



Texas Department of Housing and Community Affairs

Governing Board

Board Action Request

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**File #:** 1385

**Agenda Date:** 4/9/2026

**Agenda #:**

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Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Land Use Restriction Agreement for Winfield Estates (HTC #00001)

**RECOMMENDED ACTION**

**WHEREAS**, Winfield Estates (HTC #00001) received an allocation of 9% Housing Tax Credits (HTCs) in 2000 for the construction of 156 affordable units for the elderly in Texarkana, Bowie County;

**WHEREAS**, the Land Use Restriction Agreement (LURA) for the Development states that throughout the 15-year Compliance Period, which ended on December 31, 2016, the Development is intended for, and solely occupied by Persons 62 years of age or older; or is intended and operated for occupancy by at least one person who is 55 years of age or older per unit, where at least 80% of the total housing units are occupied by at least one person who is 55 years of age or older; and adhere to policies and procedures which demonstrate an intent by the owner and manager to provide housing for persons 55 years of age or older;

**WHEREAS**, Texas Winfield Estates LLP (Development Owner or Owner) has continued to operate the Development as restricted for the elderly and requests approval to extend the elderly designation throughout the 32-year extended use period; and

**WHEREAS**, 10 TAC §10.405(b)(2)(C) states that changes to the Target Population are material amendments to the Land Use Restriction Agreement (LURA);

**NOW, therefore, it is hereby**

**RESOLVED**, that the Board approves amendment to the LURA of Winfield Estates to extend the elderly restriction throughout the term of the LURA as presented at this meeting, and the Executive Director and his designees are each authorized, directed, and empowered to take all necessary action to effectuate the foregoing.

**BACKGROUND**

Winfield Estates received an allocation of 9% Housing Tax Credits in 2000 for the construction of 156 units for the elderly in Texarkana, Bowie County. The LURA for the Development states that throughout the 15-year Compliance Period, which ended on December 31, 2016, the Development is intended for, and solely occupied by Persons 62 years of age or older; or is intended and operated for occupancy by at least one person who is 55 years of age or older per

unit, where at least 80% of the total housing units are occupied by at least one person who is 55 years of age or older; and adhere to policies and procedures which demonstrate an intent by the owner and manager to provide housing for persons 55 years of age or older.

In a letter dated January 29, 2026, Ruel M. Hamilton, the representative for the Owner, requests approval to extend the elderly designation of the Development throughout the 32-year affordability period. The Owner has certified that the Development has continued to operate as elderly and meets the requirements of the Housing for Older Persons Act.

10 TAC §10.405(b)(2)(C) states that changes to the target population are material amendments to the LURA, requiring Board approval. At the meeting on April 9, 2026, the Board granted staff the authority to process requests to extend the elderly requirement as non-material amendments where the elderly restrictions have expired within two years of the amendment request and the Owner has certified that the property has continued to operate as elderly. However, because it has been more than two years since the end of the Compliance Period for this Development, this request to extend the elderly requirement requires Board approval.

The Owner complied with the requirements for requesting a material LURA amendment, including holding a public hearing. The public hearing was held on March 5, 2026. The Owner reported that 61 residents attended the public hearing, and there was no public comment regarding the proposed amendment.

Staff recommends approval of the amendment request as presented herein.



January 29, 2026

Sussette Kenney,  
Associate Asset Manager  
TX Department of Housing & Community Affairs  
221 E. 11<sup>th</sup> Street  
Austin, Texas 78701

Subject: Winfield Estates - Lura Amendment Request

Dear Asset Management Team,

I am writing to formally request approval to maintain the property's designation as a 55-and-older senior housing community under the existing Land Use Restriction Agreement (LURA).

Winfield Estates has historically operated as a senior housing community and has continuously served residents aged 55 and older in compliance with applicable federal, state, and fair housing requirements. Although the original senior designation period concluded in 2016, ownership has remained committed to preserving the property's senior housing purpose due to strong resident demand, community stability, and the ongoing need for quality affordable housing for seniors in the surrounding area.

Maintaining the 55+ designation aligns with the property's operational history, tenant demographics, and mission to provide safe, stable, and age-appropriate housing. The property continues to comply with all LIHTC requirements, including income limits, set-aside requirements, and fair housing laws, including the Housing for Older Persons Act (HOPA).

Ownership respectfully requests that the LURA be acknowledged or amended, as necessary, to reflect the continued operation of the property as a 55-and-older community. We believe this request supports long-term affordability, minimizes resident displacement, and preserves an important housing resource for seniors.

Please let us know if additional documentation, certifications, or supporting materials are required to evaluate this request. We appreciate your time and consideration and look forward to working collaboratively to ensure ongoing compliance and stability for the residents we serve.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ruel M. Hamilton'.

Ruel M. Hamilton,  
President of the General Partner  
Winfield Estates Limited Partnership  
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