

Gym members sue New York Sports Club for refunds after coronavirus closures

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Ellen Moynihan, Leonard
Greene

This workout arrangement isn't working out.

A chain of New York fitness clubs continues to charge customers for access to gyms that are closed amid the coronavirus outbreak — even as it lays off instructors, according to a new lawsuit.

Fitness buffs said New York Sports Club refused to refund their membership dues when the pandemic forced the company to cut off its stair climbers and treadmills.

"They have completely ignored any and all attempts to reach them," said Mary Namorato, an Upper West Side customer who pays \$70 a month for a fitness club she can't access.

"They act as if we're dead to them."

Namorato, a plaintiff in the lawsuit filed Thursday in Manhattan Federal Court, said people who pay for personal training sessions are still being charged.

"It's just outrageous," she said.

The lawsuit highlights the financial strain people are feeling over "shelter-in-place" regulations and mass layoffs, and said that instead of pitching in during a time of crisis, the fitness chain's conduct "is the height of corporate greed, lack of empathy and putting profits before people."

Other city gyms, including Crunch and Equinox, last week froze member dues until they can reopen.

According to the lawsuit, the parent company's annual report boasts 605,000 members who pay monthly membership dues ranging between \$30 and \$120.

Assuming an average monthly rate of \$50, the lawsuit said, the company is "stealing" more than \$30 million per month from customers.

"We are standing up for all New Yorkers who are being taken advantage of, lied to and stolen from by New York Sports Clubs," said lawyer David Gottlieb, a partner at Wigdor LLC.

"We specifically ask the New York State attorney general's office to join us in this fight to

send a message not only to NYSC but to all businesses that this form of fraudulent opportunism has no place in our state and will not be tolerated, particularly during a health and economic crisis.”

Representatives of New York Spots Club, and its parent company, Town Sports International LLC, did not return requests for comment.