

# SECURITIES AND EXCHANGE COMMISSION

## FORM 4

Statement of changes in beneficial ownership of securities

Filing Date: **2006-05-08** | Period of Report: **2006-05-04**

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### ISSUER

#### HOME PROPERTIES INC

CIK: **923118** | IRS No.: **161455126** | State of Incorpor.: **MD** | Fiscal Year End: **1231**  
SIC: **6798** Real estate investment trusts

Mailing Address  
850 CLINTON SQUARE  
ROCHESTER NY 14604

Business Address  
850 CLINTON SQ  
ROCHESTER NY 14604  
5855464900

### REPORTING OWNER

#### GARDNER DAVID P

CIK: **1059326**  
Type: **4** | Act: **34** | File No.: **001-13136** | Film No.: **06816173**

Mailing Address  
850 CLINTON SQUARE  
ROCHESTER NY 14604

Business Address  
HOME PROPERTIES  
850 CLINTON SQUARE  
ROCHESTER NY 14604  
585-246-4126

# FORM 4

## UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

### OMB APPROVAL

OMB Number: 3235-0287  
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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

### 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(h) of the Investment Company Act of 1940

1. Name and Address of Reporting Person <b>GARDNER DAVID P</b>			2. Issuer Name and Ticker or Trading Symbol <b>HOME PROPERTIES INC [HME]</b>			5. Relationship of Reporting Person(s) to Issuer (Check all applicable) ____ Director _____ 10% Owner <input checked="" type="checkbox"/> Officer (give title below) _____ Other (specify below) <b>EVP, CFO</b>		
(Last)	(First)	(Middle)	3. Date of Earliest Transaction (Month/Day/Year) <b>05/04/2006</b>			6. Individual or Joint/Group Filing (Check applicable line) <input checked="" type="checkbox"/> Form Filed by One Reporting Person ____ Form Filed by More than One Reporting Person		
850 CLINTON SQUARE  (Street)			4. If Amendment, Date Original Filed(Month/Day/Year)					
ROCHESTER, NY 14604  (City) (State) (Zip)								

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

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)		4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)			5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
			Code	V	Amount	(A) or (D)	Price			
Common Stock, Par Value \$.01	05/04/2006		A		6,000	A	\$ 0 <sup>(1)</sup>	53,261	D	
Common Stock, Par Value \$.01								10,240	D <sup>(2)</sup>	

**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. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)		5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)		6. Date Exercisable and Expiration Date (Month/Day/Year)		7. Title and Amount of Securities Underlying Derivative Security (Instr. 3 and 4)	8. Price of Derivative Security (Instr. 5)	9. Number of Derivative Securities Beneficially Owned Following Reported Transaction(s) (Instr. 4)	10. Ownership Form of Derivative Security: Direct (D) or Indirect (I) (Instr. 4)	11. Nature of Indirect Beneficial Ownership (Instr. 4)	
				Code	V	(A)	(D)	Date Exercisable	Expiration Date						Title
Option to Purchase Common Stock	\$51.06 <sup>(3)</sup>	05/04/2006		A		25,000		05/04/2007 <sup>(4)</sup>	05/04/2016	Common Stock	25,000	\$ 0	25,000	D	

**Explanation of Responses:**

- Represents grant of restricted stock issued to the Reporting Person under the provisions of the Issuer's 2003 Stock Benefit Plan. The grant vests in four equal installments beginning on May 4, 2007.
- Jointly with spouse.
- This option was granted by the Board of Directors on May 4, 2006 and the exercise price is the closing price on the NYSE on that date.

4. This option vests in five equal annual installments beginning on May 4, 2007.

**Signatures**

/s/ David P. Gardner, By Ann M. McCormick, attorney-in-fact

\*\* Signature of Reporting Person

05/08/2006

Date

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

\* If the form is filed by more than one reporting person, see Instruction 4 (b)(v).

\*\* 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 is insufficient, see Instruction 6 for procedure.

**Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB Number.**