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AG Racine Sues Washington Sports Club For Flouting COVID-19 Emergency Orders

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March 11, 2021

Dupont Club Location Failed to Enforce Masking and Social Distancing Requirements

WASHINGTON, D.C. – Today, Attorney General Karl A. Racine filed a lawsuit against the parent company of Washington Sports Club for failing to comply with the District’s health and safety orders related to COVID-19. In the complaint, the Office of the Attorney General (OAG) alleges that the Dupont Circle location of the Washington Sports Club failed to enforce the District’s mask mandate, set and enforce appropriate social distancing guidelines, and properly disinfect equipment. Through the lawsuit, OAG is seeking civil penalties and a court order requiring the gym to comply with applicable safety regulations.

“District law requires businesses to comply with health and safety requirements that are necessary to reduce the spread of coronavirus and to protect employees and consumers,” said AG Racine. **“The overwhelming majority of D.C. businesses comply with D.C. law. Washington Sports Club’s reckless disregard of these measures not only endangers its staff and patrons, but also all District residents. My office will continue to hold businesses who do not adhere to measures designed to combat spread of COVID-19 accountable.”**

New TSI Holdings, Inc. is the parent company of Washington Sports Club. Based out of New York City, the company currently operates three Washington Sports Club locations in D.C.—in Columbia Heights, Dupont Circle, and Glover Park. This is the third consumer complaint that the OAG has filed against Washington Sports Club’s owner. In January 2019, OAG filed a lawsuit against the gym’s previous owner for engaging in deceptive business practices, including continuing to charge consumers after they canceled their gym memberships. In August 2020, OAG filed another suit against the prior owner for failing to credit fees and cancel gym memberships while gyms were closed when the pandemic started and the Mayor issued a stay-at-home order.

On November 16, the Council enacted the District’s Protecting Businesses and Workers from COVID-19 Congressional Review Emergency Amendment Act of 2020 (Emergency Act). This law provides enforcement mechanisms for the Mayor’s COVID-19 public health emergency orders. The orders require all District residents to wear facemasks while in public. They also require businesses to make it mandatory for customers to wear facemasks while indoors, including while exercising if it safe to do so. The orders further contain specific guidelines for gyms and workout studios. The orders instruct these establishments to maintain six feet of distance between staff and patrons, ensure that workout equipment provides at least 10 feet of space between patrons in all directions, and sanitize each piece of equipment after use. Additionally, businesses are required to post signs on their doors stating masks are mandatory for those who enter and to exclude those who are not wearing masks or remove their masks.

In the Complaint, OAG alleges that Washington Sports Club violated the Consumer Protection Procedures Act and the Emergency Act by:

- **Failing to comply with the District’s COVID-19 rules:** OAG received complaints from two different District residents detailing violations of the District’s COVID-19 rules throughout January and February 2021. During the span of these months, both residents observed and reported patrons either not wearing their mask or wearing their mask incorrectly. Both residents also observed a lack of social distancing between patrons who were using treadmills and elliptical machines or who were in the weight-lifting area. In February 2021, one District resident observed that no signs were posted to remind patrons to remain masked while in the building. That same month, the other resident reported that during 16 visits, the gym staff had not cleaned any of the equipment between uses even though more than one person had used the equipment.
- **Misrepresenting legal requirements to consumers:** Washington Sports Club’s website falsely indicates that patrons are not required to wear a mask in the gym if they are more than 12 feet away from each other. This policy directly violates the District’s rules, which require gym-goers to always wear a face mask indoors, unless they have a health issue that prevents them from doing so.

In this lawsuit, OAG is seeking a court order requiring WSC to comply with the District’s COVID-19 rules, civil penalties, costs the District incurred by bringing this case, and attorney’s fees.

A copy of the complaint is available at: <https://oag.dc.gov/sites/default/files/2021-03/Washington-Sports-Club-COVID-Regulations-Complaint.pdf> (<https://web.archive.org/web/20210311203040/https://oag.dc.gov/sites/default/files/2021-03/Washington-Sports-Club-COVID-Regulations-Complaint.pdf>).

How to Report Unfair Business Practices

To report scams, fraud, or unfair business practices, contact OAG's Office of Consumer Protection by:

- Texting "COMPLAINT" to 202-738-5212 and following the prompts
- Messaging OAG using the chat feature at: oag.dc.gov/consumer (<https://web.archive.org/web/20210311203040/http://oag.dc.gov/consumer>)
- Submitting a complaint online at: <https://oag.dc.gov/consumer-protection/submit-consumer-complaint> (<https://web.archive.org/web/20210311203040/https://oag.dc.gov/consumer-protection/submit-consumer-complaint>)
- Calling (202) 442-9828
- Emailing consumer.protection@dc.gov (<https://web.archive.org/web/20210311203040/mailto:consumer.protection@dc.gov>)

Consumer Alert: Protect yourself from scams, price gouging, discrimination, and get information about your rights during the pandemic by reading [OAG's Consumer Alert](https://oag.dc.gov/blog/consumer-alert-coronavirus-covid-19-know-your) (<https://web.archive.org/web/20210311203040/https://oag.dc.gov/blog/consumer-alert-coronavirus-covid-19-know-your>) (available in [Spanish](https://web.archive.org/web/20210311203040/https://oag.dc.gov/blog/alerta-para-el-consumidor-coronavirus-covid-19) (<https://web.archive.org/web/20210311203040/https://oag.dc.gov/blog/alerta-para-el-consumidor-coronavirus-covid-19>), [Amharic](https://web.archive.org/web/20210311203040/https://oag.dc.gov/blog/yatagalegaaye-maasethanegaqiyaa-koronaavaayerase) (<https://web.archive.org/web/20210311203040/https://oag.dc.gov/blog/yatagalegaaye-maasethanegaqiyaa-koronaavaayerase>), [Chinese](https://web.archive.org/web/20210311203040/https://oag.dc.gov/blog/xiaofeizhejingbaoguanzhuangbingdu-covid) (<https://web.archive.org/web/20210311203040/https://oag.dc.gov/blog/xiaofeizhejingbaoguanzhuangbingdu-covid>), [French](https://web.archive.org/web/20210311203040/https://oag.dc.gov/blog/alerte-aux-consommateurs-coronavirus-covid-19) (<https://web.archive.org/web/20210311203040/https://oag.dc.gov/blog/alerte-aux-consommateurs-coronavirus-covid-19>), [Korean](https://web.archive.org/web/20210311203040/https://oag.dc.gov/blog/sobija-allim-kolonabaileoseucovid-19-naui-gwonli) (<https://web.archive.org/web/20210311203040/https://oag.dc.gov/blog/sobija-allim-kolonabaileoseucovid-19-naui-gwonli>), and [Vietnamese](https://web.archive.org/web/20210311203040/https://oag.dc.gov/blog/canh-bao-danh-cho-nguoi-tieu-dung-vi-rut-corona) (<https://web.archive.org/web/20210311203040/https://oag.dc.gov/blog/canh-bao-danh-cho-nguoi-tieu-dung-vi-rut-corona>)).

Latest COVID-19 updates: Visit www.oag.dc.gov/coronavirus (<https://web.archive.org/web/20210311203040/http://www.oag.dc.gov/coronavirus>) and sign up for OAG's newsletter at www.oag.dc.gov/newsletter (<https://web.archive.org/web/20210311203040/http://www.oag.dc.gov/newsletter>).

For more District Government COVID-19 updates visit: coronavirus.dc.gov (<https://web.archive.org/web/20210311203040/https://coronavirus.dc.gov/>).

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March 9, 2021

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March 9, 2021

[AG Racine Announces Actions in Six Cases Related to Financial Exploitation of Older and Vulnerable District Residents](https://web.archive.org/web/20210311203040/https://oag.dc.gov/release/ag-racine-announces-actions-six-cases-related)
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Attorney General Karl A. Racine

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Office Hours

Monday to Friday, 8:30 a.m. to 5:00 p.m.

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