

Edgar Filing: BERKSHIRE INCOME REALTY INC - Form 8-K

o Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

o Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

o Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Item 8.01 Other Events

On or about April 19, 2005, David C. Quade, President and Chief Financial Officer of the Registrant, granted an interview to The Wall Street Transcript. The interview was published in the April 25, 2005 issue of the periodical and was simultaneously posted on the publication's website at www.twst.com. The Registrant paid The Wall Street Transcript \$750 solely for the right to provide a copy of the transcript as an exhibit to this Current Report on Form 8-K. The text of the interview is attached hereto as Exhibit 99.1 and is incorporated by reference herein.

The information in this Current Report on Form 8-K, including Exhibit 99.1 attached hereto, shall not be deemed filed for any purpose, including for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the Exchange Act), or otherwise subject to the liabilities of that Section and shall not be deemed incorporated by reference into any filing under the Securities Act of 1933, as amended, or the Exchange Act regardless of any general incorporation language in such filing.

Exhibit 99.1 attached hereto contains forward-looking statements, within the meaning of the Private Securities Litigation Reform Act of 1995, about the Registrant. These statements involve a number of risks and uncertainties that could materially affect future results. Among these risk factors are the ones listed in the Registrant's periodic reports filed with the Securities and Exchange Commission, including without limitation the Registrant's Annual Report on Form 10-K for the fiscal year ended December 31, 2004.

Item 9.01 Financial Statements and Exhibits

- (c) **Exhibit 99.1** Text of interview with David C. Quade, President and Chief Financial Officer of Berkshire Income Realty, Inc., published by The Wall Street Transcript, on April 25, 2005, which is being furnished pursuant to Item 8.01.

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: April 27, 2005

/s/ David C. Quade
Name: David C. Quade
Title: President and Chief Financial Officer