

Edgar Filing: HOME PROPERTIES INC - Form S-3ASR

HOME PROPERTIES INC  
Form S-3ASR  
September 20, 2006

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

FORM S-3

REGISTRATION STATEMENT UNDER THE SECURITIES ACT OF 1933

HOME PROPERTIES, INC.  
(Exact name of registrant as specified in its charter)

Maryland  
(State or other jurisdiction of incorporation or organization)

16-1455126  
(I.R.S. Employer Identification No.)

850 Clinton Square  
Rochester, New York 14604  
(585) 546-4900  
(Address, including zip code, and telephone number, including  
area code, of registrant's principal executive offices)

Ann M. McCormick, Esq.  
Executive Vice President, Secretary  
and General Counsel  
Home Properties, Inc.  
850 Clinton Square  
Rochester, New York 14604  
(585) 546-4900  
Facsimile (585) 232-3147  
(Names, addresses, including zip codes, and telephone numbers, including  
area codes, of agents for service)

Copies to:

Deborah McLean Quinn, Esq.  
Nixon Peabody LLP  
1300 Clinton Square  
Rochester, New York 14604  
(585) 263-1307  
Facsimile (866) 947-0724  
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Approximate date of commencement of proposed sale to public: As soon as practicable after this Registration Statement becomes effective.

If only securities being registered on this Form are being offered pursuant to dividend or interest reinvestment plans, please check the following box. ☐

If any of the securities being registered on this Form are to be offered on a delayed or continuous basis pursuant to Rule 415 under the Securities Act of 1933, other than securities offered only in connection with dividend or interest reinvestment plans, check the following box. ☒

If this Form is filed to register additional securities for an offering pursuant to Rule 462(b) under the Securities Act of 1933, please check the following box and list the Securities Act of 1933 registration statement number of the earlier registration statement for the same offering. ☐

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If this Form is a post-effective amendment filed pursuant to Rule 462(c) under the Securities Act, check the following box and list the Securities Act registration statement number of the earlier registration statement for the same offering. |\_ |

If this Form is a registration statement pursuant to General Instruction I.D. or a post-effective amendment thereto that shall become effective upon filing with the Commission pursuant to Rule 462(e) under the Securities Act, check the following box. |X|

If this Form is a post-effective amendment to a registration statement filed pursuant to General Instruction I.D. filed to register additional securities or additional classes of securities pursuant to Rule 413(b) under the Securities Act, check the following box. |\_ |

### CALCULATION OF REGISTRATION FEE

Title of each class of securities to be registered	Amount to be registered	Proposed maximum offering price per share*	Proposed maximum aggregate offering price	Amount of registration fee
Common Stock, \$.01 Par Value	1,085,291 shares	\$57.295	\$62,181,748	\$6,653

\* Estimated solely for purposes of calculating the registration fee pursuant to Rule 457(c) under the Securities Act of 1933 and based upon the average of the high and low prices reported on the New York Stock Exchange on September 18, 2006 of \$57.295.

#### Common Stock

The selling stockholders named herein are selling 1,085,291 shares of our common stock. We will not receive any proceeds from the sale of our shares by the selling stockholders.

Our common stock is listed on the New York Stock Exchange under the symbol "HME ". The last closing price of our common stock on September 19, 2006, was \$57.71 per share.

Investing in our common stock involves a high degree of risk as described in the "Risk Factors" sections of this prospectus.

Neither the Securities and Exchange Commission nor any state securities commission has approved or disapproved of these securities or determined if this prospectus is truthful or complete. Any representation to the contrary is a criminal offense.

The date of this prospectus is September 20, 2006