



Newsroom

AG Racine Announces Urban Athletic Club Will Comply With COVID-19 Emergency Measures

December 15, 2020

Change Follows OAG Lawsuit Alleging Gym in Shaw Flouted Mask Use, Social Distancing, and Sanitization Requirements, Risking Virus Exposure for Employees and Patrons

WASHINGTON, D.C. – Attorney General Karl A. Racine today announced that Urban Athletic Club, a District gym chain, has agreed to comply with emergency COVID-19 health and safety requirements. The interim agreement comes after the Office of the Attorney General (OAG) filed suit against the chain for noncompliance at its Shaw location, following an OAG investigation. In its lawsuit, OAG alleged that Urban Athletic endangered District residents by allowing customers to exercise at its Shaw location without masks, adequate distancing, or proper equipment sanitization. After OAG filed suit, the company immediately entered into an interim agreement requiring compliance with Mayor Muriel Bowser’s COVID-19 public health emergency orders, pending trial or other final resolution of the case.

“We are pleased to have reached an agreement with Urban Athletic Club wherein it will follow and enforce the District’s health guidelines, whose sole objective is to contain the spread of COVID-19 and keep District residents safe,” said AG Racine. **“With coronavirus cases spiking across the District, everyone must take simple precautionary measures, such as wearing masks and social distancing, to reduce exposure and transmission risk. Any business that knowingly flouts the District’s emergency orders, and needlessly endangers residents, will be held accountable.”**

Urban Athletic Club is registered to do business in the District of Columbia. It operates gyms in Adams Morgan and Glover Park housed within the Line Hotel and Kimpton Glover Park Hotel, respectively, along with a location at 804 N Street, NW, in Shaw. The lawsuit focuses on violations observed over several weeks at the Shaw location.

The District’s Protecting Businesses and Workers from COVID-19 Congressional Review Emergency Amendment Act of 2020 (Emergency Act), enacted by the Council on November 16, requires businesses to follow policies in the Mayor’s COVID-19 public health emergency orders. According to the orders, residents must [wear facemasks while in public](https://coronavirus.dc.gov/maskorder) (<https://coronavirus.dc.gov/maskorder>) and businesses must enforce customer use of facemasks while indoors. They also detail [specific guidelines for gyms and workout studios](https://coronavirus.dc.gov/sites/default/files/dc/sites/coronavirus/page_content/attachments/COVID-19_DC_Health_Guidance_for_Gyms_and_Workout_Studios_2020.08.31_FINAL.pdf) (https://coronavirus.dc.gov/sites/default/files/dc/sites/coronavirus/page_content/attachments/COVID-19_DC_Health_Guidance_for_Gyms_and_Workout_Studios_2020.08.31_FINAL.pdf). The orders direct these establishments to maintain six feet of distance between staff and patrons, arrange workout areas to provide least 10 feet between patrons in all directions, and properly disinfect each piece of equipment after each use. Further, all gym staff and clientele must “wear a face covering while entering, exiting or within the facility, including while exercising if able to do so safely.” On November 23, Mayor Bowser [issued an order](https://coronavirus.dc.gov/sites/default/files/dc/sites/coronavirus/page_content/attachments/Mayor%27s%20Order%202020-119%20%2011-23-2020.pdf) (https://coronavirus.dc.gov/sites/default/files/dc/sites/coronavirus/page_content/attachments/Mayor%27s%20Order%202020-119%20%2011-23-2020.pdf) modifying Phase Two Guidance, requiring “gyms, private trainers, and other businesses and recreation centers” to suspend all indoor group exercise classes, and any outdoor classes for groups of 25 or more.

On October 7, OAG notified Urban Athletic Club of a report that employees and customers at the company’s Shaw location were not complying with distancing and mask guidelines. The company’s owner, Graham King, acknowledged the problem in a letter sent October 14. An OAG investigator then visited the location six times between October 20 to November 23. During each visit, the investigator observed multiple gymgoers exercising without masks within six feet of others. Further, employees failed to enforce the health guidelines and neglected to sanitize equipment between use. Gym employees had also constructed a workout area on the sidewalk outside of the building, which did not allow for adequate distancing between gym patrons and passersby.

In its lawsuit, OAG alleged that Urban Athletic Club violated the Emergency Act and the Consumer Protection Procedures Act (CPPA) by:

- **Failing to implement social distancing, mask wearing, and worker protection requirements:** An OAG investigation revealed the company was not complying with the Mayor’s health guidelines around distancing, masks, and worker protections.

An OAG investigator observed gym employees and patrons ignoring these guidelines during six site visits. The company's Instagram also features several photos taken since late October that depict groups of employees and patrons in close proximity—in some instances, touching—without masks.

- **Misleading consumers on the company's commitment to health and safety:** The company's website states that patrons' "health and safety is our highest priority," and gymgoers must sign a waiver form stating that signatories will comply with the Mayor's guidelines for gyms. However, employees at Urban Athletic Club's Shaw location did not enforce these public health requirements. The lawsuit alleged that this lack of enforcement amounted to both misleading and endangering the company's customers.

Shortly after OAG filed suit, representatives with Urban Athletic Club entered into conversations with OAG and agreed to begin enforcing the Mayor's orders and guidance at their gyms. The agreement will remain in effect until the case is resolved through a trial or final Consent Order.

A copy of the complaint is available at: https://oag.dc.gov/sites/default/files/2020-12/Urban-Athletic-Club-Complaint_0.pdf
(https://oag.dc.gov/sites/default/files/2020-12/Urban-Athletic-Club-Complaint_0.pdf).

A copy of the agreement is available: <https://oag.dc.gov/sites/default/files/2020-12/Urban-Athletic-Club-Order.pdf>
(<https://oag.dc.gov/sites/default/files/2020-12/Urban-Athletic-Club-Order.pdf>).

OAG's COVID-19 Resources

In response to the Coronavirus (COVID-19) pandemic, the Office of the Attorney General (OAG) has been teleworking since mid-March. You can access OAG services online and over the phone during our telework period at:

- **Website:** www.oag.dc.gov (<http://www.oag.dc.gov>)
- **Email:** oag@dc.gov (<mailto:oag@dc.gov>)
- **Phone:** (202) 727-3400
- **Fax:** (202) 347-8922
- **TTY:** (202) 727-3400

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>) (available in **Amharic** (<https://oag.dc.gov/blog/yatagalegaaye-maasethaneqaqiyaa-koronaavaayerase>), **Chinese** (<https://oag.dc.gov/blog/xiaofeizhejingbaoguanzhuangbingdu-covid>), **French** (<https://oag.dc.gov/blog/alerte-aux-consommateurs-coronavirus-covid-19>), **Korean** (<https://oag.dc.gov/blog/sobija-allim-kolonabaileoseucovid-19-naui-gwonli>), **Spanish** (<https://oag.dc.gov/blog/alerta-para-el-consumidor-coronavirus-covid-19>) and **Vietnamese** (<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 (<http://www.oag.dc.gov/coronavirus>) and sign up for OAG's newsletter at www.oag.dc.gov/newsletter (<http://www.oag.dc.gov/newsletter>).

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

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ADDITIONAL CONTACTS

For adult felony and federal cases in the District of Columbia, call the U.S. Attorney's Office at (202) 252-7566 (tel:(202) 2527566).

For federal cases generally, call the U.S. Department of Justice at (202) 514-2000 (tel:202-514-2000).



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