

Edgar Filing: HOME PROPERTIES INC - Form 8-K

HOME PROPERTIES INC  
Form 8-K  
November 21, 2006

SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

FORM 8-K

CURRENT REPORT  
PURSUANT TO SECTION 13 OR 15(d) OF THE  
SECURITIES EXCHANGE ACT OF 1934

Date of Report (Date of earliest event reported):  
November 20, 2006

HOME PROPERTIES, INC.  
(Exact name of Registrant as specified in its Charter)

MARYLAND	1-13136	16-1455126
(State or other jurisdiction of incorporation)	(Commission File Number)	(IRS Employer Identification Number)

850 Clinton Square, Rochester, New York 14604  
(Address of principal executive offices)

(585) 546-4900  
(Registrant's telephone number, including area code)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

ITEM 5.02(e) COMPENSATION ARRANGMENTS OF CERTAIN OFFICERS.

On November 20, 2006, Home Properties, Inc. (the "Company") entered into an Amended and Restated Employment Agreement with Edward J. Pettinella, the Company's President and Chief Executive Officer. This Agreement is effective January 1, 2007 and amends and restates Mr. Pettinella's prior Employment Agreement, which was dated May 14, 2004 and by its terms expires on December 31, 2006. The Amended and Restated Agreement provides that Mr. Pettinella will continue to serve as President and Chief Executive Officer of the Company until December 31, 2008. The Agreement automatically renews, unless terminated by

## Edgar Filing: HOME PROPERTIES INC - Form 8-K

either party, for an additional one year term. It does not specify a fixed base salary or incentive compensation or the level of stock option grants and restricted stock awards, each of which are in the discretion of the Compensation Committee of the Board of Directors. The Agreement specifies payments to be made to Mr. Pettinella in the event of a termination of the Agreement prior to its expiration date and in the event of a change of control involving the Company. It also includes non-compete provisions.

A copy of the Amended and Restated Employment Agreement is attached as an exhibit.

ITEM 9.01. FINANCIAL STATEMENTS AND EXHIBITS.

c. Exhibits

Exhibit 10.1 Amended and Restated Employment Agreement,  
dated November 20, 2006 between Edward J. Pettinella  
and Home Properties, Inc.

### SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned thereunto duly authorized.

Dated: November 20, 2006 HOME PROPERTIES, INC.  
(Registrant)

By: /s/ David P. Gardner  
David P. Gardner, Executive Vice President  
and Chief Financial Officer