

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

HOME PROPERTIES OF NEW YORK INC

Form 4

September 27, 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*

| | | |
|--------------------|----------|----------|
| Helbig | Leonard | F. |
| ----- | ----- | ----- |
| (Last) | (First) | (Middle) |
| 201 Lincoln Avenue | | |
| ----- | | |
| | (Street) | |
| Cape May Point | NJ | 08212 |
| ----- | ----- | ----- |
| (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/Day/Year

September 25, 2002

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

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

| | |
|---|--|
| <input checked="" type="checkbox"/> Director | <input type="checkbox"/> 10% Owner |
| <input type="checkbox"/> Officer (give title below) | <input type="checkbox"/> 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

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 (Instr. 8) | | 4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | |
|---------------------------------------|---|---------------------------------|---|--|------------------|
| | | Code | V | Amount | (A) or (D) |

Common Stock, Par value \$.01

Series F Cumulative Redeemable
Preferred Stock, Par Value \$.01

* 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)

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

2.
Conver-
sion

5.
Number of

7.
Title and Amount

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| 1. Title of Derivative Security (Instr. 3) | or Exer- cise Price of Deriv- ative Secur- ity | 3. Trans- action Date (Month/ Day/ Year) | 4. Trans- action Code (Instr. 8) | Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | 6. Date Exercisable and Expiration Date (Month/Day/Year) | of Underlying Securities (Instr. 3 and 4) | | Amount or Number of Shares |
|--|--|--|---|---|--|---|-----------------|--|
| | | | | (A) (D) | Exer- cisable Date | Expira- tion Date | Title | |
| Option to Purchase Common Stock | \$27.0625 | * | * | * | * | * | * | * |
| Option to Purchase Common Stock | \$25.6875 | * | * | * | * | * | * | * |
| 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 | * | * | * | * | * | * | * |
| Phantom Stock Units | 1-for-1 | 09/25/02 | A | 31(2) | (3) | (3) | Common Stock | 31 |

Explanation of Responses:

* Previously reported

(1) Includes an additional 880 shares of common stock that are held in the Reporting Person's individual retirement account. Of the 880 shares:
 (i) 530 were acquired on May 13, 1997 and were correctly reported on a Form 4 filed on or about June 4, 1997; and (ii) 350 shares were acquired on February 13, 1998 for \$27.60 per share and should have been but were not reported on Form 5 for the period ending December 31, 1998. The 350 shares were also not included in column 5 of the subsequently filed Forms 4 and 5 and the 530 shares were not included in column 5 of the Form 5 for the period ending December 31, 2000 or on the Forms 4 and 5 filed thereafter.

(2) Represents phantom stock units accrued to the Reporting Person's account in lieu of cash for meeting or quarterly stipend fees pursuant to the Issuer's Deferred Compensation Plan.

(3) 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.

/s/ Leonard F. Helbig

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by Ann M. McCormick, attorney-in-fact

September 27, 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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