

Analysis of Impediments to Fair Housing Choice

City of Cheyenne, Wyoming

Housing & Community
Development Office

DRAFT

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Executive Summary

This report is the 2010 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.

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.

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 presented to

the Cheyenne City Council on March 8, 2010. Comments received during the public review are summarized in Section 6.

2004 Impediments

The city of Cheyenne's 2004 Analysis of Impediments to Fair Housing Choice report stated "that Cheyenne continues to do well in avoiding systematic impediments to fair housing choice. However, the city recognizes that barriers to fair housing exist and will pursue the following steps to continue to "affirmatively further fair housing choice."

Fair Housing Education

Fair housing education must be a never ending process. Cheyenne, like many communities across the country, has many residents that are not aware, or knowledgeable, about their fair housing rights, how to recognize discrimination or what to do about it. The city of Cheyenne will:

1. Continue to support consumer educational programs such as first-time homebuyer and ongoing fair housing presentations and training.
2. Continue to participate in fair housing education efforts for city of Cheyenne employees, and CDBG and HOME funding recipients.
3. Continue to provide information to the public on the city of Cheyenne's housing programs via the website, brochures, newsletters, press releases, and public events.
4. Continue to support fair housing through its affordable housing activities.
5. Encourage local developers to create and maintain affordable housing opportunities for low and extremely low income households.
6. Continue to support agencies that assist the homeless.
7. Continue to provide information to the public on fair housing.
8. Continue to encourage that fair housing and equal opportunity information is available throughout the city of Cheyenne.
9. Actively support Fair Housing Month activities.

Neighborhood Diversity

Historical isolation of public housing has resulted in higher number of low-income people living in concentrated geographic areas. The city of Cheyenne will:

1. Encourage efforts to deconcentrate public housing
2. Continue to support the Cheyenne Transit's efforts to provide transportation throughout the community
3. Encourage mixed income neighborhoods throughout the community

Individuals with disabilities, some of whom are homeless, frequently face barriers to housing choice in the form of neighborhood opposition to group homes or community living centers. Low-income residents and residents of color may also face barriers to housing choice in the form of neighborhood opposition to publicly assisted housing. The city of Cheyenne will:

1. Provide information on and support for enforcement of fair housing laws to help deter future efforts to block group homes, publicly assisted housing and other locally unwanted land uses

2. Continue work to provide affordable housing for anyone that needs it (including the homeless and people with mental disabilities)

Fair Housing Enforcement

To remain "substantially equivalent" to the HUD administrative enforcement process, the state of Wyoming must acknowledge the need to establish a Wyoming Fair Housing Act. The city of Cheyenne will:

1. Respond to and follow up on matters relating to illegal discrimination, including housing discrimination, in addition providing education and resources on fair housing issues and act as the community's central location for residents to report housing discrimination

Accessible Housing

People with disabilities have difficulty finding suitable and accessible housing. Even though the Fair Housing Act allows tenants to make physical modifications to render an apartment accessible, fixed or otherwise limited incomes present a financial barrier to a disabled person's ability to make physical modifications, and thus, is a barrier to the creation of accessible housing in Cheyenne. The city of Cheyenne will:

1. Educate developers and non-profit organizations about ways they can enhance the accessibility of existing units and increase the availability of accessible units
2. Systematically inform residents about their right to reasonable accommodations under fair housing law
3. Encourage property owners of housing built before 1991 to make their rental units physically accessible to persons with disabilities

Affordable Housing

Affordability can certainly be a barrier to housing choice and becomes a fair housing issue when housing patterns and/or policies effectively segregate households by income. Availability (both new and existing units) of affordable housing has been an increasing challenge in Cheyenne, both in rental and home ownership. Generally speaking, Cheyenne's approach to addressing housing issues will focus on local regulatory review. The city of Cheyenne will consider and evaluate the following possibilities:

1. Review zoning policies to determine affect on housing affordability and new neighborhood development
2. Review building code/inspection policies to determine impacts on housing affordability
3. Encourage neighborhood revitalization within older neighborhoods and, as a neighborhood, encourage residents to tackle issues associated with "difficult" properties
4. Encourage downtown development that provides additional housing opportunities
5. Encourage maintenance of existing neighborhood housing stock
 - Continue to fund owner occupied housing rehabilitation – target depreciating loans to households <50% AMI and 5% installment loans to households 50-80% AMI
6. Encourage the dispersion of affordable housing throughout the community
7. Address issues related to the affordability of homeownership
 - Continue to offer the down-payment assistance program - CHOP
 - Consider utilization of the Section 8 Homeownership Program recently authorized by HUD

2010 Impediments

The impediments to fair housing choice that have been identified as a result of this update 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 have been 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

Section 1 – Introduction

This report is the 2010 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.

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

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 2004 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 Building & Development Department
Cheyenne Housing Authority
Cheyenne Human Services Board
Cheyenne Interfaith Hospitality Network
Cheyenne/Laramie County
Cheyenne Leads
Cheyenne Planning Division
Cheyenne Planning Services Department
Community Action of Laramie County
Federal Financial Institutions Examination Council

Laramie County Assessor's Office
Laramie County Treasurer's Office
U.S. Bureau of Economic Analysis
U.S. Census Bureau
U.S. Department of Employment
U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal
Opportunity, Region VIII
U.S. Department of Justice
Wyoming Attorney General
Wyoming Civil Rights Division
Wyoming Community Development Authority
Wyoming Department of Employment
Wyoming Department of Labor and Employment
Wyoming Department of Workforce Services
Wyoming Division of Housing
Wyoming Family Home Owner Program
Wyoming Housing and Finance Authority
Wyoming Housing Assistance Corporation
Wyoming Housing Database Partnership
Wyoming Independent Living Rehabilitation

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 2000 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). The map shown below 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%. By 2008 the population of Cheyenne increased to 56,915, an increase of 3,904 or 7.37% 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 several projects are underway. The David R. Romero Southside Community Park is under construction. This park will include a youth center, a multi-purpose field, a picnic shelter and walking path. The new South High School will be opening for the 2010-2011 school year and a new Rossman Elementary School has been built, as well as a new Triumph High School. The Boys & Girls Club is acquiring land to build a new facility. Just north of the new Boys & Girls Club construction for an Apartment complex is underway. A strip mall will also be constructed next to the apartment complex. The new Norris Viaduct completed construction in the fall of 2009.

¹ <http://www.census.gov>

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

³ <http://www.bea.gov>

⁴ <http://www.wyomingcda.com>

Central Cheyenne – New library, St. Mary’s School, New Safehouse Shelter, Children’s Village, Habitat for Humanity housing development and ReStore. (Corlett School by Randall)

East of Cheyenne the Wyoming Coalition for the Homeless is rehabilitating an old Naval building into a Homeless Day Care Center. This building will also house an area for homeless adult training. A new business will be going into the Industrial Park next to Lowe’s Distribution Center.

On the west side of Cheyenne a new industrially zoned North Range Business Park has been annexed. A Wal-Mart Distribution Center was built in 2006 on 146-acres. This is also the proposed location for the Wyoming Supercomputer Center that will begin construction in the spring of 2010 with plans to open in 2011. This center will be located on 24 acres and will be a 100,000-square-foot facility.

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.

Table 1: Population Growth in South Eastern Wyoming, 1990 – 2009

<i>Community</i>	<i>1990 Population</i>	<i>2000 Population</i>	<i>% Change from 1990 – 2000</i>	<i>2008 Estimated Population</i>
Albin	120	120	0%	116
Burns	254	285	12.21%	314
Cheyenne	50,008	53,011	6.01%	56,915
Pine Bluffs	1,054	1,153	9.4%	1,155
Albany County	30,797	32,014	3.96%	32,758
Goshen County	12,373	12,538	1.34%	12,072
Laramie County	73,142	81,607	11.6%	87,542
Platte County	8,145	8,807	8.13%	8,294

Source: U. S. Census Bureau

Family households in Cheyenne accounted for 67.21% of all households in 1990, while female heads of household accounted for 2,085 (or 10.3%) of total households. The number of non-family households was at 6,638 (or 32.8%) of all households. By 2000, the number of family households in Cheyenne had dropped to 63.5% and female heads of household increased to 10.6% of all households. Meanwhile, non-family households increased to 36.5% of all households. Average household size in 2000 was 2.33 persons while average family size was 2.93 persons. This information is summarized below in Table 2.

Table 2: Cheyenne Household Composition, 1990 - 2000

<i>Household Type</i>	<i>1990</i>	<i>2000</i>
Family Household	13,605 households / 67.21%	14,174 households / 63.5%
Female Head	2,085 households / 10.30%	2,373 households / 10.6%
Male Head	549 households / 2.72%	816 households / 5.76%
Non-Family Household	6,638 households / 32.8%	8,150 households / 36.5%
Average Household Size	2.44 persons	2.33 persons
Average Family Size		2.93 persons

Source: U. S. Census Bureau

Gender distribution has remained fairly consistent over the past decade, with 48.88% of the population being male and 51.12% female in the 1990 Census and the 2000 Census. Aging trends are apparent in Cheyenne and are shown on Table 3. The median age was 36.6 years in the 2000 Census. In contrast, the median age in Laramie County was 35.5 years in 2000. The 2008 median age has been estimated by the U. S. Census Bureau for the city of Cheyenne to be 35.5 years. The data estimates also show the 25-34 age group to be the largest, with the 45-54 age group the next largest. Together, these two age groups are estimated to account for 29.3% 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 24.5% of the total population in Cheyenne, and as they age, they will continue to increase the demand for housing and other services. The under 5 age group is one of the other largest and is estimated at 7.4% of the total population. These children are typically the grand-children of the “baby boomers” and they will affect school enrollment numbers as they enter school. At the other end of the age spectrum, the 65 and over group is estimated to make up 13.7% of Cheyenne’s population in 2008.

Table 3: Gender and Age of Population, 2000

<i>Location</i>	<i>Female</i>	<i>Male</i>	<i>Median Age</i>	<i>Population 65 and Older</i>	
Cheyenne	51.2%	48.8%	36.6	7,313	(13.8%)
Laramie County	49.8%	50.2%	35.3	9,351	(11.5%)
Wyoming	49.7%	50.3%	36.2	57,693	(11.7%)
United States	50.9%	49.1%	35.3	34,991,753	(12.4%)

Source: U.S. Census Bureau

Table 4 below compares 1990 and 2000 Census data for race and Hispanic origin for Cheyenne, and reflects an increasingly diverse community. All races but one show an increase over the past ten years, with the largest increases (in percentages) occurring in persons of the “other race” category (40.18%) and Native American, Eskimo or Aleut (22.51%). There was a decrease in the African American population (-5.71%) The unusually large increase in the “other race” category may be partially due to changes in racial category groupings made since the 1990 Census, as well as including persons of two or more races. Persons of Hispanic origin percentage relatively stayed the same from 11.83% in 1990 to 12.54% in 2000. The White (or Caucasian) population in Cheyenne dropped from 89.62% of the total population in 1990 to 88.11% in 2000. These percentages are also reflective of state and national trends.

Table 4: Cheyenne Race and Hispanic Origin, 2000

<i>Race/Origin</i>	<i>1990 Census</i>	<i>2000 Census</i>	<i>% of Change 1990 – 2000</i>	<i>% of 2000 Population</i>
African American	1,561	1,472	- 5.71%	2.77%
Asian, Pacific Islander	584	620	2.78%	1.16%
Native American, Eskimo or Aleut	351	430	22.51%	.82%
White	44,814	46,707	4.23%	88.11%
Other/2 or more races	2,698	3,782	40.18%	7.14%
TOTAL	50,008	53,011	6.01%	100%
Hispanic Origin	5,912	6,646	12.42%	12.54%

Source: U.S. Census Bureau

Map 2 shows minority population in Cheyenne by block group, while Map 3 shows Hispanic population 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 4.02, 2, and 3 while the highest Hispanic concentration is in Census Tracts 2, 5, and 3. The highest concentrations of people below the poverty level are in Census Tracts 10, 2, and 4.02.

Census Tract	% Minority	Hispanic Population	% Below Poverty
2	44.36%	1386	15.45%
3	34.93%	684	12.19%
4.02	74.35%	679	15.03%
5	16.97%	725	6.72%
6	16.17%	682	6.95%
7	21.26%	542	13.86%
8	10.64%	120	8.55%
9	10.06%	181	7.69%
10	23.38%	495	16.39%
12	8.37%	219	3.65%
13	10.71%	408	7.01%
14	14.78%	590	7.18%
15.01	15.51%	381	4.2%
15.02	16.76%	458	8.35%
19	7.22%	221	6.39%

Source: Federal Financial Institutions Examination Council⁵

In the 2000 Census, persons over the age of 5 with disabilities totaled 8,642 (or 18.4%) of the population. Persons over the age of 65 with a disability totaled 2,752 or 40.9% of the over 65 population in 2000. In 2000, 51.7% of persons with a disability between the working ages of 21 – 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.

Education Data

One school district serves the residents of Cheyenne, Laramie County School District #1⁶. Table 6 below shows enrollment data from Fall 2008 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 72.9% which is lower than either the state of Wyoming (79.3%) or Laramie County School District #2⁷ (82.9%) and also has the highest drop-out rate at 7.43%.

⁵ <http://www.k12.wy.us>

⁶ <http://www.laramie1.org>

⁷ <http://laramie2.org>

Table 6: School Districts, 2008/2009

<i>District</i>	<i>Enrollment - Fall 2008</i>	<i>Pupil/Teacher Ratio</i>	<i>Graduation Rate</i>	<i>Dropout Rate (excluding alternative schools)</i>
Laramie County School District #1	12,933	10.38	72.9	7.43
Laramie County School District #2	841	7.46	82.9	3.99
Wyoming	86,519	12.4	79.3	5.15

Source: Wyoming Department of Education Website⁸

Educational attainment is fairly high in Cheyenne. Of the 25 and older population, 89.0% are high school graduates and 24.5% 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 26.5% of the population over the age of 25, while Wyoming has 31% of this population as high school graduates. Cheyenne does have a higher percentage of persons over the age of 25 who have some college education (without a degree), Associate, Bachelor Degree, and Graduate or Professional Degree. There is one post secondary educational institution located in Cheyenne. Students at Laramie County Community College totaled over 2,800 FTE students in the spring of 2009.

Table 7: Cheyenne & Wyoming Educational Attainment, 2000

<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)	9,320	26.5%	97,779	31%
Some College, no degree	10,208	29%	85,184	27%
Associate Degree	3,152	9%	25,221	8%
Bachelor's Degree	5,643	16%	47,066	14.9%
Graduate or Professional Degree	2,997	8.5%	22,096	7%
High School Graduate or higher	31,320	89%	277,346	87.9%
Bachelor's Degree or higher	8,640	24.5%	69,162	21.9%

Source: U.S. Census Bureau

Early childhood education is available to Cheyenne pre-schoolers through the Head Start program, which has been operated by Community Action of Laramie County⁹ (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

⁸ <http://www.k12.wy.us>

⁹ <http://www.calc.net>

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 2008 in Cheyenne is \$29,377. This translates to a weekly rate of \$564.95 and an hourly wage of \$14.13 based on a 40-hour work week. Table 8 shows employment by industry sector and related employment figures for Cheyenne for 2008. The sectors having the largest percentage of jobs were the Educational services, and health care and social assistance sector and the Retail Trade sector.

Table 8: Cheyenne Employment by Industry Sector - 2008

<i>Sector</i>	<i>Estimated Number of Jobs</i>	<i>% of Jobs</i>
Agriculture, forestry, fishing and hunting, and mining	376	1.4%
Construction	1,740	6.3%
Manufacturing	1,504	5.4%
Wholesale Trade	604	2.2%
Retail Trade	3,795	13.6%
Transportation and warehousing, and utilities	1,683	6.1%
Information	722	2.6%
Finance and insurance, and real estate and rental and leasing	1,332	4.8%
Professional, scientific, and management, and administrative and waste management services	1,745	6.3%
Educational services, and health care and social assistance	6,706	24.1%
Arts, entertainment, and recreation, and accommodation, and food services	2,234	8%
Other services, except public administration	1,177	4.2%
Public administration	4,192	15.1%
TOTAL	27,810	100%

Source: U.S. Census Bureau

The median family income for FY 2009 for the Cheyenne Area was set by HUD at \$50,950. The 2008 estimates prepared by the U.S. Census Bureau for the city of Cheyenne shows a median household income of \$65,432.

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

100. Based on a national average of 100, this means that the cost of living in the metro area was the same as the national average. Comparing the cost-of-living with the city of Casper, WY and the city of Fort Collins, CO, Cheyenne and Casper both have a cost-of-living index of 100 with the city of Fort Collins, CO having a cost-of-living index of 91.

Data on Cheyenne household income showed 891 families (6.3%) and 4,541 individuals (8.8%) living below the poverty level, based on 2000 Census data (poverty data for the 2000 Census was based on 1999 status). Of these the largest group was individuals 18 years of age and older, which accounted for 3,082 (or 7.9%) of the individuals living below poverty. Of the families living in poverty, 520 (or 23.2%) were families headed by a female. In contrast, 8% of all Wyoming families and 11.4% of individuals were living below poverty, based on the 2000 Census. Of the Wyoming individuals living below poverty, 10.3% were 18 years and older and of Wyoming families living in poverty, 30.9% had a female head of household. For the 2000 Census, poverty was defined as a household on one having an annual income of \$8,501 or less, and a family of four having an annual income of \$17,029 or less. Poverty levels are set each year by the U.S. Department of Health and Human Services¹⁰ and provide income levels for households of all sizes. Table 9 below summarizes this data. Of the 4,541 individual households living at or below poverty levels in the 2000 Census, 388 (or 5.8%) of these households were people 65 years or older.

Table 9: Poverty in Cheyenne, 2000

	<i>Household of 1</i>	<i>Household of 2</i>	<i>Household of 3</i>	<i>Household of 4</i>
2000 Poverty Level	\$8,501	\$10,869	\$13,290	\$17,029
	<i># of Families</i>	<i>% of all Families</i>	<i># of Individuals</i>	<i>% of all Individuals</i>
2000 Census	891	6.3%	4,541	8.8%
	<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>
2000 Census	520	23.2%	388	5.8%

Source: U.S. Census Bureau

The National Low Income Housing Coalition's *Out of Reach 2009*¹¹ report calculates the level of income needed to afford housing in the United States by state and county. Using the 2008 Area Median Income for Cheyenne, a housing wage of \$12.65 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 \$26,320 needed to afford rent on a two-bedroom apartment unit with a rent of \$658. A two-income household earning the minimum wage of \$5.85 per hour still falls short by \$6.80 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 87 hours per week to afford rent for a two-bedroom unit, or 2.2 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 2008 was \$10.33; however industries such as the food preparation and serving related average hourly wage was only \$8.45 – well below the needed housing wage of \$12.65. Table 10 below shows the average weekly wages by occupational group for Cheyenne and the United States for 2007.

¹⁰ <http://www.hhs.gov>

¹¹ <http://www.nlihc.org/oor/oor2009>

Table 10: Cheyenne & United States Average Hourly Wage, 2007

Major Occupational Group	Cheyenne	United States
Management	\$32.96	\$46.22
Business and Financial Operations	\$24.01	\$30.01
Computer and Mathematical Science	\$24.67	\$34.71
Architecture and Engineering	\$28.64	\$33.11
Life, Physical, and Social Science	\$26.96	\$29.82
Community and Social Services	\$17.57	\$19.49
Legal	\$30.22	\$42.53
Education, Training, and Library	\$21.80	\$22.41
Arts, Design, Entertainment, Sports, and Media	\$18.29	\$23.27
Healthcare Practitioner and Technical	\$31.50	\$31.26
Healthcare Support	\$12.75	\$12.31
Protective Service	\$18.34	\$18.63
Food Preparation and Serving Related	\$8.45	\$9.35
Building and Grounds Cleaning and Maintenance	\$10.84	\$11.33
Personal Care and Service	\$9.71	\$11.53
Sales and Related	\$12.27	\$16.94
Office and Administrative Support	\$13.30	\$15.00
Construction and Extraction	\$16.36	\$19.53
Installation, Maintenance, and Repair	\$18.71	\$19.20
Production	\$14.72	\$15.05
Transportation and Material Moving	\$13.94	\$14.75

Source: U.S. Department of Labor

Employment Data

In 2008, the estimated annual average number of persons employed in Cheyenne was 30, 227 from a work force of 43,007. The estimated average annual unemployment rate in Cheyenne for 2008 was 2.6% and the state was 2.4%. According to the Bureau of Labor Statistics¹², by September 2009, the Cheyenne unemployment rate had risen to 6.3% while the state average unemployment rate hit 7.4% by October 2009. In past years, the increase in unemployment was usually attributed to layoffs and downsizing in the high tech and manufacturing industries; however, in 2008 and the first half of 2009, layoffs have hit virtually every sector of the economy.

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 notable presence in Cheyenne. The ten largest employers in Cheyenne are shown on Table 11. Together, they accounted for nearly 16,707 jobs in Cheyenne in 2008.

¹² <http://www.bls.gov>

Table 11: Cheyenne's Ten Largest Employers, 2008

<i>Company</i>	<i>Product/Service</i>	<i>Number of Employees</i>
F. E. Warren AFB	Military	4,410
State of Wyoming	Government Services	3,840
Laramie County School District #1	Education K-12	1,999
Federal Government	Government Services	1,747
Cheyenne Regional Medical Center	Health Care	1,324
Wyoming National Guard	Military	709
Lowe's Companies, Inc.	Distribution Center	705
Sierra Trading Post	Outlet Catalog/Retail	691
Union Pacific Railroad	Transportation, Rail	686
City of Cheyenne	Government Services	596
TOTAL JOBS		16,707

Source: Cheyenne LEADS¹³

The Wyoming Department of Workforce Services¹⁴ has three locations in Cheyenne. Employment Services and Vocational Rehabilitation are located at 1510 E. Pershing Blvd; Disability Determination Services is located at 821 W. Pershing Blvd; and the Central Office is located at 122 W. 25th Street.

These centers are located in areas that are accessible by the public transit system maintained by Cheyenne Transit Program¹⁵ (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 1990 and 2000, the number of housing units in Cheyenne increased from 21,859 to 23,782 units – an increase of 8.8%. Average household size decreased from 2.44 persons in 1990, to 2.33 persons per household in 2000. The majority, or 66.2% (15,751) of housing units in Cheyenne are single-family detached units, with mobile homes making up the smallest percentage, at 3.4% (or 814) of the existing housing units. Of all housing units in Cheyenne, 75.7% 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 2004 and 2008, building permits were issued for 1,636 new housing units. Table 13 below shows the number of new residential units by year the building permit was issued and by residential type. Since 2004, there has been a steady decline in the number of all residential units. The majority of the new units were single family units, with the largest number, 498, issued in 2004. Multi-family units accounted for only 35 new units in 2004.

¹³ <http://www.cheyenneleads.org>

¹⁴ <http://www.wyomingworkforce.org>

¹⁵ <http://www.cheyennecity.org/index.aspx?rid=252>

<i>Units</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>TOTAL</i>
Single-Family	498	443	287	204	127	1,559
Single-Family Attached	11		7			18
Multi-Family	35	16	8			59
TOTAL	544	459	302	204	127	1,636

Source: City of Cheyenne Building Department¹⁶

In the 1990 Census, 56.59% of all occupied housing units in Cheyenne were owner-occupied, while rental units accounted for 43.41% of the occupied units. By 2000, the percentage of owner-occupied units had increased to 66% while rental units dropped to 34%. Estimates for 2008 put these percentages lower, with 65% units being owner-occupied and 35% as renter-occupied units. Based on 2000 Census data, 67.7% of White households were owner-occupied in Cheyenne, while 63% 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 38.28% for American Indian households up to 54.24% for households who are some other race alone.

<i>Race</i>	<i>Occupied Housing Units</i>	<i>Owner Occupied</i>	<i>% of Owner Occupied Housing</i>
White	20,231	13,712	67.78%
African American	582	251	43.13%
American Indian and Alaska Native	162	62	38.28%
Asian	157	100	63.7%
Pacific Islander	17	6	35.3%
Some other race alone	791	429	54.24%
Two or more races	384	179	46.62%

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 \$55,000 mobile home and the highest listing a 6-bedroom home for \$1,450,000. Table 14 compares median home sales price with the average listing price in Cheyenne over the last three years. The median sales price for homes sold in Cheyenne has dropped from \$185,437 in 2007, down to \$177,813 in 2009 – a drop of 4.12% over this three-year period. Cheyenne has the highest number of homes in foreclosure in Wyoming at 104 in October 2009.

<i>Month & Year</i>	<i>Median Sales Price</i>	<i>Average Listing Price</i>	<i>Homes Sold</i>
October 2009	\$177,813	\$180,712	137
June 2009	\$188,225	\$191,583	155
2008	\$183,571	\$187,416	1,444
2007	\$185,437	\$188,462	1,654

Source: Cheyenne Board of Realtors¹⁷

¹⁶ <http://www.cheyennecity.org/index.aspx?NID-211>

¹⁷ <http://www.cheyennerealtors.com>

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 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 foreclosure per census tract in Cheyenne in 2008, along with the rate of foreclosure.

Table 15: Estimated Number of Foreclosures per Census Tract

<i>Census Tract</i>	<i>Estimated Number of Foreclosures</i>	<i>Rate of Foreclosure</i>
2.00	32	3.21%
3.00	27	2.20%
4.02	16	2.24%
5.00	53	1.91%
6.00	30	1.69%
7.00	14	1.45%
8.00	9	1.60%
9.00	10	1.10%
10.00	14	1.93%
15.01	23	1.43%
15.02	23	2.12%

Source: WCDA (HUD NSP Data Released October 2008)

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 rents in Cheyenne have generally stayed fairly stable over the past five years. The 2nd Quarter of 2008 average rent for a 2-3 bedroom house was \$899, for an apartment \$601, and for a mobile home \$559 with lot rent of \$290. Table 16 below compares the average monthly rents for a 2-3 bedroom house, apartment, or mobile home in Cheyenne.

<i>Quarter/Year</i>	<i>House</i>	<i>Apartment</i>	<i>Mobile Home</i>	<i>Mobile Home Lot Rent</i>
2Q08	\$899	\$601	\$559	\$290
4Q07	\$864	\$557	\$594	\$239
2Q07	\$864	\$558	\$575	\$230
4Q06	\$835	\$564	\$588	\$252

Source: Economic Indicators for Greater Cheyenne

According to the semiannual Wyoming Rental Vacancy Survey conducted June, 2009, the vacancy rate of Laramie County was 3.64%. Table 17 provides five years of data reflecting rental vacancy rates in Laramie County. Vacancy rates have ranged from a low of 1.99% in the fourth quarter of 2007, to a high of 5.30% in the fourth quarter of 2004. Since 2004, vacancy rates in Laramie County have generally been decreasing; however, by 2008, the vacancy rate has risen.

<i>Quarter/Year</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
Second Quarter	3.01	3.95	2.38	2.27	2.82
Fourth Quarter	5.30	4.75	3.97	1.99	4.16

Source: Wyoming Housing Database Partnership

Between 2004 and 2008, building permits were issued for 59 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 dropped in Cheyenne from 43.41% in 1990, to 34% by 2000, with a corresponding increase in home ownership.

The Fair Market Rents (FMR) for FY 2009 for existing housing in Cheyenne was released by HUD last year, to be effective October 1, 2009 - September 30, 2010. These rent levels represent the maximum which can be charged for public-assisted housing. These rates are \$530 for an efficiency apartment; \$559 for a one-bedroom; \$709 for a two-bedroom; \$965 for a three-bedroom apartment; and \$1,243 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 \$601 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 1990 and 2009 by 7.37%. Persons of Hispanic origin increased by 21.03% during this same period.
- The disabled population is increasing in size, particularly with the aging of the baby boomer generation. In 2000, 18.4% of Cheyenne's population over the age of five had a disability and 40.9% of persons 65 years and older had a disability.

- Average hourly wages in Cheyenne range from a low of \$8.45 (food preparation and serving) to a high of \$32.96 (management); however, unemployment rates have continued to increase, as layoffs occur at many local businesses.
- The vacancy rate for rental units in Cheyenne was 4.16% at the end of 2008, 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.
- By 2000, the rate of owner-occupied housing units in Cheyenne had increased to 66% while renter-occupied housing units decreased to 34% of all housing units. Estimates for 2008 show a drop in owner-occupied units, to 65%, while renter-occupied units increased to 35%.
- There is still a gap between income and housing costs for many households, as an hourly wage of \$12.65 is needed to pay rent for a two-bedroom apartment in Cheyenne and the minimum wage is \$5.85 per hour.

Maps

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

Map 1: City of Cheyenne Census Tracts

Map 2: City of Cheyenne Minority Households by Block Group

Map 3: City of Cheyenne Hispanic Households 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)¹⁸ Office of Fair Housing and Equal Opportunity (FHEO)¹⁹ 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 substantially equivalent agencies, such as the Colorado Civil Rights Commission, the Nebraska Human Rights Commission, the North Dakota Department of Labor Division of Human Rights, and the Utah Anti-Discrimination Commission.

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

¹⁸ <http://www.hud.gov>

¹⁹ http://portal.hud.gov/portal/page/portal/HUD/program_offices/fair_housing_equal_opp

Attempts to create a state fair housing law in Wyoming have recently 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, 2005.²⁰ 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, 2007.²¹ 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.

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.

Wyoming Legal Services, Inc. (WLS), a federally funded, non-profit law firm, provides legal assistance to low-income individuals in Wyoming. WLS provides this representation to financially eligible individuals; the WLS may be contacted by telephone or through their Web site, where an application for aid may be downloaded and eligibility determined based upon gross monthly income, number of persons in the family, and other assets. Certain types of representation are not provided, such as criminal cases, unless the defendant is Native American and requires representation in Tribal Court.

WLS representation is often related to or on behalf of civil cases. However, WLS casework also includes legal matters related to housing, such as landlord-tenant issues and violations of fair housing law. WLS maintains an office in Cheyenne at the following address:

Legal Aid of Wyoming, Inc., DBA Interim Legal Services Provider
211 West 19th Street, Suite 201
Cheyenne, WY 82001
307-432-0807
1-877-432-9955 (Toll Free)

²⁰ <http://legisweb.state.wy.us/2005/HBIndex.HTM>

²¹ <http://wyominglegalservices.com/index.cfm?pagename-homepage>

Individuals who believe they have been discriminated against in a Wyoming housing transaction may also 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:

<http://www.hud.gov/offices/fheo/index.cfm>.

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:

<http://www.hud.gov/complaints/housediscrim.cfm>.

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 Justice (DOJ) and heard in U.S. District Court if one of the parties so desires.

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.²²

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 2000 through 2009, 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>Color</i>	<i>Disability</i>	<i>Gender</i>	<i>Familial Status</i>	<i>Religion</i>	<i>Harassment & Retaliation</i>	<i>Total Basis</i>	<i>Total Complaints</i>
2000	3							3	2
2001	1		11	6			10	28	11
2002			1				1	2	2
2003	2		3		1	5	1	12	7
2004	3	2	6					11	4
2005			5					5	2
2006				2	1			3	2
2007			1					1	
2008			6				1	7	4
2009	2		6	2			2	12	3
Total	11	2	39	10	2	5	15	84	37

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

Over the nine-year period, a total of 37 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 84 bases were lodged in Cheyenne. During this period, disability had the greatest number of bases, with some 39. Harassment and Retaliation, race and gender followed with 15, 11 and 10 bases.

Fiscal year 2001 had the highest number of basis complaints at 28. Over fiscal years 2002 through 2005, there were 2, 12, 11, and 5 complaints filed with HUD with a rise in complaints in 2009 at 12. Furthermore, the increase in complaints appears to lean most heavily toward historic frequency patterns: disability, race, gender and harassment and retaliation. It must be recognized, however, that while these are relative increases in complaint activity, the actual number of housing complaints filed with HUD and attributable to Cheyenne is actually quite low.

Of the 11 bases that were race-related in Cheyenne, 5 complaints were associated with the African American race. Four of the complaints were found to have no cause and the other complaint was withdrawn by complainant after resolution.

²² <http://www.usdoj.gov/crt/housing/title8.htm>

The information provided by HUD over the 2001 through 2006 period also included the city in which the complaint occurred. Consequently, six years of data can be segmented by geographic area. Table 19, separates the number of complaints filed with HUD between Casper, Cheyenne, and the remainder of the State. This was done because both Casper and the state of Wyoming have their own AI documents. Overall, Casper had 24 complaints filed, Cheyenne another 25, and 91 occurred throughout the remainder of the State. In terms of the basis of the complaint, each is approximately proportional between the total number of bases and the geographic area, save one, race. 15 Race seems to have a higher frequency in the remainder of the State than in either Casper or Cheyenne, about 20 percent versus 10 percent of the complaints in the two cities.

<i>Basis</i>	<i>Cheyenne</i>	<i>Casper</i>	<i>Rest of State</i>	<i>Total Basis</i>
Race	3	3	19	25
Gender	4	3	5	12
Harassment/Retaliation	8	0	4	12
Color	1	0	0	1
National Origin	2	3	7	12
Disability	9	12	39	60
Familial Status	3	6	21	30
Religion	5	1	4	10
Total Basis	35	28	99	162
Total Complaints	25	24	91	140

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 2000 – 2009. The discriminatory issue having the greatest degree of frequency is “discriminatory terms, conditions, privileges – rental,” with some 18 issues alleged. Next is “Failure to make reasonable accommodation” with another 14 issues.

<i>Issue</i>	<i>2000-2003</i>	<i>04</i>	<i>05</i>	<i>06</i>	<i>07</i>	<i>08</i>	<i>09</i>	<i>Total</i>
Refusal to rent	2	2	1	1				6
Discriminatory advertising, statements, and notices			1					1
Discriminatory terms, conditions, privileges	2	4					1	7
Discriminatory terms, conditions, privileges – rental	12	1	2	1		2		18
Discrimination in services and facilities relating to rental	1							1
Otherwise Deny or Make Unavailable							1	1
Discriminatory acts under Section 818 (coercion, etc.)	8	1		1		1	1	12
Failure to permit reasonable modification							1	1
Failure to make reasonable accommodation	5	1	1		1	4	2	14
Total Issues	30	9	5	3	1	7	6	61

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 discriminatory acts under Section 818 (coercion), as well as discriminatory terms, conditions, privileges and refusal to rent. In fact these five issues registered some 94 percent of all discriminatory actions in the last 9 years. Essentially, the rental market has been generating the vast majority of housing complaint activities.

On the other hand, 22 of the 61 complaints, or some 36 percent of the total filed with HUD over the last 9-year period, were determined to have no cause, as noted in Table 21. Nearly 17 percent more, or another 10 complaints, were not complete; either the complainant failed to cooperate, or HUD determined there was lack of jurisdiction. On the other hand, some 17 complaints, or 28 percent, were resolved with agreement, with another 12 withdrawn after resolution. Hence, of the 61 complaints filed by HUD, about 29 were determined to be valid and resolved, almost 48 percent of all complaints.

<i>Outcome of the Complaint</i>	<i>2000-2003</i>	<i>04</i>	<i>05</i>	<i>06</i>	<i>07</i>	<i>08</i>	<i>09</i>	<i>Total</i>
Dismissed for Lack of Jurisdiction	2							2
Complainant Failed to Cooperate		1	3	2		2		8
Conciliation Successful	7	2		1	1	4	2	17
Complaint Withdrawn by Complainant After Resolution	8	2	2					12
No Cause Determination	15	4				1	2	22
Total Issues	32	9	5	3	1	7	4	61

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

Table 22 inspects these 29 resolved complaints by basis of the complaint, with 43 bases noted therein. Of these, disability comprises the major share, 22 or 52 percent of all resolved fair housing complaints. Harassment and Retaliation is the next most frequent, with some 8 bases followed by gender with 6 bases. All other bases are significantly less.

<i>Year</i>	<i>Race</i>	<i>Color</i>	<i>Disability</i>	<i>Gender</i>	<i>Familial Status</i>	<i>Religion</i>	<i>Harassment & Retaliation</i>	<i>Total Basis</i>	<i>Total Complaints</i>
2001			9	6			7	22	12
2002								0	0
2003	1	1	1		1	2		6	3
2004	1		2					3	4
2005			2					2	2
2006					1			1	1
2007			1					1	1
2008			3				1	4	4
2009			4					4	2
Total	2	1	22	6	2	2	8	43	29

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 29 resolved complaints. Discriminatory terms in the rental market appear most often, with the next most frequently seen violation being failure to make reasonable accommodation. Discriminatory acts under Section 818 follows closely behind these issues.

<i>Issue</i>	<i>2000-2003</i>	<i>04</i>	<i>05</i>	<i>06</i>	<i>07</i>	<i>08</i>	<i>09</i>	<i>Total</i>
Refusal to rent		1		1				2
Discriminatory Advertising, Statements & Notices			1					1
Discriminatory terms, conditions, privileges	1	1						2
Discriminatory terms, conditions, privileges – rental	6	1	1			1		9
Discriminatory acts under Section 818 (coercion, etc.)	5					1		6
Failure to permit reasonable modification							1	1
Failure to make reasonable accommodation	3	1			1	2	1	8
Total Issues	15	4	2	1	1	4	2	29

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, Twenty-two complaints were found to have “no cause determinations,” twelve were withdrawn by the complainant after resolution and no formal charge of discrimination was made by HUD, ten were either dismissed or the complainant failed to cooperate, and seventeen 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 one case filed in Wyoming. The case was filed in 1998 and involved discrimination based on familial status. In the consent order, filed on June 20, 2001, the Defendants agreed to pay \$2,500 in damages to both complainant and child. Additional relief included an injunction prohibiting discriminatory housing practices by the defendants in the future, mandatory fair housing training for the property owner and employees, and an agreement that one of the defendants withdraw from the management of their rental properties.

Discussion of Other Fair Housing Concerns or Problems

Additional evaluation of Wyoming’s Fair Housing Profile was conducted by use of a scientific survey of housing experts throughout the State. The purpose of conducting the 2006 Fair Housing Survey, a relatively more qualitative component to the study, was to explore the knowledge, opinions, and feelings stakeholders had regarding Fair Housing in Wyoming and the ability of housing stakeholders in Wyoming to understand and affirmatively further fair housing.

The Wyoming Community Development Authority developed a list of participants in the 2006 Fair Housing Survey, and after final review some 87 individuals throughout the State were contacted. Of these, some 64 completed the interviews, a respectable 74 percent response rate. The results of these surveys are presented below.

Respondents were asked if they had concerns or reservations about fair housing in Wyoming, as noted in Table 24. Nearly 60 percent of those who participated in the survey indicated that they had concerns or reservations about fair housing in Wyoming, especially those who represented in-need service providers, members of the legal community, economic and community development representatives, and persons from the housing authorities.

Table 24: Do you have any Concerns or Reservations about Fair Housing in Wyoming?

<i>Role</i>	<i>Yes</i>	<i>No</i>	<i>Some-what</i>	<i>Don't Know</i>	<i>Total</i>
In-need Service Providers/Organizations	12	2	0	0	14
Legal Community	5	0	0	0	5
Economic and Community Development	7	6	0	0	13
Housing Authority	6	4	0	2	12
Elected Official	1	0	0	0	1
Emergency/Transitional Provider	2	2	2	0	6
Other Housing Providers	2	0	0	0	2
Realtors	2	2	0	0	4
Bankers/Lenders	0	6	0	0	6
Other	1	0	0	0	1
Total	38	22	2	2	64
Frequency	59.4%	34.4%	3.1%	3.1%	100%

Source: Fair Housing Survey (WCDA)

These concerns are delineated in Table 25. By far, the most frequently expressed concern pertains to a lack of resources for fair housing outreach and education, a tacit acknowledgement of a general lack of understanding. Fair housing was often expressed as a lack of affordable housing, but these two circumstances are very different problems. Still, some respondents were able to connect their concerns about fair housing with the disabled community, citing safe, adequate, and accessible housing supply.

Table 25: What are the Causes of your Concern?

<i>Concerns or Reservations</i>	<i>Number</i>	<i>Frequency</i>
Lack of Resources for Outreach and Education	21	32%
Lack of Affordable Housing Supply	10	15%
Lack of "Substantially Equivalent" Law	10	15%
Lack of Safe, Accessible, and Adequate Housing	9	14%
Racial Discrimination	7	11%
Fair Housing is a Burdensome Regulation	3	5%
Transitioning out of Homelessness	3	5%
Lack of Housing Supply on Indian Reservation	2	2%
Free Speech	1	1%
Total	66	100%

Source: Fair Housing Survey (WCDA)

Hence, these responses underscore a lack of understanding, or agreement, on the concept of what is fair housing. This lack of understanding represents a barrier to affirmatively furthering fair housing.

Respondents also indicated their knowledge of specific instances involving unfair housing practices or discrimination in Wyoming, as noted in Table 26. While 41 respondents expressed no specific knowledge of such practices, several indicated that they had knowledge of specific instances involving unfair housing practices or discrimination. Unfortunately, most were reluctant or somewhat circumspect when describing these events, but they predominantly concerned rental housing and involved perceptions related to disability, familial status, and race.

<i>Role</i>	<i>Yes</i>	<i>No</i>	<i>Some-what</i>	<i>Don't Know</i>	<i>Total</i>
In-need Service Providers/Organizations	6	6	1	1	14
Legal Community	3	1	1	0	5
Economic and Community Development	1	12	0	0	13
Housing Authority	4	7	0	1	12
Elected Official	0	0	1	0	1
Emergency/Transitional Provider	1	5	0	0	6
Other Housing Providers	1	1	0	0	2
Realtors	0	4	0	0	4
Bankers/Lenders	0	5	1	0	6
Other	1	0	0	0	1
Total	17	41	4	2	64
Frequency	27%	64%	6%	3%	100%

Source: Fair Housing Survey (WCDA)

Survey participants were also asked to provide their knowledge of barriers or constraints to affirmatively furthering fair housing in Wyoming, if they viewed any to exist. Again, respondents could cite one or more barrier or constraint. While the lack of a Wyoming fair housing law or a Wyoming fair housing office were each cited 11 times as a barrier, outreach and education is foremost on the minds of respondents, as noted in Table 27.

<i>Barriers or Constraints</i>	<i>Number</i>	<i>Frequency</i>
Lack of Resources, Education, and Outreach	19	24%
No Wyoming Fair Housing Office	11	14%
Lack of a “Substantially Equivalent” Law	11	14%
Lack of Affordable Housing	10	13%
Biased Attitudes against Low Income Households	9	11%
Lack of Safe, Accessible, & Adequate Housing	6	8%
Needed Infrastructure: Roads, Water, Sewer	4	5%
Improved Protections for Tenants under State’s Landlord-Tenant Law	4	5%
“Boom-Bust” Economic Cycles	3	3.5%
Decrease in Private Landlords Accepting Section 8 Vouchers	2	2.5%

Source: Fair Housing Survey (WCDA)

Another question in the 2006 Fair Housing Survey directly addressed the perception and adequacy of the current level of outreach and education. Some 77 percent of the respondents indicated that there was insufficient outreach and education. This represents a fairly strong and uniform statement on the status of fair housing education in Wyoming.

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*²³. *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

²³ <http://www.plancheyenne.com/welcome.cfm>

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 are 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.

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 are underway 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 consists 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 is being constructed along with a youth activity and community center. The south park is located on 37.5 acres and will include a multi-purpose playing field, picnic shelter, and greenway path. The youth activity center will include a large community room and exercise and game courts.

The Tortilla Factory will be building 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 is purchasing land on the south side for a new club. A new housing development "Harmony Meadows" went in to the south side in 2002 with 190 homes on 47.34 acres. Also a 216 apartment complex, Sundance Apartments, is currently being constructed.

The east side of Cheyenne is also seeing a lot of growth. 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. 60 homes have been completed and the rest are ready to go. J. L. Ranch was also platted in 2006 with, 147 single family lots, 40 homes have been completed.

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 by decreasing their fee between 4pm-6pm and providing a voluntary donation for route service to those 60 years of age and older. Free bus tokens are also available at the Transit Office or local non-profit agencies for those who cannot afford to pay. Also all buses are wheelchair accessible. The Cheyenne Transit Program has recently received funding from the Federal Transit Administration through the American Recovery and Reinvestment Act to upgrade and improve numerous bus stops.

Transportation is a barrier, especially for the low income. *PlanCheyenne* is aware that transportation is critical and has address transportation issues. Creating mixed-use neighborhoods where residents are able to walk from home to work will decrease the transportation barrier.

The Cheyenne Housing Authority assists more than 2,000 very low income households with rental assistance subsidy. The CHA provides this assistance through the use of the 342 public housing units that are owned and managed by the CHA and the Housing Choice Voucher program. The eligibility determination is based primarily on income eligibility, meaning that the CHA serves households with incomes at or below 50% of the area median income. Once an income eligible applicant submits an application they are placed on the waiting list that they request (public housing or voucher) or they can apply for both programs. The CHA manages the waiting list on a first-come first-served basis. As their 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 appropriate 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 portfolio includes:

- 1,700 vouchers
- 342 public housing units (incl. 75 units in Laramie)
- 50 section 8 new construction units serving elderly/disabled tenants
- 19 unit Logan Manor
- 32 unit Foxcrest II serving elderly up to 110% of AMI
- 6 market rate rentals
- 16 units RD 515/Section 8 in Pine Bluffs

The CHA waiting list has changed dramatically since June. The current waiting lists are:

- 1557 Section 8 Voucher
- 350 Public Housing
- 34 Laramie public housing
- 3 Pine Bluffs
- 2 Foxcrest II

Community Action of Laramie County (CALC) has a 4-plex for affordable rentals, 3 transitional homes, and 18 transitional efficiency apartments. In January CALC will have 4 2-bedroom apartments for homeless veterans. There is currently a waiting list for the 4-plex and the efficiency apartments.

The transitional homes/apartments are for homeless families/individuals only. Out of the 18 efficiency apartments, six of them are for permanent housing for people with disabilities. They must first be homeless to get into them. The other 12 have a two year occupancy limit and then they hopefully will be able to move out and be more self-sufficient. The transitional homes and veteran's housing are also for two years. The 4-plex is as long as they qualify by income.

Everyone who wants into CALC's housing needs to fill out an application and have a background check. If they are a sexual predator, they will never qualify. Everything else will depend on their history, such as drug charges, assault, etc. They must have income, either working or SSI/SSDI/Child Support or other verifiable income as there is an income limit. Also, we check the number of people in the household and what size they need. Example, the 4-plex is 3-bedrooms and therefore, it would be a larger family not just

a household of 2. The efficiency apartments are only for one. Then it is basically first come as to who gets the apartments.

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. **CHA & CALC**

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.²⁴ 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.

²⁴ Wyoming Statutes ~ 2009 Amended 39-13-105. Exemptions; veterans.

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 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 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 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.

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.

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.

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. The Special Projects/Parking Division oversees ADA compliance.

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 2008, 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 were a total of 2,919 loans originated in Cheyenne with 1,981 loans either being denied, withdrawn, incomplete, or not accepted.

Table 28: 2008 Disposition of Loan Applications – Loans for 1-4 family dwellings

<i>Disposition of Application</i>	<i>FHA, FSA/RHS & VA Loans</i>	<i>Conventional Loans</i>	<i>Refinance Loans</i>	<i>Home Improvement Loans</i>	<i>Total Loan Applications</i>
Loans Originated*	633	701	1,413	172	2,919
Approved, Not Accepted*	16	40	136	22	214
Application Denied*	47	101	788	165	1,101
Application Withdrawn*	46	92	365	40	543
Incomplete*	1	5	64	53	123

Source: Federal Financial Institutions Examination Council²⁵, HMDA Aggregate Report

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

Table 29 shows how many loans were purchased within the different census tracts of Cheyenne. It shows that the census tract with the highest amount of low/moderate income individuals had the lowest loan applications. It also shows that refinancing loans were the most common.

Table 29: 2008 Loans Purchased, by Location and Loan Type – Loans for 1-4 family dwellings

<i>Census Tract</i>	<i>FHA, FSA/RHS & VA Loans</i>	<i>Conventional Loans</i>	<i>Refinance Loans</i>	<i>Home Improvement Loans</i>	<i>Total Loan Applications</i>
2.00 61.3% AMI	11	4	21		36
3.00* 49.1% AMI	35	10	23	2	70
4.02* 32.6% AMI	32	4	23		59
5.00* 32% AMI	71	30	65	2	168
6.00 39.9% AMI	34	18	37	1	90
7.00 54.6% AMI	21	11	21	1	54
8.00 32.4% AMI	15	3	27		45
9.00 33.3% AMI	21	24	20	1	66
10.00 52.9% AMI	13	10	18		41
12.00* 18.7% AMI	24	36	36		96
13.00* 23% AMI	45	23	64		132
14.00* 31.3% AMI	41	25	60	1	127
15.01* 19.5% AMI	30	25	45		100
15.02* 45.53% AMI	23	20	37		80
20.00*	23	19	60	1	103
Total	439	262	557	9	

Source: Federal Financial Institutions Examination Council, HMDA Aggregate Report

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

²⁵ <http://www.ffiec.gov/reports.htm>

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 white/minority race, 66.7% and Asian at 80%. The Hispanic or Latino race had a lower percentage rate at 82.7% then the not Hispanic or Latino race, 83.4%, a difference of 0.7%. Females had a lower percentage rate at 83.6% then males who were at 84.5%, a difference of 0.9%. Denial of applications was lowest for whites at 6.5% and was at 8.1% for applicants whose race was not available. The highest denial rates were for Asian applicants at 20% and White/Minority at 8.4%. The Hispanic or Latino had a higher denial rate at 9.7% then the not Hispanic or Latino, 6.7%, with a difference of 3%. Male’s had a higher denial rate at 7% then females, 6.6%, with a difference of 0.4%.

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>	2	2/100%				
<i>Asian</i>	5	4/80%		1/20%		
<i>African American</i>	9	8/88.9%		1/11.1%		
<i>Native Hawaiian/ Other Pacific Isl.</i>	2	2/100%				
<i>White</i>	775	649/83.8%	20/2.6%	50/6.5%	55/7.1%	1/0.2%
<i>2 or more Minority races</i>	1	1/100%				
<i>White/Minority race</i>	12	8/66.7%	1/8.4%	1/8.4%	2/16.7%	
<i>Race not available</i>	37	31/83.8%	2/5.4%	3/8.1%	1/2.7%	
<i>Hispanic or Latino</i>	52	43/82.7%		5/9.7%	3/5.8%	1/2%
<i>Not Hispanic or Latino</i>	722	602/83.4%	21/2.9%	48/6.7%	51/7.1%	
<i>Male*</i>	289	244/84.5%	8/2.8%	20/7%	17/5.9%	
<i>Female*</i>	152	127/83.6%	2/1.4%	10/6.6%	12/7.9%	1/0.7%

Source: Federal Financial Institutions Examination Council, HMDA 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 120% or more AMI. The loan approval rates were the highest for those applicants with income of 100-119% AMI, while the lowest approval rates were for the

less than 50% AMI group. Loan denial rates ranged from a low of 3% for applicants with incomes at 100-119% AMI to a high of 17.6% 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>	74	51/69%	2/2.7%	13/17.6%	8/10.9%	
<i>50-79% AMI</i>	268	227/84.7%	3/1.2%	18/6.8%	19/7.1%	1/0.4%
<i>80-99% AMI</i>	171	143/83.7%	11/6.5%	9/5.3%	8/4.7%	
<i>100-119% AMI</i>	133	118/88.8%	1/0.8%	4/3%	10/7.6%	
<i>120% or more AMI</i>	193	163/84.5%	6/3.1%	12/6.3%	12/6.3%	
<i>Income not Available</i>	4	3/75%			1/25%	

Source: Federal Financial Institutions Examination Council, HMDA 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 HMDA 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 white/minority 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 0.9%, 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. Given the number of foreclosures in the past year, as well as some questionable and creative lending, it may be some time before HMDA data can provide meaningful information on whether housing discrimination is occurring through lending or not. HMDA information available to the public does not provide the level of detail for a comprehensive analysis of lending practices or on individual lending decisions; however, it is the only such information available at this time.

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)²⁶ offers several programs for single family home buyers. A single family mortgage revenue bond program for first time homebuyers. **Home Run** - single family loan for 1st time homebuyer at or below 80% of median income and purchase price below 160,000. Interest buy down using HOME funds. **Spirit Program** - single family loan program for homebuyers employed in occupations that have been determined to be critical to the health and vitality of a city, town, or county. **Spruce Up** - single family loan program that addresses the purchase and rehabilitation for a first time homebuyer. WCDA also offer’s down payment loans and homebuyer assistance loans.

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. Twelve complaints (out of 61) filed for properties located in Cheyenne over the past nine years were withdrawn after the issues were resolved, while 22 complaints had “no cause determinations” made, meaning that these complaints were unfounded. Two complaints were dismissed for “lack of jurisdiction” and 8 complainants failed to cooperate. The remaining 17 had a successful conciliation. The staff of some agencies and organizations interviewed for this report provided anecdotal information of housing discrimination experienced by their clients, but no data is available to support this information.

Conclusion: Based on information provided by HUD’s FHEO, 17 out of 61 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 nine years and complaints were related to discriminatory terms, conditions, privileges and reasonable accommodation requirements. The fact that Wyoming does not have a Fair Housing Law or office could be an impediment to fair housing choice.

²⁶ <http://www.wyomingcda.com>

Informational Programs:

Laramie County Grants office has a handout that they provide to clients as well as non-discrimination and Equal Housing Opportunity signs posted throughout the county building that give the 800 number for the U.S. Department of Housing and Urban Development.

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 intake meetings.

Wyoming Independent Living Rehabilitation (WILR) offers information on a per consumer basis as needed or as a presentation. WILR has an ADA Advocate in Casper, Wyoming, Ron Douglass, 307-266-6956. Ron is well informed of ADA and Fair Housing rights issues. WILR has a presentation that they will present to the Cheyenne Landlords & Property Managers Association. The presentation has information regarding legal responsibilities of landlords and property managers according to the Fair Housing Law and the American Disabilities Act is discussed. This includes property modification for disabled persons and acceptance of companion animals.

Wyoming Family Home Ownership Project works with first time homeowners. During a ten week training session the issue of fair housing is addressed as one of the rights of the families.

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, and concludes with the review of a selection of national fair housing studies conducted since 2000.

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 Casper²⁷, but it functions primarily to administer single-family mortgage programs. Housing discrimination complaints are referred to the agency's Fair Housing Enforcement Division in Denver, Colorado.

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 funding for these programs that provide services supporting fair housing such as education, outreach, and testing.

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.

Wyoming Legal Services, Inc.²⁸: Wyoming Legal Services, Inc. (WLS) 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 Association²⁹: 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 "2010 HMDA Review & Update" provides a thorough review of HMDA and Regulation C along with steps to identify and eliminate reporting errors."

Wyoming Realtors Association: The Wyoming Association of Realtors' (W.A.R.) Web site offers a variety of links to continuing education courses for Realtors and real estate professionals in the State of Wyoming. The W.A.R. itself offers online courses, called W.A.R. Correspondence Courses; each course is approved for four hours of continuing education credits with the Wyoming Real Estate Commission. In addition to the W.A.R. classes, the Web site offers a variety of other options to help Realtors obtain the required continuing education credits, including online seminars, enhanced or Graduate Realtor Institute degrees through the National Association of Realtors, and programs offered through the Wyoming Real Estate Institute.

²⁷ <http://www.hud.gov/local/wy/working/casperoffice.cfm>

²⁸ <http://www.wyominglegalservices.org>

²⁹ <http://www.wyomingbankers.com>

Fannie Mae³⁰: Fannie Mae promotes responsible lending and is committed to helping local communities develop solutions to the problem of predatory lending. On its Web site, Fannie Mae describes an eight-point responsible lending strategy that aids lending institutions, including issuing business guidelines to avoid purchasing loans with abusive features; advancing a mortgage consumers Bill of Rights; and providing tools and resources for the homebuyer education industry to help potential borrowers to prepare for homeownership.

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.

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 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. Depreciable and deferred loans are also available.

Wyoming Independent Living Rehabilitation (WILR) educates and empowers Wyoming Citizens with disabilities by providing the necessary tools to live with independence and dignity. One of the programs they offer is "Making Homes Accessible." This program will assist low and moderate income home owners with disabilities to make renovations necessary to meet city codes and standards to protect the health, safety and general welfare of the occupants. This project is for the purpose of making home

³⁰ <http://www.fanniemae.com/kb/index?page=home>

accessibility modifications to allow a home owner with a disability to stay in his/her home and prevent the increased cost of premature institutionalization. This allows the home owner to continue to invest in the maintenance and upkeep of his/her home, and therefore continue to make a positive contribution to the neighborhood in which they live, as well as to their individual quality of life.

Weatherization and energy assistance is also available for Cheyenne residents through the Wyoming Energy Council³¹ and the Low Income Energy Assistance Program (LIEAP)³² program. LIEAP is a state and federally funded program helping people pay home heating bills October through May. People who are approved for assistance through LIEAP may also be eligible for Weatherization services to make their homes more energy efficient and further lower heating costs. The program is open to home owners and renters.

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, 97 single family housing units scattered throughout Cheyenne, 50 Section 8 project-based development units, 19 HOME funded units that are leased to Southeast Wyoming Mental Health Center, 7 Market rate units scattered throughout Cheyenne, and approximately 1450 Section 8 tenant-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)³³, Safehouse³⁴, Cheyenne Interfaith Hospitality Network (CIHN)³⁵, Braveheart Apartments and Peak Wellness Center³⁶. 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. 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 Interfaith Hospitality Network provides shelter, meals, comprehensive assistance, and encouragement to homeless families. The Network utilizes a collaborative effort of congregations of all faiths by taking turns (a week at a time) providing overnight lodging and home-cooked meals. CIHN also has a transitional housing unit for up to two families who can stay in the unit for up to 18 months. Braveheart Apartments is a 12-unit, SRO, transitional housing complex that provides decent and affordable housing to low-income people. Peak Wellness Center operates a self-sufficiency program for homeless or low income men with addictions.

³¹ <http://www.wyoec.org>

³² <http://dfsweb.state.wy.us/economic-assistance/lieap/index.html>

³³ <http://www.calc.net>

³⁴ <http://www.wyomingsafehouse.org>

³⁵ <http://cheyenneinterfaith.org/home.htm>

³⁶ <http://www.peakwellnesscenter.org>

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 for review and public comment and the City Council reviewed the draft at a City Council Meeting on March 8, 2010. Comments received on the draft are summarized below. (**Note: complete this section when rest of public process and dates are determined**)

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 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 and foreclosure history; transportation; and lack of adequate funding levels. 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. The fact that Wyoming does not have a Fair Housing Law in place is an impediment to fair housing in Wyoming. The Wyoming Fair Housing Act has gone before Wyoming Legislative session in 2005 and 2007 where the bill died in committee both times.

Action 1A: The city of Cheyenne Housing & Community Development Office along with other city and state entities will work with Wyoming NAHRO to try and get another Fair Housing Act in front of the Wyoming Legislature -- begin 2010 and complete prior to December 2015.

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. Development-related impediments – These impediments include land development costs and impact fees and growth management and design regulations. Land development costs and fees, while necessary, impact the cost of housing, and in particular, the cost of affordable housing. With residential development being fairly slowed now, it is a good time to evaluate and potentially create new programs and/or standards for affordable housing.

Action 3A: The city of Cheyenne's Planning office will research current best practices in ordinance and building codes with affordable housing issues — begin 2010 and complete prior to December 2015.

Action 3B: The city of Cheyenne Planning office will also research the feasibility of using city owned land for affordable housing stock – begin 2010, complete by end of 2015.

Action 3C: The city of Cheyenne Planning office will analyze current annexation and growth policies in regards to their effects on affordable housing -- begin 2010, complete by end of 2015.

4. 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 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 Department 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.

5. Language – Language is a barrier for those persons for whom English is not their first, or primary language. While many Spanish-speaking residents may be able to access translation services, there are many more languages being brought into the community, for which interpretation or translation services may be needed, but may be more difficult to find.

Action 5A: The city of Cheyenne Housing & Community Development Office will identify additional organizations that can provide translation services, including area educational institutions -- begin 2010 and complete by early 2011 and update annually.

Action 5B: The city of Cheyenne Housing & Community Development Office will work with area housing agencies and organizations, including representatives of the real estate and lending industries,

to determine the need for all to provide written materials in additional languages, beyond English and Spanish — begin 2010 and complete by early 2011 and update annually

6. 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 the development and implementation of alternative transportation modes, by ensuring that these plans are considered in all future planning and development efforts -- 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.

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

Mayor, City of Cheyenne

Date

Section 8 – References

2009 Wyoming Profile of Demographics, Economics and Housing

Cheyenne/Laramie County Profile – 2008

Economic Indicators for Greater Cheyenne, 2009

Fair Housing Survey (WCDA)

Federal Financial Institutions Examination Council, HMDA Aggregate Report

<http://cheyenneinterfaith.org/home.htm> Cheyenne Interfaith Hospitality Network

<http://dfsweb.state.wy.us/economic-assistance/lieap/index.html> Wyoming Department of Family Services, Low Income Energy Assistance Program (LIEAP)

<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://www.bea.gov> U.S. Department of Commerce Bureau of Economic Analysis

<http://www.bls.gov> Bureau of Labor Statistics

<http://www.calc.net> Community Action of Laramie County

<http://www.census.gov> U.S. Census Bureau, Demographic Characteristics, 2000; ACS Demographic and Housing Estimates, 2006-2008; Population Estimates 2008

<http://www.cheyennecity.org/index.aspx?NID=211> City of Cheyenne Building Department

<http://www.cheyennecity.org/index.aspx?rid=252> City of Cheyenne Transit Department

<http://www.cheyenneleads.org> Cheyenne LEADS

<http://www.cheyennerealtors.com> Cheyenne Board of Realtors, Residential Statistics 2007-2009

<http://www.fanniemae.com/kb/index?page=home> FannieMae

<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.hud.gov/local/wy/working/casperoffice.cfm> U.S. Department of Housing & Urban Development, Casper HUD Office

<http://www.k12.wy.us> Wyoming Department of Education

<http://www.laramie1.org> Laramie County School District #1

<http://laramie2.org> Laramie County School District #2

<http://www.wyominglegalservices.org> Wyoming Legal Services

<http://www.nlihc.org/oor/oor2009> National Low Income Housing Coalition, Out of Reach 2009

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

<http://www.plancheyenne.com/welcome.cfm> City of Cheyenne PlanCheyenne

<http://www.usdoj.gov/crt/housing/title8.htm> U.S. Department of Justice, Fair Housing Act

<http://www.wyoec.org> Wyoming Energy Council, Inc.

<http://www.wyomingbankers.com> Wyoming Bankers Association

<http://wyominglegalservices.com/index.cfm?pagename-homepage> Legal Aid of Wyoming, Inc.

<http://www.wyomingcda.com> Wyoming Community Development Authority

<http://www.wyomingsafehouse.org> Wyoming Safehouse

<http://www.wyomingworkforce.org> Wyoming Department of Workforce Services

National Low Income Housing Coalition

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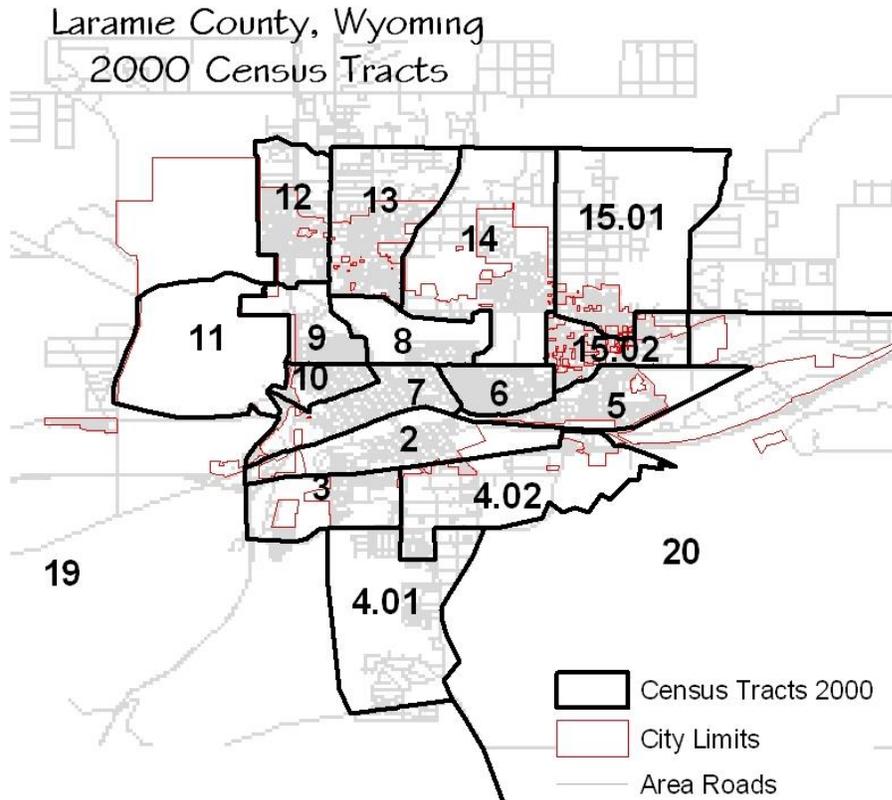
U.S. Department of Labor, Bureau of Labor Statistics

Wyoming Education Summary, Fall 2009

Wyoming Housing Database Partnership, Final Report: August 31, 2009

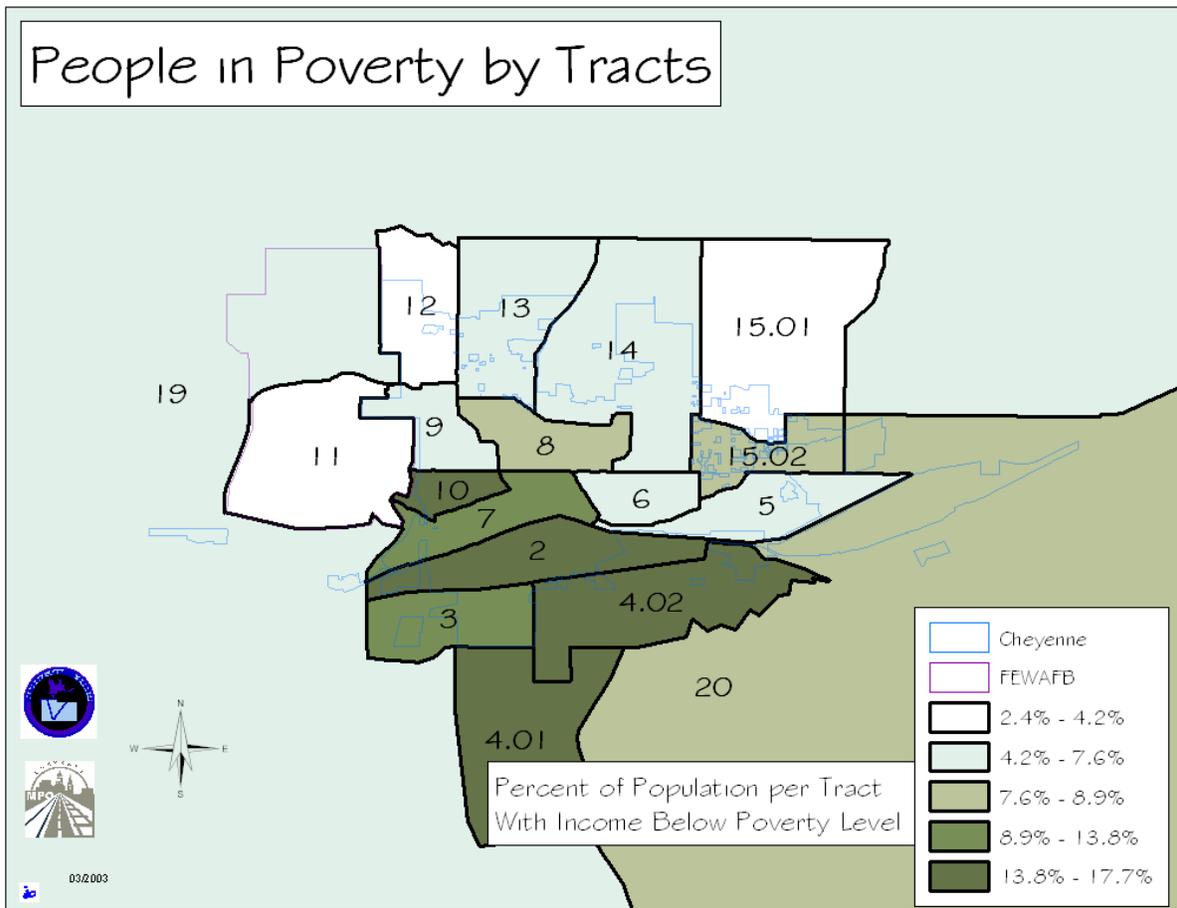
Wyoming Statutes ~ 2009 Amended 39-13-105. Exemptions; veterans.

Map 1

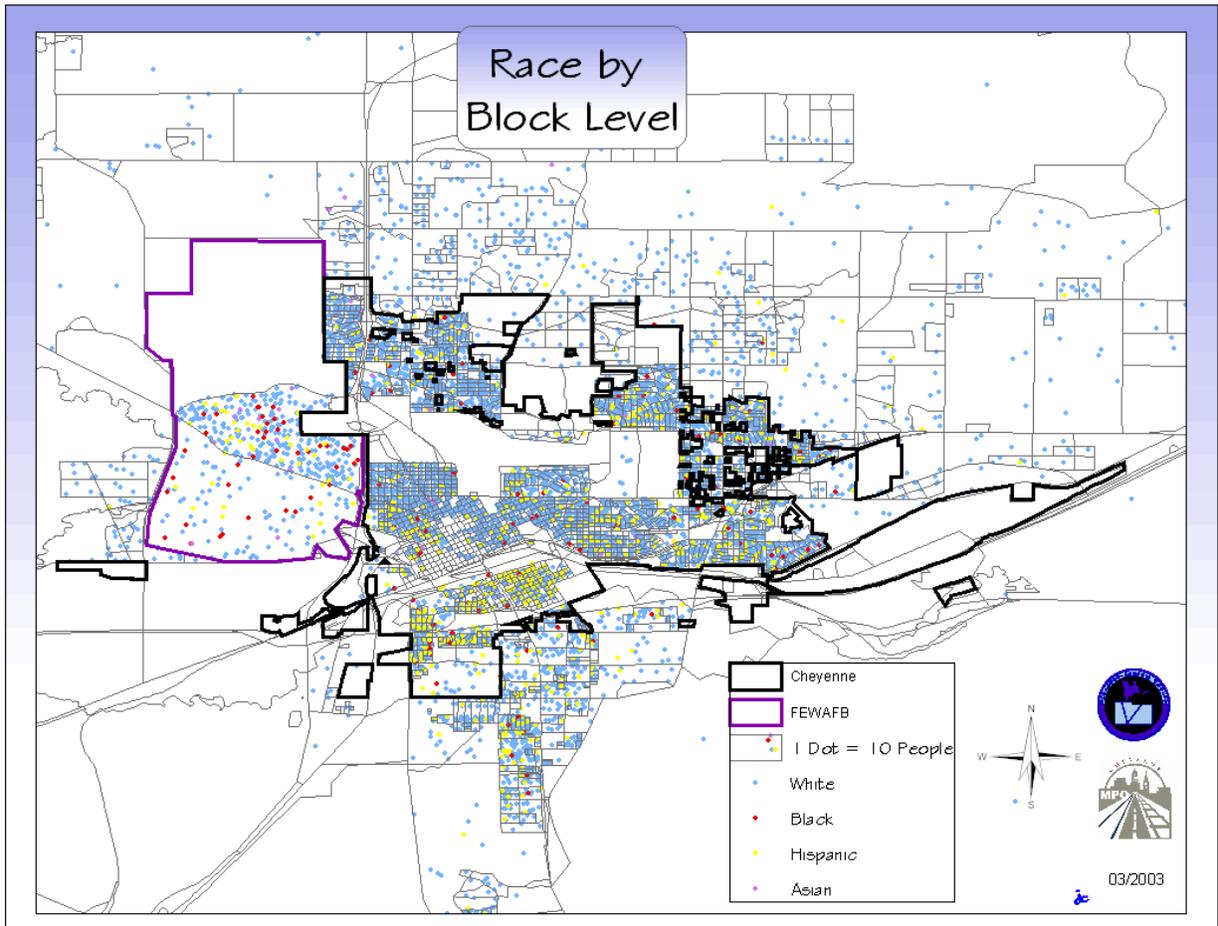


City of Cheyenne	
38.1% Low/Moderate	
2000 Census Tract & Block Percentages for Low/Moderate	
Census Tract 2	61.3%
Block 1	56.6%
Block 2	72.9%
Block 3	55.7%
Census Tract 3	49.1%
Block 1	65.0%
Block 2	40.6%
Census Tract 4.02	32.6%
Block 1	
Block 2	32.6%
Block 3	
Census Tract 6	39.9%
Block 1	39.9%
Block 2	55.0%
Block 3	45.9%
Block 4	43.9%
Census Tract 7	54.6%
Block 1	66.8%
Block 2	47.9%
Block 3	52.4%
Census Tract 10	52.9%
Block 1	51.6%
Block 2	44.4%
Block 3	62.9%
Block 4	62.1%
Block 5	46.4%
Census Tract 15.02	45.53%
Block 1	38.8%
Block 2	43.8%
Block 3	54.0%

Map 2



Map 3



Map 4

