Edgar Filing: FURLOW MICHAEL H - Form 4

FURLOW M	ICHAEL H										
Form 4 February 05,	2009										
•									OMB APPROVAL		
	UNITEL	STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES								3235-0287	
Check thi if no long subject to Section 10 Form 4 or	er STATE 6.									January 31, 2005 average rs per 0.5	
Form 5 obligation may conti <i>See</i> Instru 1(b).	nue. Section 17	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									
(Print or Type R	(esponses)										
1. Name and Address of Reporting Person <u>*</u> FURLOW MICHAEL H			2. Issuer Name and Ticker or Trading Symbol					5. Relationship of Reporting Person(s) to Issuer			
(Least)	(Einst)		ER HOMES USA INC [BZH]				(Check all applicable)				
			3. Date of Earliest Transaction (Month/Day/Year) 02/03/2009					Director 10% Owner Officer (give title Other (specify below) below) below) EVP, Chief Operating Officer			
	(Street) 4. If Amer Filed(Mont				-			 6. Individual or Joint/Group Filing(Check Applicable Line) _X_ Form filed by One Reporting Person Form filed by More than One Reporting 			
ATLANTA,	GA 30328							Person		1 0	
(City)	(State)	(Zip)	Table	e I - Non-D	erivative S	ecurit	ies Acq	uired, Disposed of	, or Beneficial	ly Owned	
1.Title of Security (Instr. 3)	2. Transaction Da (Month/Day/Yea	r) Executio any	med on Date, if Day/Year)	3. 4. Securities Acqui Transaction(A) or Disposed of Code (D) (Instr. 8) (Instr. 3, 4 and 5) (A)		of	Securities Beneficially Owned Following Reported	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	Beneficial		
				Code V	Amount	or (D)	Price	Transaction(s) (Instr. 3 and 4)			
Common Stock	02/03/2009			D <u>(1)</u>	11,668 (1)	D	\$0	141,355	D		
Common Stock								4,569	I	Issuer 401K Plan	

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

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 control number.

Edgar Filing: FURLOW MICHAEL H - Form 4

 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. Transacti Code (Instr. 8)	5. orNumber of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	;	Date	7. Title Amour Underl Securit (Instr.	nt of lying	8. Price of Derivative Security (Instr. 5)	9. Nu Deriv Secur Bene Owne Follo Repo Trans (Instr
				Code V	(A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares		

Reporting Owners

Reporting Owner Name / Address	Relationships						
L O	Director	10% Owner	Officer	Other			
FURLOW MICHAEL H 1000 ABERNATHY ROAD SUITE 1200 ATLANTA, GA 30328			EVP, Chief Operating Officer				
Signatures							

/s/ Allan P. 02/05/2009 Merrill

<u>**</u>Signature of Reporting Person Date

Explanation of Responses:

- * 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).
- (1) Forfeiture of performance-based stock due to failure to achieve specified performance criteria.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.