



# Niles W. Holmes, Esq.

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## ABOUT ME

I have participated in various facets of the real estate business since 1984. After receiving my master's degree in real estate from Texas A&M, I was employed as a commercial real estate appraiser and completed all of the educational requirements for the MAI designation. Subsequently, I was employed by a large life insurance company for five years as an investment officer. As a part of my extensive commercial real estate legal experience, I achieved the shareholder level in the Dallas office of Winstead PC where I served as a member of the firm's opinion committee and as Chairman of the Real Estate Lending Practice Group. I founded my present law firm in January of 2004. I am a frequent speaker and program coordinator specializing in commercial real estate as outlined below.

## ABOUT ME

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Southern Methodist University; Dedman School of Law, Juris Doctor, cum laude, May 1992

- Order of the Coif (Top 10%, 17 of 233)
- Southwestern Law Journal, Editor; Staff SMU Law Review, Editor;
- American Jurisprudence Award – Real Estate

Texas A&M University; Master of Agriculture, Land Economics and Real Estate, May 1984

- James Conner Smith Award

Texas A&M University; Bachelor of Science, Animal Science, December 1982

- Distinguished Student Award
- Ella C. McFadden Scholarship
- Alpha Zeta (Agriculture Honor Fraternity)

## Awards, Certifications and Honors

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- Board Certified in Commercial Real Estate Law by the Texas Board of Legal Specialization.
- AV Preeminent rating by Martindale Hubbell from 2002 to present
- *Super Lawyer* by Thomson Reuters from 2007 to present.
- *Best Lawyer and Best Law Firm* in Texas by the U.S. News and World Report from 2015 to present.
- Best Lawyer of the Year in Real Estate Law in Dallas Fort Worth (2024)

## Professional-Legal

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### Overview

I have counseled lending clients through all of the past real estate cycles and, as a result, have negotiated and documented both loans and workouts for every type of real estate structure and project. I have extensive, in-depth experience, having closed more than 1,500 loans secured by commercial real estate in all 50 states, with loan sizes ranging from less than \$1 million to in excess of \$280 million.

My clients are primarily commercial institutional lenders, including banks regulated by federal and state agencies. With my clients being active in all national markets, I regularly handle commercial financial transactions collateralized by office, retail, apartment, condominium, senior living, industrial and special use projects in Texas and throughout the United States.

I have documented and negotiated virtually every kind of financing structure, from single projects to multi-property pools, and financing type, such as acquisition, development, construction, bridge or mezzanine.

During a number of downturns and corrections in the real estate economy, I have guided my clients through restructuring with innovative solutions. I have extensive experience in modifications, foreclosures and loan sales.

### Niles Holmes PC

Law Firm  
Founding Partner and President

**January 2004 to Present**

Niles Holmes PC was formed in January of 2004 as a boutique real estate law firm to provide more specialized legal representation to financial institutions on a national basis for their commercial real estate lending and servicing requirements. Niles Holmes PC was named as a Best Law Firm in Texas by the U.S. News and World Report from 2015 to present.

### Winstead PC

Law Firm  
Shareholder  
Associate

**March 1994 to January 1995 and  
January 1998 to January 2004**

Winstead PC is a Texas based national full service law firm. I achieved the status of shareholder in the Dallas office of the real estate section of Winstead PC where I served as a member of the firm's opinion committee and as Chairman of the Real Estate Lending Practice Group.

## **Irons & Holmes PC**

Law Firm  
Founding Partner

**January 1995 to January 1998**

Irons and Holmes PC was formed in January of 1995 as a boutique real estate law firm to provide more specialized legal representation to financial institutions on a national basis specializing in small business administration lending and hospitality industry lending, acquisitions and dispositions.

## **PMC Capital, Inc.**

### **PMC Commercial Trust**

General Counsel

**November 1993 to March 1994**

Primarily engaged in the closing and servicing of commercial real estate loans for a \$100 million publicly traded company and a \$50 million publicly traded real estate investment trust.  
Supervision and management of a seven person closing department.

## **Johnson & Gibbs, PC**

Law Firm  
Associate

**December 1991 to November 1993**

Johnson & Gibbs, PC was a Texas based national full service law firm. I achieved the status of associate in the Dallas office of Johnson & Gibbs, P.C. where I served as a member of the real estate section and participated in all aspects of commercial real estate.

## **Professional-Business**

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### **John Hancock Financial Services**

Agricultural Investment Department  
Dallas, Texas  
Agricultural Investment Officer

**January 1985 to September 1989**

- Real Estate Appraisal.

The completion of more than 100 appraisals of farms, ranches, orchards, feed lots and industrial properties.

- Agribusiness Investment Group.

Participation in a national internal five member group which resulted in the origination of over \$40 million in loans to large agribusiness concerns.

- Workouts and Restructures.

Workout and restructure of more than one hundred loans including foreclosures and related bankruptcies

- Loan Portfolio Management.

The ongoing management of a loan portfolio consisting of hundreds of loans with an aggregate principal balance over 4100 million in a five state geographical area.

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The ongoing management of a loan portfolio consisting of hundreds of loans with an aggregate principal balance over 4100 million in a five state geographical area.

- Sales, Management and Investment Analysis.

Responsibility for the management and sales of all acquired assets. The programming of Lotus 1-2-3 based investment analyses.

### **J. R. Kimball, Inc.**

**May 1984 to January 1985**

Commercial Real Estate Fee Appraiser

- Commercial Real Estate Appraisal.

Appraisal of most types of commercial real estate including apartments, office buildings, raw land, mini warehouse, residential subdivisions and industrial properties.

- Discounted Cash Flow Analysis.

Programming of discounted cash flow analysis programs in Lotus 1-2-3 for a wide variety of types of commercial real estate projects.

- Education requirements.

Satisfaction of all educational requirements for both the MAI and ARA appraisal designations.

## **Professional-Academic**

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### **Professional Continuing Legal Education**

Author/Speaker, Give a Little? Get a Little?, Mortgage Lending Institute, University of Texas School of Law (October 2023)

Author/Speaker, Commercial Real Estate Transactions-Lending, Advanced Real Estate Strategies Course (December 2022)

Author/Speaker, The Financeability of Loan Documents, Mortgage Lending Institute, University of Texas School of Law (September 2022)

Author/Speaker, The Financeability of Loan Documents, Advanced Real Estate Law Course (July 2022)

Author/Speaker, Program Coordinator, What's Really Negotiable in Lender Transactions ? (What a Lender Wants! What a Borrower Needs!), Mortgage Lending Institute, University of Texas School of Law (September 2021)

Author/Speaker, Can we Still Get a Loan ? Current Issues and Alternatives in Commercial Real Estate Financing, Advanced Real Estate Law Course (July 2021)

Author/Speaker, Program Coordinator, Modification and Workout Documentation: This Time It's Contagious, Mortgage Lending Institute, University of Texas School of Law (September 2020)

Author/Speaker, Program Coordinator, How to Lose a Client With 10 or More Outdated Loan Provisions!, Mortgage Lending Institute, University of Texas School of Law (September 2020)

Author/Speaker, HVCRE Changes and Other Federal Codes, Restrictions and Guidelines to Commercial Real Estate Lending, Mortgage Lending Institute, University of Texas School of Law (September 2018)

Author/Speaker, Financial Covenants for Commercial Real Estate Lending Transactions, Mortgage Lending Institute, University of Texas School of Law (October 2012)

Author/Speaker, Evolving Loan Structures, Mortgage Lending Institute, University of Texas School of Law (September 2011)

Author/Speaker, Drafting Creative Financing Documents, Advanced Real Estate Drafting Course (March 2011)

Author/Speaker, Real Estate Workouts, Advanced Real Estate Drafting Course (March 2010)

Author/Speaker, Commercial Lending Coordinator, Financial Covenants for Lawyers, Advanced Real Estate Law Course (July 2004)

## **University-Adjunct Faculty and Graduate Teaching Assistant**

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### **Fall 2021 to Spring 2024**

Texas A&M University  
College Station, Texas  
Executive Professor  
FINC 676 Commercial Real Estate Law

### **Spring 1997**

Texas A&M University-Commerce (formerly East Texas State University)  
Commerce, Texas  
Adjunct Faculty  
AGEC 340 Agricultural Finance

### **Spring 1984**

Texas A&M University  
College Station, Texas  
Graduate Teaching Assistant  
AGEC 605 Rural Appraisal

### **Fall 1983**

Texas A&M University  
College Station, Texas  
Graduate Teaching Assistant  
AGEC 325 Farm and Ranch Management

## **Professional Memberships & Affiliations**

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- State Bar of Texas
- Dallas Bar Association
- Southwest Association of Bank Counsel
- Texas Bar College
- American College of Mortgage Attorneys, Fellow
- The Real Estate Council
- Aggie Real Estate Network Texas Aggie Bar Association
- American Agricultural Law Association
- Texas & Southwestern Cattle Raisers Association

## **Community & Civic Involvement**

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- Lakepointe Church, Rockwall, Texas
- Rockwall A&M Club
- Dallas A&M Club