



Wyoming Advisory Committee to the U.S. Commission on Civil Rights

Housing Discrimination: Examining Fair Housing Practices in Wyoming

The Wyoming Advisory Committee to the U.S. Commission on Civil Rights recently conducted a study, pursuant to 42 U.S.C. § 1975a, on the civil rights concerns regarding housing discrimination and fair housing practices in Wyoming.¹

The resulting [report](#) identified several ongoing concerns. For example, marginalized groups are experiencing housing discrimination in Wyoming but may not be reporting these instances of discrimination due to several barriers related to the lack of a local housing enforcement agency, fear of retaliation, mistrust, and lack of education or information. In addition, Wyoming's lack of affordable housing and restrictive land use regulations and zoning may be limiting the availability of affordable housing, which may be correlated with higher rates of discriminatory housing practices.

Which communities are affected by housing discrimination issues in Wyoming?

According to data from HUD and testimony that the Committee collected in its study, individuals have been discriminated against based on their disability status, race and sex. 72-percent of HUD's jurisdictional complaints originating out of Wyoming over the last 10 years were related to disability-based discrimination or lack of reasonable accommodations; 12-percent of those complaints were related to race-based discrimination; and 9-percent of those complaints were related to sex-based discrimination (incl. sexual orientation- or gender identity-based discrimination). Testimony indicated that individuals with disabilities, incl. non-physical disabilities, have been turned away by certain landlords after discovering that the tenant requires reasonable accommodations. Disability-based discrimination may be closely linked to source-of-income discrimination, as many individuals with a disability must rely on Section 8 housing vouchers—which landlords are reluctant to accept. Testimony also indicated that Native Americans experienced housing discrimination in “bordertowns,” (i.e., Lander and Riverton). Some landlords reportedly didn't allow Native Americans to apply, others simply told Native Americans “you would feel out of place here,” made negative assumptions that they would break rules or be a problem tenant, or required them to pass credit checks when applying while allegedly non-Native Americans were not.

Key points:

- Wyoming lacks sufficient accessible and affordable housing to meet the demands of the population. Particularly, the lack of available housing leaves several communities vulnerable to housing discrimination, including individuals with disabilities, elderly and racial minorities (particularly, Native Americans).
- While Wyoming fair housing laws exist, the Governor has not yet assigned enforcement authority to any agency/entity. The only avenue for redress is through the Department of Housing and Urban Development (HUD), which operates out of Denver, CO.
- HUD received only about 203 inquiries of alleged housing discrimination over the last 10 years—which is considered by HUD to be low and likely indicates underreporting.
- Renters are reluctant to report instances of alleged housing discrimination for fear of retaliation or negative repercussions like challenges securing housing in the future; this, compounded with the lack of affordable housing, is likely why the number of housing discrimination complaints from Wyoming is so low.

What are the barriers that are preventing Wyoming residents from reporting alleged instances of housing discrimination?

In Wyoming, individuals have no other avenue for redress but to file housing discrimination complaints with HUD, which operates and investigates out of Denver, CO. There is no local housing enforcement agency located in Wyoming that investigates nor enforces Wyoming's fair housing laws. Testimony indicates that people are reluctant to submit complaints to HUD due to the distance or belief that they likely won't receive the redress they seek from a distant federal agency. Others fear retaliation by their current landlord or fear that future potential landlords will refuse to rent to them because they will be seen as a problem tenant. This fear, compounded with the lack of available and affordable housing, deters many residents from reporting housing discrimination. For example, HUD received only about 203 inquiries of alleged housing discrimination over the last 10 years. According to HUD, that number is considered low and likely indicates underreporting.

¹ Full and complete citations can be found in the report.

What is the extent of Wyoming's need for affordable housing, and what role does the lack of affordable housing play in ensuring fair and equal access to housing in Wyoming?

In Wyoming, about 20-percent of homeowners and 40-percent of renters are considered cost burdened. According to the National Low Income Housing Coalition (NLIHC), 28-percent of renters in Wyoming, or 18,176 renter households, are considered extremely low-income (ELI). Almost half of these ELI renter households are vulnerable populations: 16-percent have a disability and 33-percent are elderly.

Despite such a huge need for affordable housing, only 13.5-percent of affordable housing inventory is allocated for ELI renters. NLIHC reports that Wyoming needs an additional 8,866 affordable rental units for Wyoming's ELI renters.

Teton County and Cheyenne have the highest rate of unmet housing needs in Wyoming at 28.9-percent and 27.4-percent, respectively. Practically, that means over 1,300 households are waiting for housing via the Teton County and Jackson housing development programs.

According to a 2017 Regional Assessment of Fair Housing published by the Wyoming Fair Housing Team, Wyoming not only lacks sufficient available affordable housing units, but also there seems to be a resistance to building additional affordable housing in response to the shortage. The report highlights there is a lack of affordable units in a range of sizes, accessibility concerns for individuals with disabilities, failure to make reasonable accommodations or modifications, and resistance to affordable housing production. These factors further limit the availability of housing choices for vulnerable populations like those living with a disability or elderly.

In Wyoming, the owner-occupied home ownership rate is more than 70-percent, which means that the rental market is extremely saturated and limited for prospective renters. This, compounded with the lack of affordable and accessible housing, means landlords can be more selective when choosing their tenants. This selectiveness may not have a discriminatory-intent but may have a discriminatory-effect. To give an example, HUD issued two charges of discrimination that occurred in Teton County and Cheyenne—the two regions that have the highest rates of unmet housing needs in Wyoming. Testimony also indicates that households that are cost burdened may be more likely to experience discrimination, further supporting the idea that lack of affordable housing can lead to renters experiencing discrimination.

Recommendations (selected):

The U.S. Congress should:

- Pass legislation to increase the small state minimum calculations for tax credits allocated under the affordable housing programs, so that affordable housing initiatives in smaller states can be financially secure throughout their affordability period.
- Pass legislation that would require federally funded affordable housing projects to set aside a larger number of units for tenants with disabilities and seniors.

The Department of Housing and Urban Development should:

- Conduct additional compliance reviews under 24 CFR § 1.7(a) of recipients of HUD funded housing within Wyoming. Specifically, the HUD funded housing in Riverton, WY.

The Wyoming Governor should:

- Assign enforcement authority under the Wyoming Fair Housing Act to the Wyoming Attorney General's Office of Consumer Complaints Division.
- The WY Attorney General's Office of Consumer Complaints Division should issue an interpretation that "sex," under the Wyoming Fair Housing Act, includes sexual orientation and gender identity, and apply for HUD funding through its Fair Housing Assistance Program.

The Wyoming Legislature should:

- Make affordable housing a priority throughout the state. Addressing the issue of housing accessibility and affordability may impact and reduce the number of fair housing violations and discriminatory practices in the state.
- Pass legislation that would create and maintain a Wyoming Housing Trust Fund with a focus on building and rehabilitating affordable housing throughout the state of Wyoming.
- Pass a resolution that would encourage city councils to regularly review their housing policies for equity and to support changing or removing zoning density restrictions and to increase access to safe, affordable housing.
- Pass legislation that would enable communities to amend real property covenants to remove unenforceable racist and discriminatory language therefrom.

Policy Brief

The U.S. Commission on Civil Rights (Commission) is an independent, bipartisan agency established by Congress and directed to study and collect information relating to discrimination or a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, age, disability, national origin, or in the administration of justice. This product is part of the Wyoming Advisory Committee's study, *Housing Discrimination: Examining Fair Housing Practices in Wyoming*. This policy-oriented summary of the published report is intended to aid stakeholders seeking solutions to this complex issue. You can find the full report here: <https://www.usccr.gov/files/2025-01/wyoming-housing-report.pdf>.