

HEATHER KATHARINE WAY

Clinical Professor

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AREAS OF EXPERTISE

My clinical teaching, research, and legal work focuses on addressing systemic housing and community development challenges that impact disadvantaged families. I develop innovative legal and policy reforms that expand access to safe, secure, and affordable housing; narrow the racial wealth gap; and foster equitable and inclusive communities, collaborating closely with nonprofit organizations, grassroots advocates, and government officials.

PROFESSIONAL EXPERIENCE

UNIVERSITY OF TEXAS SCHOOL OF LAW, Austin, TX

Clinical Professor (2014-present); Lecturer (2006–14)

Director, Housing Policy Clinic (2023-present)

Founder and Co-Director, Entrepreneurship and Community Development Clinic (2006–22)

- Recent Committee Service: Experiential Education (2024–25); Awards (2023–24); Teaching (2022-23); Dean Search Consultative (faculty-elected, 2021–22)
- Co-Founder of the [Uprooted Project](#), an initiative providing legal and policy tools to address displacement in gentrifying neighborhoods. 2022–present
- Co-Founder of the Opportunity Forum Initiative at The University of Texas, promoting community conversations and interdisciplinary collaborations to address economic equity issues in Texas. Organized dozens of events for state and local policymakers, the UT campus, and Austin community. 2011–20

MAJOR GRANTS AND FUNDED RESEARCH

HBCU Center of Excellence Grant. US Department of Housing and Urban Development (sub-contract with Texas Southern University). Co-PI.

As part of a larger research collaborative, I led a research project examining the relationship between heirs' property and property tax foreclosure and identified state legal barriers around the country that prevent homeowners with heirs' property from accessing property tax relief programs. 2022–2024. Funding Amount: \$153,000 (UT subcontract).

Community Redevelopment Grant. Texas Access to Justice Commission. Co-Director.

Co-directed a new capacity building program for legal aid organizations in Texas to increase their community development and environmental justice work. Led several teams on a series of projects related to increasing access to opportunity and combatting displacement in vulnerable communities. 2016–2021. Funding Amount: \$1,750,000.

Gentrification and Displacement Mapping and Policy Assessment. City of Austin. Co-PI.

Co-leader of a research team that developed an interactive map of neighborhoods undergoing displacement, a typology to track stages of gentrification, and policy options matched to typology stage to mitigate displacement pressures. 2017–18. Funding Amount: \$69,000.

Contracts for Deed Prevalence Project. Texas Department of Housing and Community Affairs. Co-PI.

Co-leader of an interdisciplinary research team for the State of Texas—the Contract for Deed Prevalence Project—that included a survey of close to 1,300 low-income homeowners residing in informal subdivisions in South and Central Texas and an examination of their land title records to evaluate the effectiveness of the state’s contract for deed regulations. Funding Amount: \$200,000. 2011–2012.

SELECTED PUBLICATIONS

Books and Book Chapters

Way, Heather. 2022. “Heir Property, Property Tax Relief, and the Further Undermining of Black and Latino Homeowners’ Housing Stability” in *Heirs’ Property and the Uniform Partition of Heirs Property Act: Challenges, Solutions, and Historic Reform* (Thomas W Mitchell & Erica Levine Powers eds., American Bar Association).

Way, Heather; Wood, Lucy; and Marsh, Tanya. 2018. *Real Property for the Real World: Building Skills through Case Study* (Foundation Press).

Way, Heather, and Sloan, Maddie. 2013. “The 2008 Texas Hurricanes: Working for Equitable and Transparent Redevelopment,” in *Building Community Resilience Post-Disaster* (Dorcas R. Gilmore & Diane M. Standaert, eds, American Bar Association).

Journal Articles

Hogue, Kelly, and Way, Heather. 2023. “[The Role of the Law in Protecting Tenant Organizing: Opportunities for Local and State Legal Reforms](#),” 31 (3) *Journal of Affordable Housing and Community Development Law* 391.

Way, Heather, and Goldstein, Ruthie. 2022. “[Heir Property Owners and Disaster Aid Programs: Opportunities for a more Equitable Recover when Disaster Strikes](#),” 30(3) *Journal of Affordable Housing and Community Development Law* 467.

Mueller, Elizabeth; Way, Heather; and Wegmann, Jake. 2020. “[Freefall: Why our housing safety net is failing the lowest-income renters during COVID](#),” 29(2) *Journal of Affordable Housing and Community Development Law* 257.

Way, Heather; Mueller, Elizabeth; and Martin, Ben. 2019. “[Uprooted: Local Efforts to Mitigate Displacement in Gentrifying Neighborhoods](#),” 28(1) *Journal of Affordable Housing and Community Development Law* 28.

Way, Heather, and Loney, Lauren. 2019. “[Strategies and Tools for Preserving Low Income Housing Tax Credit Properties](#),” 28(2) *Journal of Affordable Housing and Community Development* 255.

Ward, Peter; Way, Heather; and Wood, Lucy. 2016. "Protecting Homebuyers in Low-Income Communities: Evaluating the Success of Texas Legislative Reforms in the Informal Homeownership Market," 41 *Law & Social Inquiry* 152.

Way, Heather, and Wood, Lucy. 2014. "[Contracts for Deed: Charting Risks and New Paths for Advocacy](#)," 23(1) *Journal of Affordable Housing and Community Development* 37.

Way, Heather. 2010. "Reflections: The Honorable William Wayne Justice", 89 *Texas Law Review* 11.

Way, Heather. 2009. "[Informal Homeownership in the United States and the Law](#)," 29 *Saint Louis University Public Law Review* 113.

Research Reports, Toolkits, and Legal Guides

Way, Heather. 2024. [The Intersection of Residential Heirs' Property and Property Tax Foreclosure](#)" (U.S. Department of Housing and Urban Development, Office of Policy Development and Research).

Way, Heather, and Durst, Noah. 2024. [The Impacts of Heirs' Property on Homeowners in North Texas](#) (Asset Funders Network).

Blackford, Elizabeth, et al. 2024. [Combatting Junk Fees in Texas Rental Housing: A Pathway to Fairer and More Transparent Leasing Practices](#).

Way, Heather. 2023. [Heirs' Property: Acting to Preserve Wealth](#).

Way, Heather, et al. 2021. [Ousted: The City of San Antonio's Displacement of Residents through Code Enforcement](#).

Way, Heather, et al. 2021. [Protecting African American Historic Places in Texas: A Community Legal Toolkit](#).

Way, Heather, and ECDC students. 2020. [Protecting and Preserving African-American Cemeteries in Texas](#).

Way, Heather, et al. 2020. [Public Facility Corporations and the Section 303.042\(f\) Tax Break for Apartment Developments](#).

Way, Heather, and Davila, Lizbeth Parra. 2020. [Endangered: San Antonio's Vanishing Mobile Home Parks and a Path for Preservation](#).

Way, Heather. 2019. [Texas Anti-Displacement Toolkit](#).

Loney, Lauren, and Way, Heather. 2018. [The Low-Income Housing Tax Credit Program: Opportunities for State and Local Preservation Strategies](#).

Way, Heather; Mueller, Elizabeth; Wegmann, Jake. 2018. [Uprooted: Residential displacement in Austin's gentrifying neighborhoods and what can be done about it](#). Report produced for the Austin City Council.

Way, Heather, and Fraser, Carol. 2018. [Out of Order: Houston's Dangerous Apartment Epidemic](#).

Op Eds, Magazine Articles, Invited Papers

Way, Heather, and Hogue, Kelly. "[Six Steps to Ensuring a Strong Right to Organize for Tenants](#)," *Shelterforce*, May 4, 2023.

Way, Heather. 2022. "[Property Tax Relief Programs Don't Reach Many Homeowners of Color](#)," *Shelterforce*, Mar. 27, 2022.

Way, Heather; Mueller, Elizabeth. "[Opinion: Rent is due. Texas must do more to protect tenants during the COVID-19 pandemic](#)," *Houston Chronicle*, May 1, 2020.

Way, Heather; Mueller, Elizabeth; and Armstrong, Nicholas. "[The Guadalupe Neighborhood in Austin: 40 Years of Pushing Back Against Development](#)," *Shelterforce*, May 31, 2019.

Mueller, Elizabeth; Wegmann, Jake; and Way, Heather. "[Place Matters: The Role of Public Housing Authorities in Expanding Inclusion in the US](#)," invited paper for the International Forum on Housing and Community Development, 2019

Way, Heather; Mueller, Elizabeth; and Wegmann, Jake, Commentary: "City must halt displacement on the East Riverside Corridor," *Austin Statesman*, Oct. 22, 2019.

Way, Heather, Op-ed. "[America made a promise in 1968. It's Time to Keep It](#)," *CNN*, Apr. 12, 2018.

Way, Heather. "[Homeownership without a Net](#)," *Shelterforce*, Oct. 15, 2013.

SELECTED PRESENTATIONS AND RELATED ACTIVITIES: 2021 to Present

Frequent speaker at conferences and other events on issues related to housing and community development. Recent examples include:

Speaker: "Combatting Rental Junk Fees at the State and Local Levels," national webinar hosted by the National Low Income Housing Coalition, National Consumer Law Center, Housing Policy Clinic, and BASTA. 2024.

Moderator: "A Right to Stay: Dallas Neighborhood Anti-Displacement Toolkit," hosted by Builders of Hope and JPMorgan Chase, Dallas, TX. 2024.

Speaker: "Hot Housing Policy Topics in the 2025 Texas Legislative Session" at 2024 Policy Summit, Texas Association of CDC, Austin, TX. 2024.

Panelist and speaker: "Local Government Issues: Blight, Code Enforcement, and Property Tax Foreclosure," Estate Planning & Heirs' Property Intensive, National Consumer Law Center, Consumer Rights Litigation Conference, Orlando, FL. 2024

Panelist and speaker: "Heirs' Property Homeowners: Pathways and Pitfalls to Achieving Housing Stability," 2024 Poverty Law Conference, State Bar of Texas, Austin, TX. 2024.

Speaker: "Property Tax Justice and Heirs' Property," Law & Society Association Annual Meeting, Denver, CO. 2024.

Panelist: "Property Tax Foreclosures and Heirs Property, 2024 Mortgage Conference (online), National Consumer Law Center and National Association of Consumer Advocates. 2024.

Moderator: "Advancing Housing Affordability in Counties" UT School of Law Land Use Law Conference, Austin, TX. 2024

Panelist: "Heirs' Property Homeowners: Barriers to Resilience," Fannie Mae's National Convening on Heirs' Property: Past and Future, Fannie Mae Headquarters, Washington D.C. 2024.

Panelist and Presenter: "Property Tax Foreclosures of Heirs' Property Homes," Heirs' Property and the Racial Wealth Gap Conference, Boston College Law School. 2024.

Presenter: "Heirs' Property and Disasters," Disaster Primr 2024: Interfaces of Disaster, Texas A&M University. 2024.

Moderator: "Community Development from the Frontlines," UT School of Law Nonprofit Organizations Institute, Austin, TX. 2024.

Panelist: "Policy in Motion: Equity in Transit Access," UT LBJ School of Public Affairs, Austin, TX. 2024.

Presenter: "Heir's Property: Acting to Preserve Wealth," Asset Funders Network Webinar. 2023.

Speaker: "Partnerships with Public Facility Corporations, A Good Tool for Affordable Housing?" Texas Law CLE Annual Land Use Conference, Austin, TX. 2023.

Speaker at the TACDC's 2022 Texas Community Economic Development Policy Summit, Austin, TX. 2022.

Panelist: "Affordable Housing in Austin," Urban Land Institute Austin. 2022.

Panel Organizer and Moderator for Webinar: "'Only the Rich Can Play': A discussion of David Wessel's book about Opportunity Zones," hosted by the Community Development Practitioners and Legal Educators Committee, American Bar Association Affordable Housing and Community Development Forum. 2022

Panelist for Webinar: "Code Enforcement and Demolitions in San Antonio," hosted by St. Mary's University School of Law, Center for Legal and Social Justice. 2022.

Panel Organizer and Moderator: "Addressing Evictions: How Affordable Housing Providers Can Change Their Ways to Tackle the Country's Eviction Crisis," Annual Conference, American Bar Association Affordable Housing and Community Development Forum, Washington, DC. 2022.

Panelist: "Heirs' Property and the Racial Wealth Gap," Annual Conference, Texas Association of Community Development Corporations, Austin, TX. 2022.

Presenter at "Punishing the Poor: A Community Response to San Antonio Code Enforcement in Community of Color," webinar hosted by the People's Academy, partnership between Esperanza Peace and Justice Center and UTSA, in collaboration with the Historic Westside Residents Association and the Westside Preservation Alliance, San Antonio, TX. 2021.

Presenter: "Writing, Implementing and Expanding on the UPHPA," National Institute on Heirs' Property, ABA Section on State and Local Government Law. 2021.

Presenter: Webinar on “Inherited Homesteads and Increased Access to the Homestead Exemption under Senate Bill 1943.” 2021.

SELECTED PROFESSIONAL ACTIVITIES: 2019 to Present

- Uniform Law Commission, Tenancy in Common Ownership Default Rules Committee, Observer for the ABA Section of Real Property, Trust and Estate Law (2021-2023)
- American Bar Association, Forum on Housing and Community Development Law: Governing Committee member (2024-present); Co-Chair of the Community Development Practitioners and Legal Educators Practice Group (2020-present); Chair of Legal Educators Committee (2010-11)
- Co-organizer, 2019 Transactional Clinical Conference, University of California at Berkeley.