

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

HOME PROPERTIES OF NEW YORK INC

Form 4

August 30, 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).

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1. Name and Address of Reporting Person\*

Smith Paul L.  
-----  
(Last) (First) (Middle)

77 Babcock Drive  
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(Street)

Rochester NY 14610  
-----  
(City) (State) (Zip)

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2. Issuer Name and Ticker or Trading Symbol

Home Properties of New York, Inc. (HME)

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

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4. Statement for Month/Year

August 29, 2002 - See footnotes 1 and 3

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

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

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

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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  
 =====

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
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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)

FORM 4 (continued)

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

2. Conver- sion or	5. Number of Derivative	6.	7. Title and Amount of Underlying
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1. Title of Derivative Security (Instr. 3)	Exer- cise Price of Deriv- ative Secur- ity	3. Trans- action Date (Month/ Day/ Year)	4. Trans- action Code (Instr. 8)	Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	Date Exercisable and Expiration Date (Month/Day/Year)	Securities (Instr. 3 and 4) ----- Amount or Number of Shares
Option to Purchase Common Stock	\$27.0625	*	*	*	*	*
Option to Purchase Common Stock	\$28.3125	*	*	*	*	*
Option to Purchase Common Stock	\$31.3750	*	*	*	*	*
Option to Purchase Common Stock	\$28.34	*	*	*	*	*
Option to Purchase Common Stock	\$36.03	05/07/02	A	V	7,000	05/07/02 05/07/07 Common Stock
Phanton Stock Units	1-for-1	(1)	A	V	334(1)	(2) (2) Common Stock

Explanation of Responses:

\*Previously reported.

(1) Represents phantom stock units accrued to the Reporting Person's account under the Issuer's Director Deferred Compensation Plan from Januaray 1, 2002 through August 29, 2002 at prices ranging from \$31.60 to \$36.90 per unit, including hypothetical shares acquired pursuant to the dividend reinvestment feature of the Plan.

(2) The Reporting Person's account will be paid in the form of the Issuer's common stock on or about the 3rd, 5th or 10th anniversary of the deferral depending on the election of the Reporting Person.

(3) Please note that the disclosed items were not previously required to be disclosed on a current basis.

/s/ Paul L. Smith by Ann M. McCormick attorney-in-fact

August 30, 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.

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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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