

AVALONBAY COMMUNITIES INC

Form 8-K

February 04, 2010

**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): February 3, 2010  
AVALONBAY COMMUNITIES, INC.  
(Exact name of registrant as specified in its charter)**

Commission file number 1-12672

Maryland  
(State or other jurisdiction of  
incorporation or organization)

77-0404318  
(I.R.S. Employer  
Identification No.)

2900 Eisenhower Avenue, Suite 300  
Alexandria, Virginia 22314

(Address of principal executive offices)(Zip code)  
(703) 329-6300

(Registrant's telephone number, including area code)  
(Former name, if changed 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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**ITEM 2.02. Results of Operations and Financial Condition.**

On February 3, 2010, AvalonBay Communities, Inc. (the Company ) issued a press release announcing its financial results for the fourth quarter and full year 2009. That release referred to certain attachments with supplemental information that were available on the Company s website. The full text of the press release, including the supplemental information and attachments referred to within the release, are furnished as Exhibit 99.1 and Exhibit 99.2 hereto.

**ITEM 9.01 Financial Statements and Exhibits**

(c) Exhibits.

| Exhibit No. | Description |
|-------------|-------------|
|-------------|-------------|

|      |                                                                                             |
|------|---------------------------------------------------------------------------------------------|
| 99.1 | Press Release of AvalonBay Communities, Inc. dated February 3, 2010, including Attachments. |
|------|---------------------------------------------------------------------------------------------|

|      |                                                                                                                                                   |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| 99.2 | Supplemental discussion of fourth quarter and full year 2009 operating results (the Full Release ) dated February 3, 2010, including Attachments. |
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SIGNATURE

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

AVALONBAY COMMUNITIES, INC.

Dated: February 3, 2010

By: /s/ Thomas J. Sargeant  
Thomas J. Sargeant  
Chief Financial Officer

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Exhibit Index

- 99.1 Press Release of AvalonBay Communities, Inc. dated February 3, 2010, including Attachments.
- 99.2 Supplemental discussion of fourth quarter and full year 2009 operating results (the Full Release ) dated February 3, 2010, including Attachments.