

# New York Sports Club sued for charging members during coronavirus closures

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By Priscilla DeGregory

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A Manhattan woman is suing New York Sports Club for charging members monthly fees despite widespread gym closures during the coronavirus pandemic.

Mary Namorata — who has been a member of the Grand Central gym location since January 2019 — says that she was charged \$69.99 for March despite the fact that she hasn't been able to use the gym since it closed March 16 amid the coronavirus outbreak, according to her Manhattan Federal lawsuit filed Thursday.

New York Sports Club announced on Facebook on March 16 that it would be temporarily closing all its locations in New York, New Jersey and Connecticut.

"Whenever this passes we'll be back at our clubs waiting for you," the post says.

The next day, Namorata emailed the club and sent Facebook messages asking the status of her membership while the gym is closed but still hasn't received a response, the court papers say.

Namorata also contacted the New York Attorney General's Office which informed her that, after reaching out to the club, they were told that the company wouldn't automatically freeze customer accounts. Rather, customers would have to mail in their requests to freeze or cancel their memberships, which could come with fees, the court documents allege.

The gym — whose parent company is Town Sports International, LLC — has more than 605,000 members who pay \$30-\$120 a month in membership fees, the suit claims.

"Therefore even assuming average monthly rate of \$50, TSI is stealing \$30,250,000 per month from customers," the court papers charge.

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Members have expressed outrage online, according to the lawsuit which includes screen shots of some of the posts.

“You really need to make some kind of announcement about how you are handling our membership and locker rental fees while the gyms are closed and cannot be used,” Jim King wrote on NYSC’s Facebook page.

“Are you going to stop charging us for the membership while the NYSC is closed?” Suzie KY wrote on the company’s Facebook page. “Since we have no access I don’t think it’s fair to be charged.”

Robin Collymore wrote in a Facebook post on NYSC’s page in all caps: “I STRONGLY SUGGEST MEMBERS CALL THEIR CREDIT CARD COMPANIES AND HAVE THEM BLOCK CHARGES FROM NYSC.”

Namorata’s lawyer David Gottlieb, said in a statement, “TSI must do right by New Yorkers who are at the epicenter of this global crisis by freezing all gym memberships effective immediately, honoring all written or verbal membership cancellation requests, and issuing refunds to those members who were fraudulently charged fees for gym memberships that they are now unable to use.”

New York Sports Club did not immediately return a request for comment.