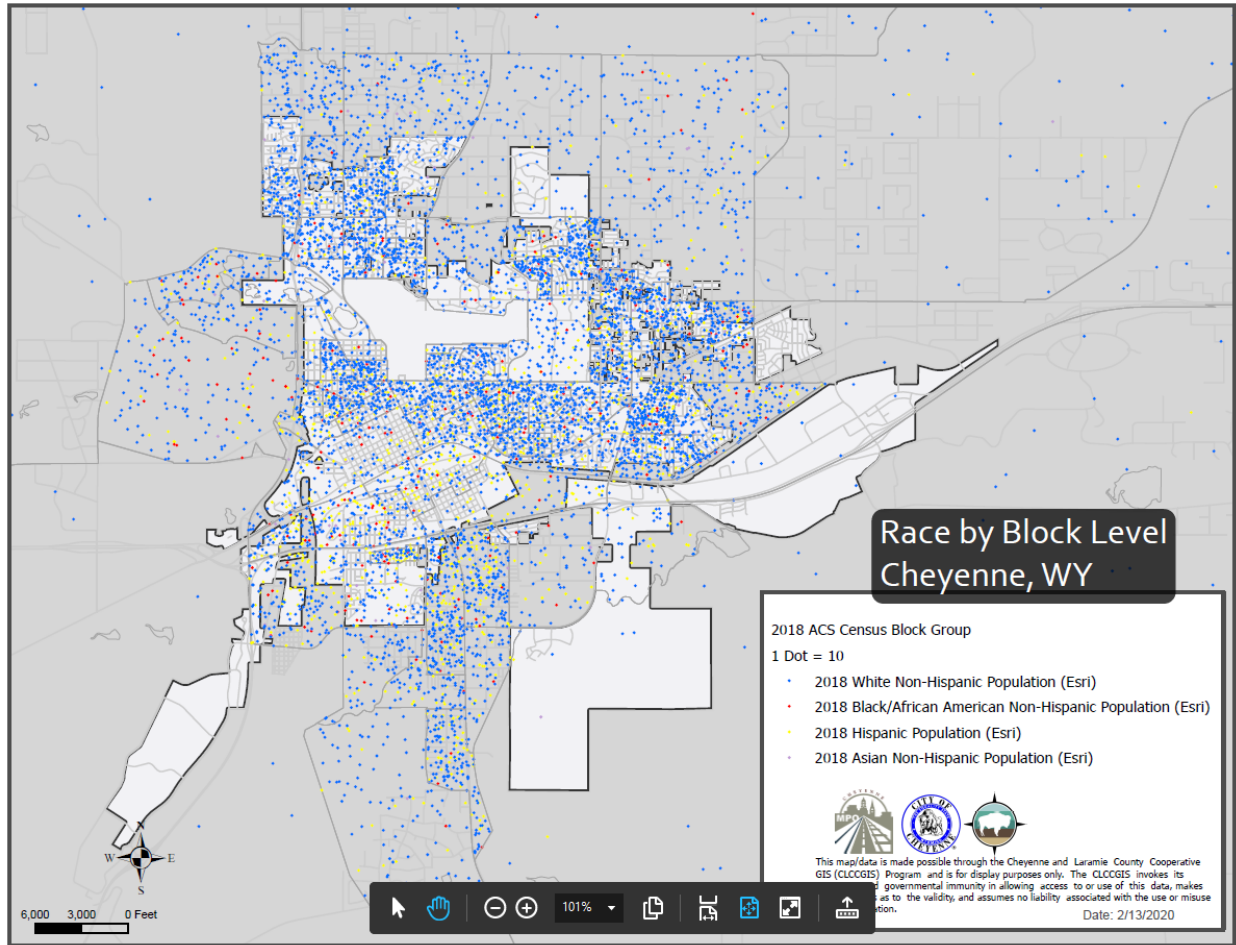
Map 1



Map 2



Map 3



City of Cheyenne Analysis of Impediments

Section 11 – Attachments

Attachment 1: Fair Housing Survey (City of Cheyenne)

Fair Housing Survey

49

Responses

10:36

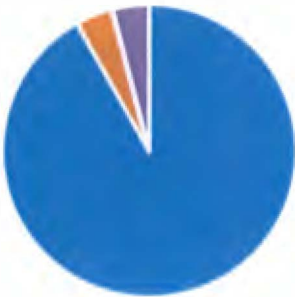
Average time to complete

Active

Status

1. What is your race?

| | |
|-------------------------------|----|
| White | 45 |
| African American/Black | 2 |
| Native American/Alaska Native | 0 |
| Asian/Pacific Islander | 0 |
| Other/Multiple Races | 2 |



2. What is your ethnicity?

| | |
|---------------------|----|
| Latino/Hispanic | 3 |
| Non-Latino/Hispanic | 46 |

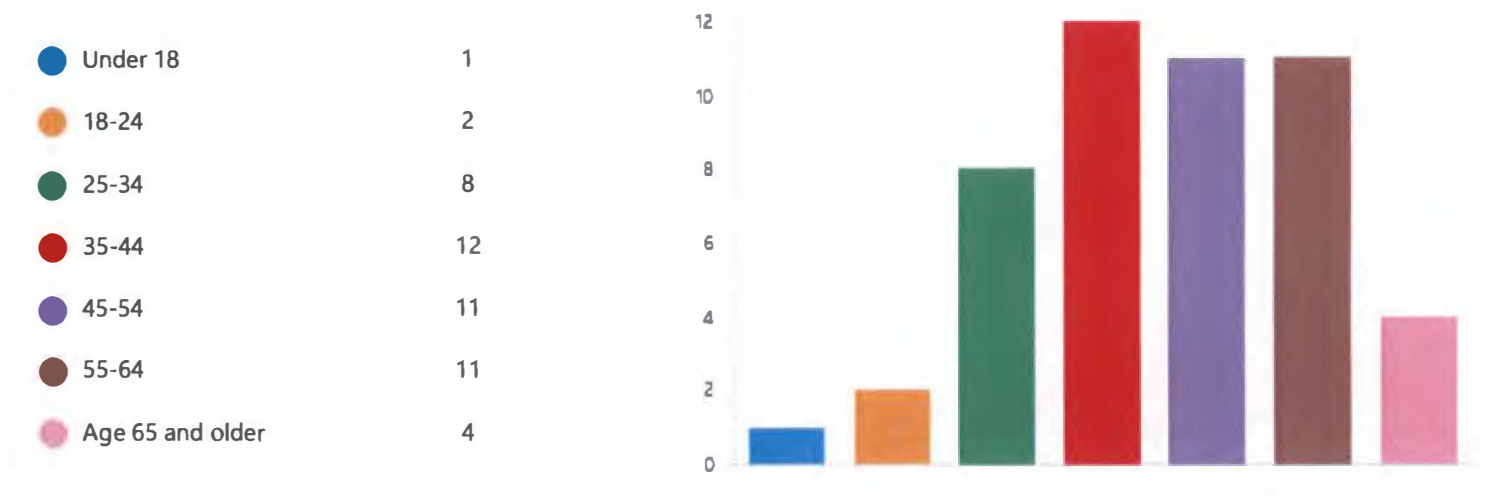


3. What is your gender?

| | |
|-------------------|----|
| Male | 14 |
| Female | 33 |
| Prefer not to say | 2 |



4. What is your age?



5. Does anyone in your household have a disability?



6. What special accommodations are needed if any?

None – N/A - 16

ADA – ramp, bathroom

Stability bars in the bathroom

No stairs Therapy dog

I had an emotional support animal to help me cope with my bipolar disorder. I do not consider myself disabled.

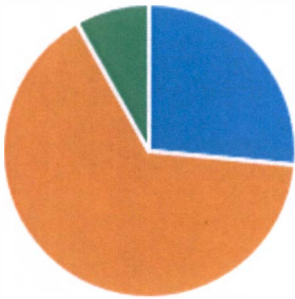
Educational assistance through an IEP

7. Identify any languages other than English spoken in your household?

None – N/A - 16

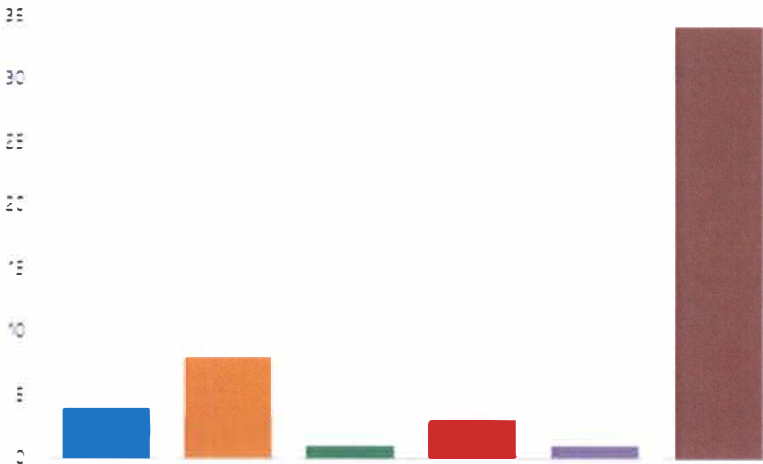
8. Have you ever experienced housing discrimination?

| | |
|----------|----|
| Yes | 13 |
| No | 32 |
| Not Sure | 4 |

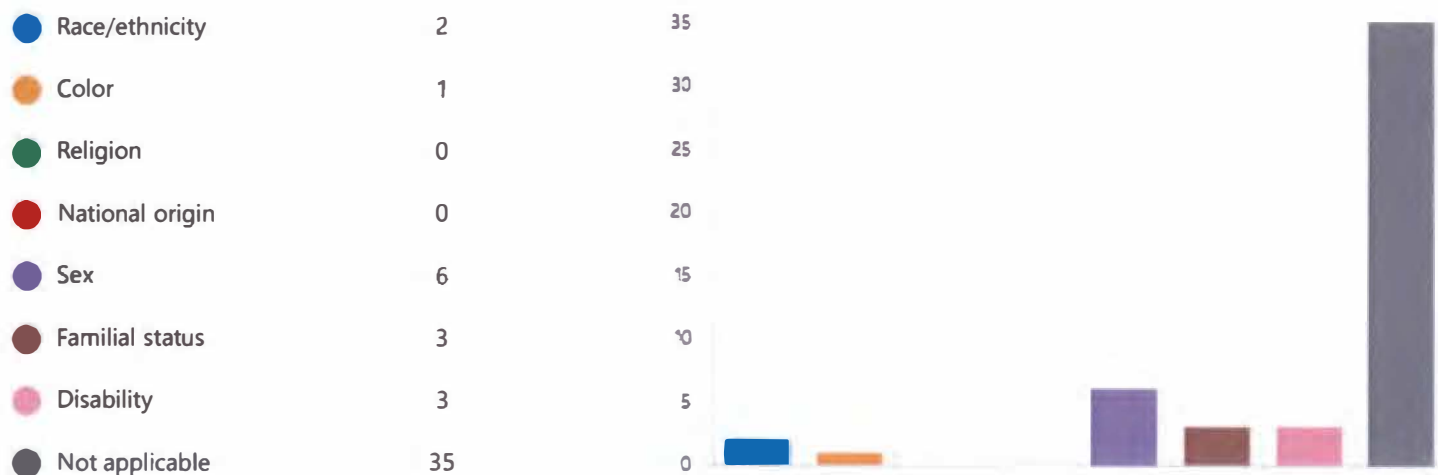


9. Which of the following best describes the person or organization that discriminated against you?
(Check all that apply)

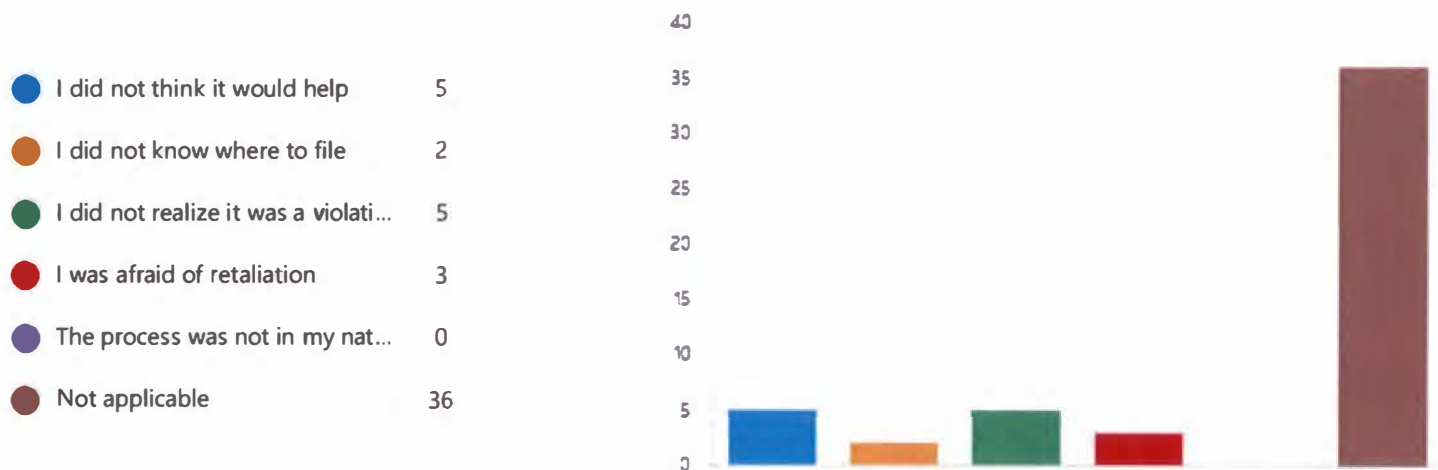
| | |
|--------------------------------|----|
| A real estate agent | 4 |
| A landlord or property manager | 8 |
| A government employee | 1 |
| A loan office/mortgage broker | 3 |
| A homeowner's association | 1 |
| Not applicable | 34 |



10. On what basis do you believe you were discriminated against? (Check all that apply)

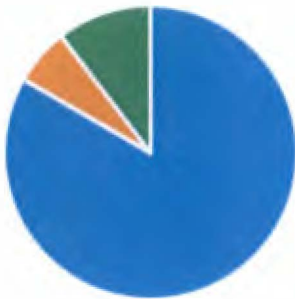


11. If you did not file a report, why not? (Check all that apply)



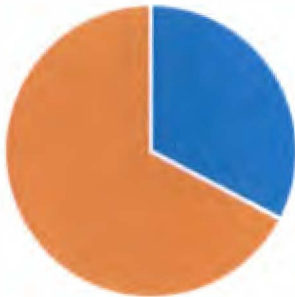
12. Do you think that certain geographic areas or neighborhoods in the City are undesirable places to live?

| | |
|----------|----|
| Yes | 40 |
| No | 3 |
| Not sure | 5 |



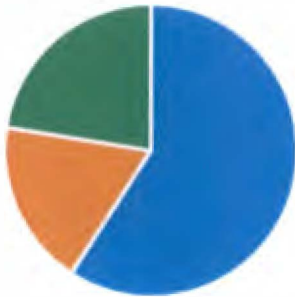
13. Do you think that affordable housing options are located throughout the City or are they concentrated in certain areas/neighborhoods?

| | |
|-----------------------------------|----|
| Spread throughout the region | 16 |
| Concentrated in certain areas/... | 33 |



14. Do you feel you understand your Fair Housing Rights?

| | |
|----------|----|
| Yes | 29 |
| No | 9 |
| Not sure | 11 |



15. What areas/neighborhoods do you feel are undesirable and where affordable housing is concentrated?

Higher Crime Areas undesirable and found throughout the town.

Lots of the southern side, especially around Snyder Ave and the small roads around it.

South side - 8

The neighborhood by Martin Luther King park (south of Randall and west of Snyder) is very undesirable, but I can't say it's "affordable." Homes / apartments on the south side of Cheyenne (around South High School) are more affordable, but I wouldn't say they're all undesirable - although there is that reputation. Overall, I think there are "affordable" options throughout Cheyenne, but the shape that those specific homes/apartments are in, leaves us lacking in integrity.

South side of I-80

Around the refinery and on the south side

Big Country Estates located on S Greeley Hwy

N/A

There are area throughout Cheyenne that are allowed to be unkept by landlords.

Areas where there are large numbers of mobile home parks are undesirable due to cheaper housing options. Affordable housing is located more toward the east and south sides of the city.

South side of Cheyenne and the East side.

Many of the neighborhoods on the south side of town.

The rental rates in Cheyenne, cover the city and are mostly unaffordable for most families.

Even families that both parents are working often need to have more than one job in order to pay rent

I don't know of any affordable housing in Cheyenne.

West side of town or south side of town.

West South

The south side of town seems undesirable to live in.

South and east side of city.

South side, East side.

Many areas on the South side. Affordable housing concentrated on the East Side

South and East Cheyenne

The southern part of Cheyenne

None right now

The Pointe – white collar sex offenders

I think the entire city of Cheyenne has an affordable housing problem, rent is outrageous and single family home prices are outside of most people's budget.

North Casper, 15th street

Trailer parks

Church Ave Trailer park near Gurley

Trailer parks

Generally it is in poor areas that are not the safest locations

The "south side" of Cheyenne, in a couple-mile radius around the Fox Farm and Walterscheid intersection.

In areas that are designed to not impact the property value of wealthier people. In areas that are designed to segregate people.

Affordable housing is largely located on the far east and west sides of town, putting folks far away from things like the university, shopping, etc.

Trailer parks, north of I 80 and south of the tracks

16. Based on your knowledge of fair housing law, what additional groups should be protected under the fair housing law?

Low income

All

Everyone should be treated fairly.

It is either working very well or I have never needed protection under the fair housing law.

People going to college/school.

Youth

Gay

Homeless people

Gender identity sexual orientation

There should never be discrimination against anyone for housing except under the circumstances of people with sex crimes convictions.

Gender identity and sexual orientation – 2

Everyone! Lgbtq none should be excluded.

LGBTQ – 3

Transgender, religion, legal status

Transgender / gays

LGBT + people

Any group of people that are marginalized based on social constructs of privilege – specifically, LGBTQ folks – gender nonconforming.

Gender and Sexual Orientation. I've tried to rent before and have been afraid to make it clear that my same-sex partner is more than a roommate (especially as we're both transgender).

Mental and physical disabilities. Blind, deaf and traumatic brain injuries.

Sexual orientation

Any and all minorities.

17. Are you aware of any barriers to fair housing in the rental housing market? (Example: Refusing to rent-based on religion or color)

Not aware of any - 2

N/A - 3

Yes - 2

No - 10

Price. Rental units are generally more expensive than purchasing or renting mobile homes. Minorities and people with disabilities often fall into the lower income classes. Also a reluctance to make a rental property handicapped accessible, or make modifications to a unit for a particular renter, knowing they will have to undo the modifications for the next renter. Handicapped parking can also be a problem.

Not exactly as I own my own home right now. If a person has to pay for background checks, financial checks, renters background etc. it is almost impossible for some to be able to afford the move in cost.

Color

Refusal to accept housing subsidies.

Renter protections – like additional expenses that should be covered by property owners but are passed on to renters (such as a fridge breaks or the heat needs to be replaced)

Landlords not providing needed upkeep for house or apartments.

Refusing to rent to an active duty military couple when they realized my friends were in a lesbian relationship.

Assumptions about legal status and religious belief systems. Income levels are set so low that families struggling to make ends meet are not eligible (particularly those who have significant debt and are trying to pay it down)

LGBT+. Many of my clients with disabilities or of different race/nationality have gotten places fairly easily.

I always assume there are barriers if you are marginalized. I don't have experience with specific examples, but they exist.

No protects to discriminate against LGBTQ.

Yes, based on race.

Yes. Many landlords will not rent to recovering addicts or alcoholics because of the stigma. Also, people that have been experiencing homelessness are frowned upon by landlords. One landlord we heard about would not rent to couples because they "fight and break up".

18. Are you aware of any barriers to fair housing in the real estate industry? (Example: Only showing properties to families with children in certain areas)

Not aware.

N/A – 3

Yes – 2

No – 13

Again, price. The required down payment prohibits lower income families from owning or forces them into lower income areas where housing is cheaper. Real estate agents try to show properties to buyers in the price range they think can be afforded.

When I was ready to buy my home. I was only show housing on the West side of town .. no problem as I have lived on the West side my whole life here in Cheyenne. I did think it unusual that she only showed me certain homes though.

Unsure

Yes, personal preference and income based.

I have never experienced or been aware of this.

Saying no to specific dog breeds.

Being told about options. Waiting lists of 6 months or more. Having money for deposits. Housing not support family pets.

Same as above. And my experience with this, many years ago was being told I shouldn't have interest in buying a traditional family home (I was single at the time).

People in Cheyenne are racist against blacks.

19. Are you aware of any barriers to fair housing in the mortgage and home lending industry? (Example: Offering higher interest rates to women or racial minorities)

Not aware - 2

N/A – 3

Yes – 3

No – 12

Not sure

Yes, despite being able to make the monthly note, a loan being turned down because the bank did not feel like you had enough up front money.

Offering higher interest rates to women or racial minorities.

Yes, not allowing a person to live in a complex because they are in college and has a full-time job.

Devaluing property owned by black and brown individuals/families.

No experience.

Yes – women, trans people and people of color have said they get turned down and higher rates.

Higher interest for single moms.

Barriers exist.

At the moment I only rent, so I haven't had experience with this.

Title company would do title search for us as we were a same sex couple.

20. Are you aware of any barriers to fair housing in the housing construction or housing design fields? (Example: New rental complexes built with narrow doorways that do not allow wheelchair accessibility)

Not aware - 2

N/A - 2

Yes - 3

No - 16

Newer houses are not wheelchair or walker friendly with massive steps.

See #17. Poorly designed sidewalks, too many steps, no elevator, bathrooms too small to accommodate a wheelchair, no handicapped parking spaces.

Built with substandard materials and need repairs that are never made.

Amenities access and access to transportation in certain areas.

No experience.

21. Are you aware of any barriers to fair housing in any other housing services?

Not aware - 2

N/A - 2

Yes - 2

No - 16

Limited supply of affordable city lots.

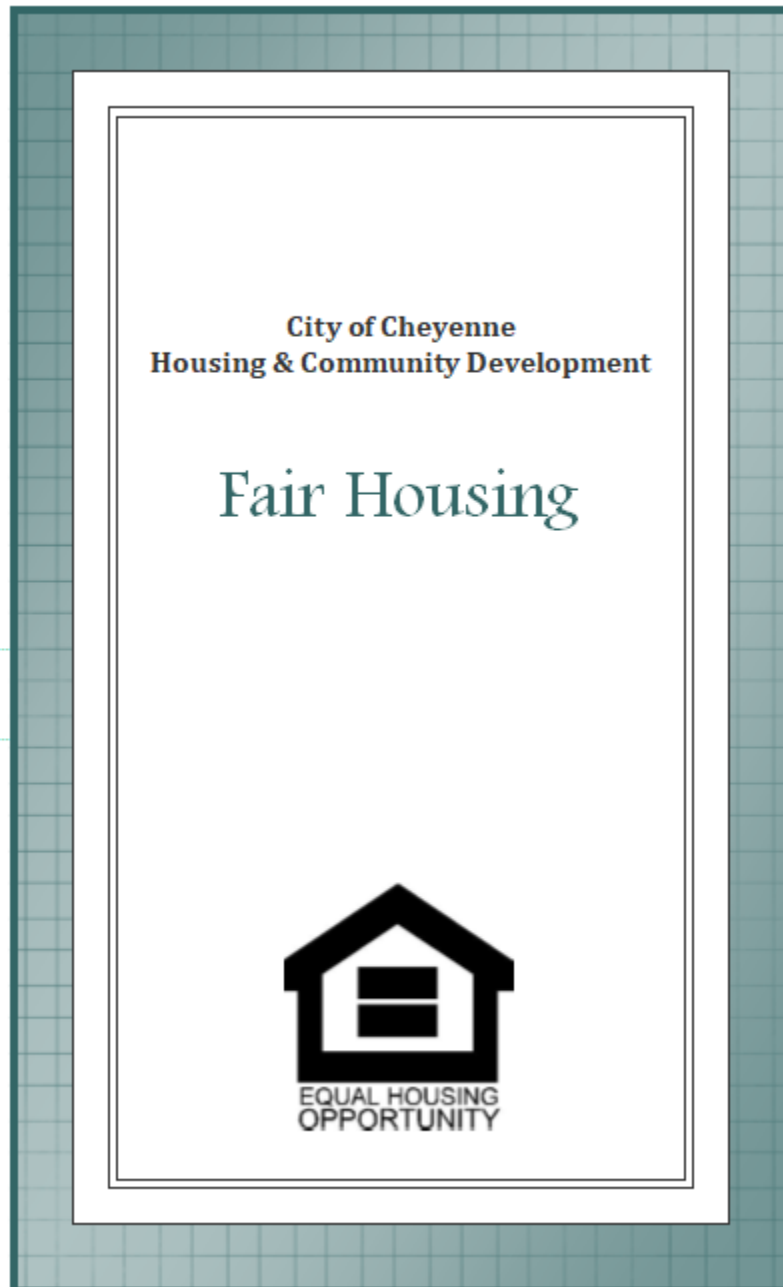
Unsure

Domestic violence victims

CHA often judges people with felonies even though they were old felonies.

Neighbors protesting.

Attachment 2: Fair Housing Flyer



Fair Housing Act

The **Federal Fair Housing Act of 1968** made it illegal to discriminate in the area of housing because of a person's **race, color, religion, or national origin**. **Sex** was added as a protected class in the **1970's**. In **1988** the **Fair Housing Amendments Act** added **familial status and disability** to the list, making a total of seven federally protected classes.

The **Fair Housing Act** is a federal act in the United States intended to protect the buyer or renter of a dwelling from seller or landlord discrimination. Its primary prohibition makes it unlawful to refuse to sell, rent to, or negotiate with any person because of that person's inclusion in a protected class.

The Department of Housing and Urban Development (HUD) enforces the Fair Housing Act. Equal access to rental housing and homeownership opportunities is the cornerstone of this nation's federal housing policy. Housing providers who refuse to rent or sell homes to people based on race, color, national origin, religion, sex, familial status, or disability are violating federal law, and HUD will vigorously pursue enforcement actions against them.

The Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker and housing operated by organizations and private clubs that limit occupancy to members.

Additional protection if you have a disability:

If you or someone associated with you:

- ◆ Have a physical or mental disability (including hearing, mobility and visual impairments, cancer, chronic mental illness, HIV/AIDS, or mental retardation) that substantially limits one or more major life actions
- ◆ Have a record of such a disability or
- ◆ Are regarded as having such a disability, a housing provider may not:
 - Refuse to let you make reasonable modifications to your dwelling or common use areas, at your expense, if it may be necessary for you to fully use the housing. (Where reasonable, a landlord may permit changes only if you agree to restore the property to its original condition when you move.)
 - Refuse to make reasonable accommodations in rules, policies, practices or services if it may be necessary for you to use the housing on an equal basis with nondisabled persons.

Service Animals and Assistance Animals for People with Disabilities

The Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA) have instituted certain obligations for housing providers with respect to animals that provide assistance to individuals with disabilities.

A Service Animal defined by Title II and Title III of the ADA means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Tasks performed can include, among other things, pulling a wheelchair, retrieving dropped items, alerting a person to a sound, reminding a person to take medication, or pressing an elevator button.

Emotional support animals, comfort animals, and therapy dogs are not service animals under Title II and Title III of the ADA. Other species of animals, whether wild or domestic, trained or untrained, are not considered service animals either. The work or tasks performed by a service animal must be directly related to the individual's disability. It does not matter if a person has a note from a doctor that states that the person has a disability and needs to have the animal for emotional support. A doctor's letter does not turn an animal into a service animal.

Fair Housing Information

Wyoming Fair Housing Act

Senate File No. SF0132

Wyoming Landlord Tenant Law

<https://www.american-apartment-owners-association.org/landlord-tenant-laws/wyoming/>

Equal Justice Wyoming

<http://www.legalhelpwy.org/index.php/get-legal-help-2/self-help-2/housing/fair-housing/>

U.S. Department of Housing & Urban Development – Fair Housing

https://www.hud.gov/program_offices/fair_housing_equal_opp

Local Fair Housing Office

U.S. Department of Housing & Urban Dev.

1670 Broadway

Denver, CO 80202-4801

(800) 877-7353

File a Complaint

https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint
or call (800) 669-9777

The United States Department of Justice – Fair Housing Act

<https://www.justice.gov/crt/fair-housing-act-2>

Attachment 3: Wyoming Tribune Eagle Ads

PUBLIC NOTICE

City of Cheyenne

Analysis of Impediment to Fair Housing

The City of Cheyenne Housing and Community Development Office has updated their “Analysis of Impediments to Fair Housing Choice”. A public comment period will be held from February 25 to March 25, 2020. A copy of the report will be available to the public at the Cheyenne Housing and Community Development Office, Mayor’s Office, City Clerk’s Office, or may be obtained off the City of Cheyenne website, www.cheyennecity.org.

A Public Meeting will be held March 4, 2020 at 3:30 p.m. at 2101 O’Neil Avenue, Room 104.

The H&CD Office is working with different agencies to provide translation services for residents with Limited English Proficiency (LEP). The Public Hearing location is accessible to persons with mobility impairments. Contact Deanne Widauf at 637-6255 or dwidauf@cheyennecity.org if equipment or translation services are required or Wyoming Relay Service at 711 or 1-800-877-9975 during regular business hours to discuss the provision of TDD/TTY communication.