

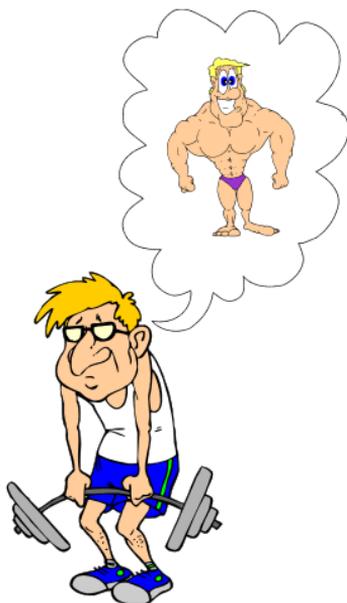
Just the facts on...

Physical Fitness Clubs

With the explosion of physical fitness clubs across the nation, many individuals are finding a convenient way to maintain a healthy, active lifestyle.

These club memberships certainly provide many physical benefits to customers, but signing a physical fitness club contract may pose financial risks.

Before jumping on the treadmill, exercise your mind and consider the following information.



General contract information

 READ the contract, especially the fine print, before you sign.

 Contracts could include charges for child care, aerobic classes, and other “extras” you did not request.

 Always try to negotiate the best price before signing.

Automatic Renewals: Not so automatic

Under the Physical Fitness Act, an automatic renewal clause may be included in the contract.



The member, however, must agree to the automatic renewal 30 days prior to the end of the original contract. **The club is not allowed to renew the contract and continue to draft payments if the member does not respond to the offer.**

Automatic renewals may be convenient for the consumer, but may result in unexpected costs if not terminated at the end of the initial contract period.



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How do you spot them?

⚡ Automatic renewal clauses are often placed in the contract's fine print.

⚡ Automatic renewals may be called "tacit renewals."

⚡ Automatic renewal clauses may be worded as "continuous," "at current rates," or "until I cancel."

Eliminating automatic renewals

If you see an improper automatic renewal clause, notify the Department. Insist on a clause eliminating automatic renewals from the contract.

Canceling your contract

The following apply to contracts longer than three months or greater than \$200.

➡ Cancellation without penalty is available for three days after the contract is signed.

➡ Cancellation penalties are waived when the member moves at least 50 miles away.

➡ Cancellation penalties are waived if the member dies or develops a physical disability certified by a physician.



What should you do when your gym closes?

Unfortunately, some physical fitness clubs are unable to continue their business and are forced to shut their doors.

Customers who pay their membership fees month-to-month should immediately cancel their contract and ensure that payments are no longer drafted from their account.

Customers who have pre-paid their membership in full are entitled to a canceled contract and a pro-rated refund.

Customers should not assume that the facility will cancel their contract and stop draft payments.

If a physical fitness club refuses to comply, the customer can file a complaint with the South Carolina Department of Consumer Affairs.

Proof of membership, usually a copy of the contract, is required for the complaint to be processed. The Department may then take the appropriate measures to collect the customer's refund.