

Edgar Filing: SMITH JOHN E - Form 4

SMITH JOHN E
Form 4
January 17, 2003

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*

| | | |
|------------------|----------|----------|
| Smith | John | E. |
| ----- | ----- | ----- |
| (Last) | (First) | (Middle) |
| 58 Kilbourn Road | | |
| ----- | | |
| | (Street) | |
| Rochester | NY | 14618 |
| ----- | ----- | ----- |
| (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

January 15, 2003

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

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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) | | Price |
|---------------------------------------|---|---------------------------------|---|--|------------------|-------|
| | | Code | V | Amount | (A) or (D) | |
| Common Stock, Par value \$.01 | | | | | | |
| Common Stock, Par value \$.01 | 01/15/03 | I | | 246 | A | 33.67 |

* 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)

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| 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 | |
|--|---|--|--|--|---|---|---|--|---|
| Option to Purchase Common Stock | \$26.50 | * | * | * | * | * | * | * | * |
| Option to Purchase Common Stock | \$25.125 | * | * | * | * | * | * | * | * |
| Option to Purchase Common Stock | \$27.125 | * | * | * | * | * | * | * | * |
| Option to Purchase Common Stock | \$31.375 | * | * | * | * | * | * | * | * |
| Option to Purchase Common Stock | \$30.15 | * | * | * | * | * | * | * | * |
| Option to Purchase Common Stock | \$34.65 | * | * | * | * | * | * | * | * |

Explanation of Responses:

*Previously reported.

(1) Represents beneficial ownership as of January 15, 2003.

(2) The shares purchased on January 15, 2003 were purchased with existing funds in the Reporting Person's 401-K account. The Reporting Person has elected on an ongoing basis to have 30% of his 401-K deferrals and the Issuer's contribution invested to purchase Issuer's common stock.

/s/ John E. Smith by Ann M. McCormick attorney-in-fact

January 17, 2003

**Signature of Reporting Person

Date

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** 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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