

BERKSHIRE INCOME REALTY, INC.
Form 8-K
January 26, 2012
UNITED STATES
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) January 20, 2012

Berkshire Income Realty, Inc.
(Exact name of Registrant as specified in its charter)

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|---|---------------------------------------|---|
| Maryland (State or other jurisdiction of incorporation) | 001-31659 (Commission File Number) | 32-0024337 (IRS Employer Identification No.) |
|---|---------------------------------------|---|

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|--|---------------------|
| One Beacon Street, Boston, Massachusetts (Address of principal executive offices) | 02108 (Zip Code) |
|--|---------------------|

Registrants telephone number, including area code (617) 523-7722

N/A
(Former name or former address, if changes since last report)

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))
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SECTION 5 - CORPORATE GOVERNANCE AND MANAGEMENT

ITEM 5.02 - DEPARTURE OF DIRECTORS OR PRINCIPAL OFFICERS; ELECTION OF DIRECTORS; APPOINTMENT OF PRINCIPAL OFFICERS.

Frank Apeseche resigned as Chief Executive Officer (“CEO”) of Berkshire Property Advisors, L.L.C. (“BPA”), effective January 20, 2012. BPA is an affiliated entity we have contracted with to make decisions relating to the day-to-day management and operation of our business, subject to the Board of Directors oversight. In his capacity as CEO of BPA, Mr. Apeseche performed functions for Berkshire Income Realty, Inc. (the “Company”) similar to those as would otherwise have been performed by a principal officer. The functions he performed for the Company will be assumed going forward by Douglas Krupp and David Quade, the current Chairman and President, respectively, of the Company.

SIGNATURES

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

Berkshire Income Realty, Inc.

Date: January 26, 2012

By: /s/ Christopher M. Nichols
Name: Christopher M. Nichols
Title: Senior Vice President and
Principal Financial Officer