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HOME PROPERTIES INC Form 10-K March 15, 2005

SECURITIES AND EXCHANGE COMMISSION WASHINGTON, D.C. 20549 FORM 10-K

(Mark One)

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

For the fiscal year ended December 31, 2004

OR

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

Commission File Number 1-13136

HOME PROPERTIES, INC.

(Exact name of Registrant as specified in its Charter)

MARYLAND

16-1455126

(State or other jurisdiction of incorporation or organization) (I.R.S. Employer

Identification Number)

850 CLINTON SQUARE ROCHESTER, NEW YORK 14604 (Address of principal executive offices)

Registrant's telephone number, including area code: (585) 546-4900 Securities registered pursuant to Section 12(b) of the Act:

Title of each class Common Stock, \$.01 par value Name of Each Exchange on Which Registered New York Stock Exchange

Indicate by check mark whether registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days.

> YES X No

Indicate by check mark if disclosure of delinquent filers pursuant to Item 405 of Regulation S-K is not contained herein, and will not be contained to the best of Registrant's knowledge, in definitive proxy or information statements incorporated by reference in Part III of this Form 10-K or any amendment to this Form 10-K.

> YES No X ----

Indicate by check mark whether the registrant is an accelerated filer (as defined in Rule 12b-2 of the Act).

YES X

The aggregate market value of the shares of common stock held by non-affiliates (based upon the closing sale price on the New York Stock Exchange) on June 30,

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2004, was approximately \$1,269,697,294.

As of February 28, 2005, there were 31,415,781 shares of common stock, \$.01 par value, outstanding.

DOCUMENTS INCORPORATED BY REFERENCE

Certain portions of the proxy statement to be issued in connection with the Company's 2005 Annual Meeting of Stockholders are incorporated by reference into Part III of this Report.