

HOME PROPERTIES OF NEW YORK INC
Form 11-K
June 26, 2003

SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 20549

FORM 11-K

(Mark One)

- ANNUAL REPORT PURSUANT TO SECTION 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934 FOR THE FISCAL YEAR ENDED DECEMBER 31, 2002 OR
- TRANSITION REPORT PURSUANT TO SECTION 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934 FOR THE TRANSITION PERIOD FROM TO

Commission file number 333-12551

- A. Full title of the plan and the address of the plan, if different from that of the issuer named below:

Home Properties of New York Retirement Savings Plan

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- B. Name of issuer of the securities held pursuant to the plan and the address of its principal executive office:

Home Properties of New York, Inc.
850 Clinton Square
Rochester, New York 14604

REQUIRED INFORMATION

The Home Properties Retirement Savings Plan (the Plan) is subject to the Employee Retirement Security Income Act of 1974 (ERISA). Therefore, in lieu of the requirements of Items 1-3 of Form 11-K, the financial statements and schedules of the Plan for the two fiscal years ending December 31, 2002 and 2001, which have been prepared in accordance with the financial reporting requirements of ERISA, are filed herewith as Exhibit 99.1 and incorporated herein by reference.

EXHIBITS

| Exhibit Number | Description |
|---------------------------|--|
| 99.1 | Financial Statement and Schedules of the Plan for the two fiscal years ending December 31, 2002 and 2001 |
| 99.2 | Consent of Inero, Kasperski, Ciaccia & Co., P.C., independent accountants |
| 99.3 | Section 906 Certification of Chief Financial Officer |

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the trustees (or other persons who administer the employee benefit plan) have duly caused this annual report to be signed on its behalf by the undersigned thereunto duly authorized.

HOME PROPERTIES RETIREMENT SAVINGS PLAN

Date: June 26, 2003

By: /s/ David P. Gardner

Name: David P. Gardner

Title: Chairman of the
Administrative
Committee, the
Administrator of the
Plan