

Edgar Filing: HOME PROPERTIES OF NEW YORK INC - Form 4

HOME PROPERTIES OF NEW YORK INC

Form 4

June 07, 2002

U.S. SECURITIES AND EXCHANGE COMMISSION
Washington, DC 20549

FORM 4

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934,
Section 17(a) of the Public Utility Holding Company Act of 1935 or
Section 30(f) of the Investment Company Act of 1940

Check box if no longer subject to Section 16. Form 4 or Form 5 obligations
may continue. See Instruction 1(b).

1. Name and Address of Reporting Person*

Gardner David P.

(Last) (First) (Middle)

105 Fiddlers Hollow

(Street)

Penfield New York 14526

(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol

Home Properties of New York, Inc. (HME)

3. IRS Identification Number of Reporting Person, if an Entity (Voluntary)

4. Statement for Month/Year

May 2002

5. If Amendment, Date of Original (Month/Year)

6. Relationship of Reporting Person to Issuer
(Check all applicable)

Director 10% Owner
 Officer (give title below) Other (specify below)

Senior Vice President and Chief Financial Officer

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7. Individual or Joint/Group Filing (Check applicable line)

- Form filed by one Reporting Person
 Form filed by more than one Reporting Person

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Table I -- Non-Derivative Securities Acquired, Disposed of,
or Beneficially Owned

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| 1. Title of Security (Instr. 3) | 2. Transaction Date (mm/dd/yy) | 3. Transaction Code (Instr. 8) | | 4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | | |
|---------------------------------------|---|---|---|--|------------------|----------|
| | | Code | V | Amount | (A) or (D) | Price |
| Common Stock, Par value \$.01 | 04/10/02 | M | | 266(1) | A | |
| Common Stock, Par value \$.01 | | | | | A | \$27.125 |
| Common Stock, Par value \$.01 | 05/20/02 | M | | 400 | A | \$25.125 |
| Common Stock, Par value \$.01 | 05/20/02 | M | | 4,900 | A | \$27.125 |
| Common Stock, Par value \$.01 | | | | | | |
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* If the Form is filed by more than one Reporting Person, see Instruction 4(b)(v).

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

(Print or Type Response)

(Over)

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FORM 4 (continued)

Table II -- Derivative Securities Acquired, Disposed of, or Beneficially Owned
(e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of Derivative Security (Instr. 3) | 2. Conver- sion or Exer- cise Price of Deriv- ative Secur- ity | 3. Trans- action Date (Month/ Day/ Year) | 4. Trans- action Code (Instr. 8) ----- Code V | 5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) ----- (A) (D) | 6. Date Exercisable and Expiration Date (Month/Day/Year) ----- Date Expira- tion Date | 7. Title and Amount of Underlying Securities (Instr. 3 and 4) ----- Amount or Number of Shares | | | | |
|--|---|--|--|--|---|--|----------|--------------|-------|---|
| Units of Limited Partnership | (3) | * | * | * | * | * | * | * | * | * |
| Option to Purchase Common Stock | \$20.50 | * | * | * | * | * | * | * | * | * |
| Option to Purchase Common Stock | \$26.50 | * | * | * | * | * | * | * | * | * |
| Option to Purchase Common Stock | \$25.1250 | 05/20/02 | M | | 400 | 08/04/99 | 08/04/08 | Common Stock | 400 | |
| Option to Purchase Common Stock | \$27.1250 | 05/20/02 | M | | 4,900 | 08/03/00 | 08/03/09 | Common Stock | 4,900 | |
| Option to Purchase Common Stock | \$31.3750 | * | * | * | * | * | * | * | * | |
| Option to Purchase Common Stock | \$30.15 | * | * | * | * | * | * | * | * | |
| Phantom Stock Unit | 1-for-1 | 04/10/02 | M | | 266 | 04/10/02 | 04/10/02 | Common Stock | 266 | |

Explanation of Responses:

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* Previously reported

(1) Represents settlement of phantom stock units pursuant to the Issuer's Deferred Bonus Plan

(2) Jointly with spouse.

(3) Units of Limited Partnership interests in Home Properties of New York, L.P. a New York Limited Partnership of which the Issuer is the General Partner. The Reporting Person has the right to redeem the Units for cash. The Issuer may elect to acquire the Units to be redeemed for shares of Common Stock, at the rate of one Unit for one share of Common Stock or cash, at the option of the Issuer.

(4) Represents shares accrued through December 31, 2001 to the Reporting Person's account pursuant to the Issuer's Deferred Bonus Plan less 266 shares subsequently issued on settlement.

/s/ David P. Gardner

June 7, 2002

**Signature of Reporting Person

Date

** Intentional misstatements or omissions of facts constitute Federal Criminal Violations.

See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

Note: File three copies of this Form, one of which must be manually signed. If space provided is insufficient, see Instruction 6 for procedure.

Alternatively, this form is permitted to be submitted to the Commission in electronic format at the option of the Reporting Person pursuant to Rule 101(b) (4) of Regulation S-T.

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