§ 213. Occupancy. 1. The dwelling units in any existing multiple dwelling aided by a loan pursuant to this article shall be available solely for persons or families of low income during the period in which any part of such loan remains unpaid and for a period of at least ten years from the occupancy date.

2. In the event that after any person or family included within the provisions of paragraph a of subdivision three of section two hundred eleven of this chapter, but not included within the provisions of paragraph b of such subdivision three, begins occupancy of any dwelling unit in any multiple dwelling aided by a loan pursuant to this article, and during the period while such dwelling unit is subject to a maximum rent prescribed by the agency pursuant to this article, the income of such person or family increases so as to exceed the applicable maximum prescribed by such paragraph a by more than fifty per centum, such person shall be required to move from such dwelling.

3. a. In the event that on the date on which a contract for a loan is made with respect to a multiple dwelling aided by a loan pursuant to this article, any person or family occupying a dwelling unit in such multiple dwelling and included within the provisions of paragraph b of subdivision three of section two hundred eleven of this chapter, has a probable aggregate annual income, as determined in accordance with the provisions of paragraph a of such subdivision three, which exceeds the income limits specified in such paragraph a by more than fifty per cent, such person or family shall be required to move from such dwelling unit upon the expiration of a period of two years after the date on which such contract is entered into.

b. In the event that at any time within a period of two years after any such contract is entered into, the income of any such person or family increases so as to exceed the income limits specified in such paragraph a by more than fifty per cent, such person or family shall be required to move from such dwelling unit upon the expiration of such period of two years.

c. If, at any time subsequent to the expiration of a period of two

years after any such contract is entered into, and during the period while the dwelling unit occupied by any such person or family is subject to a maximum rent prescribed by the agency pursuant to this article, the income of such person or family increases so as to exceed the income limits specified in such paragraph a by more than fifty per cent, such person or family shall be required to move from such dwelling unit.

4. Any person or family in occupancy, whether included within the provisions of paragraph a or paragraph b of subdivision three of section two hundred eleven of this chapter, whose income exceeds the maximum prescribed by the provisions of such paragraph a with respect to the time of beginning of occupancy, shall pay a rental surcharge in accordance with a schedule of surcharges to be promulgated by the agency. Rental surcharges collected pursuant to this section shall be paid by the owner to the municipality which has granted such owner tax exemption or tax abatement pursuant to any law authorizing the granting of same, as reimbursement to such municipality therefor. In the event that such tax exemption and tax abatement have not been granted, or in the event that a sum equal to the total amount of tax exemption and tax abatement granted to the owner has been paid to the municipality, the excess, if any, of surcharges shall be for the use and benefit of the owner.

5. Any person or family whose removal is required by any provision of this article shall be subject to removal by summary proceedings.