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March 30, 2012

Gym Closure Notices

As you know, when a gym is closing its doors, the owner must ensure that members are sent written notification of the planned closure. Members should be notified within ten business days of the planned facility closing. We have also learned of incidences in which gyms have opted to send out closure notices via email, but those emails were never received by the gym members because the notices went directly into the member's spam folder. To avoid such issues, gym owners should send planned closure notices to their members via U.S. mail. If a member has elected to receive communication from the gym only via email, then an emailed notice will suffice.

In addition, OCP would like to remind gym owners that for gyms that are closing, memberships may only be transferred to facilities that are located within ten miles, and are substantially similar in size and services. Therefore, a gym that had previously offered 24 hour access to members and is closing may not transfer members to a facility that does not offer 24 hour access, since that facility would not be a substantially similar facility. Any such transferred membership would be subject to cancellation at the consumer's request, and must be honored. Gym owners, please be aware that health spa memberships may not be transferred to facilities that are not approved by this office, and may not be transferred to facilities that are not health spas. If there are any questions regarding this information, please contact this office at (404) 656-3789.

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