



florida Consumer E-Newsletter

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brought to you by the Division of Consumer Services

Florida Department of Agriculture and Consumer Services - Charles H. Bronson, Commissioner

Dear Friends: *a message from the Commissioner*

Regular physical activity is an important component of a healthy lifestyle, but consumers who decide a health club is the way to go should take the time to check them out prior to signing a contract. There are more than 1,500 health clubs registered with the Department and unfortunately, not all are able to stay in business. Consumers need to know what redress they have if a gym does close its doors.

Remember, we're here for you. Our Consumer Hotline: calling within Florida 1-800-HELP-FLA (435-7352), outside of Florida 850-488-2221, ¡Español! 1-800-FL-AYUDA (352-9832), will answer any consumer related questions you may have and assist you in filing a complaint against a company doing business in the State of Florida.

Sincerely,
Charles H. Bronson



Charles H. Bronson
Commissioner of Agriculture

Health Studios... make an informed decision

Health studios (gyms, health clubs, etc.) have become increasingly popular as Floridians have become more fitness-conscious. Joining a health club usually involves signing a membership contract and paying dues and fees. In the past, some health studios went out of business after collecting thousands of dollars in prepaid membership dues from consumers.

Florida Law protects consumers by requiring them to register with the Department of Agriculture and Consumer Services annually. Health studios that offer pre-paid memberships of more than 30 days must post a \$50,000 surety bond, letter of credit, or certificate of deposit. The purpose of this security is to reimburse members if the studio fails to meet its contractual obligations to its members. A health studio that has been operating under the same ownership and control for the most recent five years and that has a satisfactory consumer complaint history is exempt from the security requirements, but must be registered. Non-profit organizations and certain other types of fitness centers may also be exempt.

Review these quick tips before joining a health studio:

- Make sure the health studio is currently registered with the Florida Department of Agriculture and Consumer Services. Call our Consumer Hotline (1-800-HELP-FLA, 435-7352) to see if any complaints have been filed against the health studio, and if so, how they have been resolved.
- Check to see if the health studio has filed the proper security with the Department or if they are exempt from doing so.
- Try to avoid long term commitments until you have had a chance to use the health studio and feel comfortable it will meet your needs. While some studios won't talk about monthly memberships, some will. Others may require a commitment for one year, but with no large up-front payment. Shop around and ask questions.
- If the consumer decides to pay on a month-to-month basis, the health studio is entitled to charge any fee they deem appropriate. The Department does not regulate how much a health studio charges consumers for services.
- Some health studios ask you to join - and pay - the first time you visit and offer incentives like special rates to entice you to sign on the spot. It's a good idea to wait a few days before deciding. Take the contract home and read it carefully.
- If you want to file a complaint against a health studio, you can file online by visiting our website at: www.800helpfla.com or call our Consumer Hotline at (1-800-HELP-FLA, 435-7352) to have a complaint form sent to you via mail.

For more information on requirements of a health studio, please visit our website at www.800helpfla.com. You can also call our Consumer Hotline (1-800-HELP-FLA, 435-7352) and a consumer specialist will be happy to answer any additional questions you may have.

Top 10 Consumer Complaints of 2004

1. General Complaints (11,106)
2. Sellers of Travel (4,464)
3. Telephone Solicitation (3,823)
4. Motor Vehicle Repair (2,219)
5. Business Opportunities (1,019)
6. Health Studios (700)
7. Telemarketing (698)
8. Intrastate Moving (546)
9. Solicitation of Contributions (128)
10. Game Promotions (106)

Our Consumer Assistance Call Center received a total of 320,097 calls in 2004!

Remember... An educated consumer is the best defense against fraud and deception